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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

February 25, 2021
2:00 p.m.

TRANSCRIPT OF PROCEEDINGS

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

BOARD MEMBERS :

JANE BONNER
NEIL J. FOLEY
KEVIN LaVALLE
MICHAEL A. LOGUERCIO JR.
DANIEL PANICO
SUPERVISOR EDWARD P. ROMAINÉ

ALSO PRESENT :

DONNA LENT, TOWN CLERK
ANNETTE EADERESTO,
TOWN ATTORNEY

* * *

1

2

SUPERVISOR ROMAINE: Good afternoon.

3

Welcome to the February 25th meeting of the

4

Town board and I'd like to call it to order.

5

With that, I'd ask our clerk to call

6

the roll.

7

MS. LENT: Yes.

8

Councilwoman Bonner.

9

COUNCILWOMAN BONNER: Here.

10

MS. LENT: Councilman LaValle.

11

COUNCILMAN LaVALLE: Present.

12

MS. LENT: Councilman Loguercio.

13

COUNCILMAN LOGUERCIO: Present.

14

MS. LENT: Councilman Foley.

15

(No response.)

16

SUPERVISOR ROMAINE: You're muted,

17

Neil.

18

COUNCILMAN FOLEY: I'm here.

19

MS. LENT: Councilman Panico.

20

COUNCILMAN PANICO: Here.

21

MS. LENT: And Supervisor Romaine.

22

SUPERVISOR ROMAINE: Present and with

23

that, we'll stand and pledge the flag. If you

24

would be kind enough to lead us, Donna.

25

MS. LENT: Certainly.

1

2

(Pledge of Allegiance.)

3

4

SUPERVISOR ROMAINE: Okay. And a moment of silence.

5

6

7

8

9

10

11

12

13

14

I'd like to join our president, President Biden. Earlier this week he, his wife, the vice president and her husband honored and paid their respects to the more than half a million Americans that have died as a result of this virus. I'd like to join with them, have a moment of silence for all who have lost their lives in this really terrible pandemic.

15

16

17

18

19

(Moment of silence.)

SUPERVISOR ROMAINE: Okay. We'll go on to reports to the board. We have one from our Town Clerk.

20

21

22

23

24

25

MS. LENT: Okay. If I can just have one second.

(Pause.)

MS. LENT: Oh. I need to move through this.

COUNCILWOMAN BONNER: Take your time, Donna.

(Pause.)

1

2

MS. LENT: And I am having an issue
with going to my . . . okay.

4

5

6

7

We will do it on . . . so I have a
report of revenue for the Town Clerk's office
for the month of January in the amount of
\$1,052,743.76.

8

May I have a motion to accept?

9

COUNCILMAN LaVALLE: So moved.

10

COUNCILWOMAN BONNER: Second.

11

MS. LENT: All those in favor?

12

COUNCILWOMAN BONNER: Aye.

13

COUNCILMAN FOLEY: Aye.

14

COUNCILMAN LaVALLE: Aye.

15

COUNCILMAN LOGUERCIO: Aye.

16

COUNCILMAN PANICO: Aye.

17

SUPERVISOR ROMAINE: Aye.

18

MS. LENT: Opposed?

19

(No response.)

20

MS. LENT: Motion carries.

21

SUPERVISOR ROMAINE: Okay. Then we

22

have the communication consensus agenda, which

23

consists of the Town board meeting from

24

February 11th.

25

MS. LENT: Yes. There is one item on

1

2 the -- I'm sorry, what was that, Supervisor?

3 SUPERVISOR ROMAINE: I said I believe

4 it deals with the Town board minutes from

5 February 11th.

6 MS. LENT: Okay.

7 May I have a motion to accept, please,

8 Town board minutes?

9 COUNCILMAN LaVALLE: So moved.

10 COUNCILWOMAN BONNER: Second.

11 MS. LENT: All those in favor?

12 COUNCILWOMAN BONNER: Aye.

13 COUNCILMAN FOLEY: Aye.

14 COUNCILMAN LaVALLE: Aye.

15 COUNCILMAN LOGUERCIO: Aye.

16 COUNCILMAN PANICO: Aye.

17 SUPERVISOR ROMAINE: Aye.

18 MS. LENT: Opposed?

19 (No response.)

20 MS. LENT: Motion carries.

21 SUPERVISOR ROMAINE: Okay. And we're
22 onto the highway consensus agenda and we have
23 two items.

24 MS. LENT: Yes.

25 May I have a motion to accept the

1

2

highway consensus agenda items?

3

COUNCILMAN LaVALLE: So moved.

4

COUNCILWOMAN BONNER: Second.

5

MS. LENT: All those in favor?

6

COUNCILWOMAN BONNER: Aye.

7

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: Then we are onto

16

the consensus resolution agenda.

17

COUNCILMAN PANICO: And there are two

18

items, C-43 and C-44 of the year 2021.

19

So moved.

20

COUNCILMAN FOLEY: Second.

21

MS. LENT: 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 SUPERVISOR ROMAINE: Okay.

8 Now we're onto the resolution agenda
9 and we're going to start off with --10 MS. LENT: Can I just have a second,
11 please, because I need to get to that screen
12 and I don't mind if somebody wants to text me
13 and tell me what I'm doing wrong here because
14 I don't have that screen up.

15 SUPERVISOR ROMAINE: Okay.

16 MS. LENT: Just give me one minute.

17 SUPERVISOR ROMAINE: Take your time.

18 Maybe we can get someone from IT to come
19 over --20 MS. LENT: Oh, I think I'm here. I'm
21 sorry, but . . .22 SUPERVISOR ROMAINE: Hey, in the age of
23 computers . . .24 MS. LENT: Because I'm working with one
25 screen today now.

1

2

SUPERVISOR ROMAINE: Instead of two, I know.

3

4

MS. LENT: Okay. So I mean I can see the agenda, but I'm trying to get it on the right hand of my screen. I know my staff is listening to me, so . . .

5

6

7

8

SUPERVISOR ROMAINE: Well, hopefully they can come over and do something.

9

10

MS. LENT: Yeah, okay. So let's go ahead and start.

11

12

COUNCILMAN FOLEY: Okay. I think I'm up, I'll start.

13

14

SUPERVISOR ROMAINE: Yes, you are.

15

16

COUNCILMAN FOLEY: Resolution 137 of 2021, authorizing the Supervisor/Deputy Supervisor to execute an agreement with Iron Mountain Secure Shredding Incorporated to provide paper shredding and disposal services at the Town of Brookhaven's 2021 satellite paper shredding events.

17

18

19

20

21

22

So moved.

23

COUNCILMAN LOGUERCIO: Second.

24

COUNCILMAN PANICO: On the motion --

25

MS. LENT: All those in favor?

1

2

COUNCILMAN PANICO: On the motion, I believe that Councilwoman Jane Bonner has good news. Today she was able to secure \$4,000.

3

4

Jane, do you want to talk about that?

5

6

COUNCILWOMAN BONNER: Yes. We'll have a resolution for the next Town board meeting.

7

8

As many people know, they know that

9

Dime Bank and Bridgehampton National Bank

10

merged and I know some people at Bridgehampton

11

National Bank and I reached out to them to see

12

if they would be willing to sponsor our paper

13

shredding events because Teachers Federal

14

Credit Union didn't respond to any of our

15

outreach and my contact at Dime said that they

16

would be happy to sponsor our paper shredding

17

events for 2021, not for the usual amount that

18

we got, but for \$2,000 more, so thanks, Dan.

19

Thanks for bringing it up. I was going to

20

wait for the next Town board meeting, but we

21

take recycling very seriously here in

22

Brookhaven and certainly under the guidelines

23

of laws that we can, you know, that are put

24

forth by the State, so . . .

25

SUPERVISOR ROMAINE: Okay.

1

2

COUNCILMAN LOGUERCIO: Resolution 138

3

of --

4

SUPERVISOR ROMAINE: Let's take a vote

5

on that.

6

COUNCILMAN LOGUERCIO: Oh, I'm sorry.

7

SUPERVISOR ROMAINE: Donna, you're

8

muted.

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

COUNCILMAN LOGUERCIO: Resolution 138

20

of 2021 is the assignment of license agreement

21

between the Town Brookhaven and Michael Kokell

22

for underwater property at Bellport Bay.

23

So moved.

24

COUNCILMAN FOLEY: Second.

25

MS. LENT: All those in favor?

1

2

COUNCILWOMAN BONNER: Aye.

3

COUNCILMAN FOLEY: Aye.

4

COUNCILMAN LaVALLE: Aye.

5

COUNCILMAN LOGUERCIO: Aye.

6

COUNCILMAN PANICO: Aye.

7

SUPERVISOR ROMAINE: Aye.

8

MS. LENT: Opposed?

9

(No response.)

10

MS. LENT: Motion carries.

11

COUNCILMAN PANICO: Resolution number

12

139 of 2021 is authorization to enter into an

13

agreement between the Town of Brookhaven and

14

Bioreference Laboratories, Incorporated.

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

Let's see here.

4

SUPERVISOR ROMAINE: Okay. Michael.

5

6

COUNCILMAN LOGUERCIO: Yeah, I was just waiting for Donna to give me the cue.

7

SUPERVISOR ROMAINE: Oh.

8

MS. LENT: One second.

9

(Pause.)

10

11

12

13

14

15

16

17

SUPERVISOR ROMAINE: For those listening, we have a new computer system for our Town board meeting run by eCivis that Donna is working with, so it takes a little bit of adjusting and it isn't as rapid as we would like it to be, so we hesitate for a second, give Donna an opportunity to make sure our votes are recorded.

18

MS. LENT: You can move on. I'm ready.

19

SUPERVISOR ROMAINE: Okay.

20

21

22

23

24

COUNCILMAN LOGUERCIO: Resolution 140 of 2021 is to authorize the Fifth Amendment of the contract between County of Suffolk and Town of Brookhaven for the operation of a nutrition program for the elderly.

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: Motion carries.

13

COUNCILMAN LOGUERCIO: Go ahead, Donna?

14

MS. LENT: Yes. Motion carries.

15

COUNCILMAN LOGUERCIO: Resolution 141

16

of 2021 is the authorization to enter into an

17

agreement with Suffolk County Office for the

18

Aging for the residential repair program.

19

So moved.

20

COUNCILMAN FOLEY: Second.

21

MS. LENT: 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

COUNCILMAN LOGUERCIO: Resolution 142

8

of 2021 --

9

MS. LENT: Mike, I just ask you to just

10

slow up just a step, okay, please?

11

You can go ahead now.

12

COUNCILMAN LOGUERCIO: Resolution 142

13

of 2021 is to authorize the Commissioner of

14

Finance to amend the 2021 adopted capital

15

budget to establish a new project for the Mill

16

Pond Golf Course bunkers and tee boxes, to be

17

funded through the Fairway Golf Reserve and an

18

existing capital project for Mill Pond

19

Improvements.

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 COUNCILMAN LOGUERCIO: Nice to be
9 talking about golf.10 SUPERVISOR ROMAINE: The snow is
11 melting.

12 COUNCILMAN LOGUERCIO: Yeah.

13 COUNCILWOMAN BONNER: Snow melts.

14 SUPERVISOR ROMAINE: That's it.

15 COUNCILMAN FOLEY: Resolution 143 of
16 2021, award bid number 21002 - electrical
17 services - on call.

18 So moved.

19 COUNCILMAN LOGUERCIO: Second.

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

MS. LENT: Motion carries.

6

COUNCILMAN LOGUERCIO: Resolution 144

7

of 2021 is to establish a petty cash fund for

8

the Department of Public Safety.

9

So moved.

10

COUNCILMAN FOLEY: Second.

11

MS. LENT: All those in favor?

12

COUNCILWOMAN BONNER: 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, but here's

21

what's happening. There is a delay from when

22

we move between resolutions because I have to

23

set the time clock, the time stamp and it

24

doesn't happen right away. That's where this

25

delay is happening.

1

2

COUNCILWOMAN BONNER: So do you want to say next for all of us?

3

4

SUPERVISOR ROMAINE: Yeah, why don't you say next?

5

6

MS. LENT: Okay, I will do that.

7

8

SUPERVISOR ROMAINE: Okay. That would be better.

9

MS. LENT: All right, next.

10

11

12

13

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16

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18

19

20

COUNCILMAN LOGUERCIO: Resolution 145 of 2021 is authorizing the Town of Brookhaven Department of Housing and Community Development to apply for and submit an application to the United States Department of Housing and Urban Development for the Foster Youth to Independence Competitive Voucher Program in response to a notice of funding availability invitation and authorizing the Supervisor to execute related documentation and to accept any resulting grant award.

21

So moved.

22

COUNCILMAN FOLEY: 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

Next.

10

COUNCILMAN LOGUERCIO: Resolution 146

11

of 2021, authorization for settlement of

12

acquisition of property located on Ecke Avenue

13

in Bellport for affordable housing purposes,

14

owners John and Katie Harris, Mimar LLC,

15

Gameron LLC, Laura Toussie, Rod Staten Corp.

16

and Jarn LLC.

17

So moved.

18

COUNCILMAN FOLEY: Second.

19

MS. LENT: 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

Next.

6

COUNCILMAN PANICO: 147 of 2021 is

7

setting a public hearing to amend Chapter 10

8

of the code of the Town of Brookhaven entitled

9

"Parks and Recreation Areas", Section 10-2

10

entitled "Definitions", Section 10-29 entitled

11

"Town Marinas and Mooring Areas" and Chapter

12

74 of the code of the Town of Brookhaven

13

entitled "Brookhaven Port Jefferson Harbor

14

Complex Waterway", Section 74-4 entitled

15

"Definitions".

16

So moved.

17

COUNCILMAN FOLEY: Second.

18

MS. LENT: 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. EADERESTO: Hearing date, Donna?

4

MS. LENT: I'm sorry?

5

MS. EADERESTO: The hearing date?

6

MS. LENT: Oh, I'm so sorry.

7

The hearing date on that is March 25,

8

2021 at 2:30 p.m.

9

And next.

10

COUNCILMAN PANICO: 148 of 2021 is

11

authorizing a memorandum of understanding

12

between the Peconic Land Trust, Incorporated

13

and the Town of Brookhaven regarding the

14

acquisition of 191 South Street in Manorville.

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

Next.

4

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COUNCILMAN FOLEY: Resolution 149 of 2021, rescinding resolution 0359 of 2020 entitled "Consent of the Town Board to the Superintendent of Highways ordering a discontinuance of highway, pursuant to Section 205 of the highway law in Ocean Bay Park, Fire Island and authorizing the sale of excess lands associated therewith."

So moved.

COUNCILMAN LOGUERCIO: Second.

SUPERVISOR ROMAINE: Second and what we're doing, Neil, with this, I'm sure you can explain it, is we're withdrawing our offer to sell a right of way to adjoining property owners simply because the fire district in that area has asked that this right of way, which is right next to the beach, be left open so that they could have access in case of emergency. It's not a road, it's actually sand, but I just want to say that for the record for anyone that's listening from Ocean Bay Park or from any of the Fire Island fire

1

2

departments who have supported Ocean Bay Park

3

in keeping this right of way in Town

4

possession.

5

MS. LENT: Having been moved and

6

seconded, all those in favor?

7

COUNCILWOMAN BONNER: 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

Next.

17

COUNCILMAN PANICO: Number 150 of 2021

18

is a bond resolution authorizing the issuance

19

of \$500,000 in bonds to pay the cost of the

20

Mastic Beach floodplain restoration, this is

21

the Mastic marshland conservation area.

22

MS. LENT: Yes. This is going to be a

23

roll call vote, so, Ms. Bonner, how do you

24

vote?

25

MS. EADERESTO: You need a second.

1

2

MS. LENT: Oh, I'm sorry.

3

COUNCILMAN FOLEY: Second.

4

5

COUNCILMAN PANICO: Annette, before we go into that, Annette, can you talk about this a little bit?

6

7

MS. EADERESTO: Absolutely.

8

9

MS. LENT: Can I just ask Annette first, that was Mr. Foley that was the second?

10

MS. EADERESTO: Yes.

11

MS. LENT: Okay, thank you.

12

MS. EADERESTO: Yes, I'd be happy to.

13

14

Actually, the board should be very proud of this initiative. This is a bond just to wrap around for an actual grant that you've received. This is the third grant that the board has received for the Mastic marshlands area and this one gives us a little bit more flexibility with what we can do with the money.

15

16

17

18

19

20

21

This will allow demolitions both of

22

Town owned parcels and privately owned as

23

we'll go into hearings later today regarding

24

demolitions of condemned properties that are

25

in disrepair. This money can be used for

1

2

both.

3

4

5

6

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17

18

But what the Town board should be particularly proud of is you're getting written up all across the nation in regard to this Mastic marshlands project and the money and time that you've devoted to this. This is in many, many journals. We've also gotten grants from The Nature Conservancy to do demolitions in this area and the work you're doing to restore the floodplain to protect the other residents of the Mastic Beach and Shirley area is gaining attention. You're in many, many environmental publications and also, it's been brought up in many seminars and this is just one more step and some more funding and you should be very proud of your efforts down here.

19

COUNCILMAN PANICO: Thanks, Annette.

20

SUPERVISOR ROMAINE: Thank you.

21

MS. LENT: Having been moved and

22

seconded, 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

6

COUNCILMAN LOGUERCIO: Donna, this is a
bond resolution.

7

MS. EADERESTO: That's a bond.

8

9

MS. LENT: Oh and I started to do that
and stopped.

10

MS. EADERESTO: Yes, you did.

11

MS. LENT: I'm sorry.

12

All right, Ms. Bonner, how do you vote?

13

COUNCILWOMAN BONNER: I vote yes.

14

MS. LENT: And Mr. LaValle?

15

COUNCILMAN LaVALLE: Yes.

16

MS. LENT: Mr. Loguercio?

17

COUNCILMAN LOGUERCIO: Aye.

18

MS. LENT: Mr. Foley?

19

COUNCILMAN FOLEY: Yes.

20

MS. LENT: Mr. Panico?

21

COUNCILMAN PANICO: Yes.

22

MS. LENT: Supervisor Romaine?

23

SUPERVISOR ROMAINE: Yes.

24

MS. LENT: Motion carries.

25

Next.

1

2

3

4

5

6

COUNCILMAN LOGUERCIO: Resolution 151
of 2021, authorizing acceptance of a donation
of propane emergency response equipment from
Paraco Gas Corporation to the Town of
Brookhaven Division of Fire Prevention.

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: Motion carries.

19

Next.

20

21

22

COUNCILWOMAN BONNER: Resolution 152 of
2021 is 2020 various operating budget
transfers.

23

So moved.

24

COUNCILMAN LaVALLE: Second.

25

MS. LENT: All those in favor?

1

2

COUNCILWOMAN BONNER: Aye.

3

COUNCILMAN FOLEY: Aye.

4

COUNCILMAN LaVALLE: Aye.

5

COUNCILMAN LOGUERCIO: Aye.

6

COUNCILMAN PANICO: Aye.

7

SUPERVISOR ROMAINE: Aye.

8

MS. LENT: Opposed?

9

(No response.)

10

MS. LENT: Motion carries.

11

Next.

12

COUNCILMAN LaVALLE: Resolution 153,

13

award bid number 21004 - furnish and install

14

asphalt concrete on various Town roads, Zone

15

1.

16

So moved.

17

COUNCILWOMAN BONNER: Second.

18

MS. LENT: 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

Next.

5

COUNCILWOMAN BONNER: Resolution 154 of

6

2021 is 2021 various operating -- no . . .

7

MS. LENT: It is various operating

8

budget transfers.

9

COUNCILWOMAN BONNER: I was right,

10

sorry. 2021 various operating budget

11

transfers.

12

So moved.

13

COUNCILMAN LaVALLE: Second.

14

MS. LENT: 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

Next.

25

COUNCILWOMAN BONNER: Resolution 155 of

1

2

2021 is an authorization for the Town of

3

Brookhaven to evaluate and consider entering

4

into an agreement with the New York State

5

Department of Environmental Conservation for

6

Fire Island Inlet to Montauk Point, New York

7

coastal storm risk management project.

8

So moved.

9

COUNCILMAN LaVALLE: Second.

10

MS. LENT: All those in favor?

11

COUNCILWOMAN BONNER: 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

Next.

21

COUNCILMAN FOLEY: Resolution 156 of

22

2021, award bid number 21005 - sandspit marina

23

bulkhead replacement.

24

So moved.

25

COUNCILMAN LOGUERCIO: 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 157 of

13

2021 is --

14

MS. LENT: Yup, that's fine.

15

COUNCILWOMAN BONNER: Oh, I'm sorry.

16

MS. LENT: That's all right.

17

COUNCILWOMAN BONNER: Are you ready?

18

MS. LENT: Yeah. Good.

19

COUNCILWOMAN BONNER: Resolution 157 of

20

2021 is amending resolution 2020-0074 entitled

21

"Authorizing the first extension of the

22

license agreement between the Town of

23

Brookhaven and J and B Restaurant Partners Top

24

Flight Foods, LLC for "Cedar Beach Concession"

25

in Mount Sinai, New York, to facilitate

1

2

additional improvements."

3

So moved.

4

COUNCILMAN LaVALLE: 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. That ends

16

the resolution agenda. We don't have public

17

hearings till 2:30, but what we can do now is

18

set dates, we have one date to set for the

19

Uniform Traffic Code for March 25th, so

20

maybe --

21

MS. LENT: Let me just go to that,

22

please.

23

SUPERVISOR ROMAINE: Sure.

24

MS. LENT: Yes.

25

So public hearing number one, Uniform

1

2

Traffic Code amendments. Town Attorney

3

Annette Eaderesto will be providing . . . Town

4

Attorney Annette Eaderesto --

5

MS. EADERESTO: Donna, we're setting

6

dates for a future hearing. We can't start

7

that hearing for another eight minutes.

8

MS. LENT: Oh.

9

MS. EADERESTO: Set dates. Set dates.

10

MS. LENT: I'm sorry.

11

SUPERVISOR ROMAINE: We're setting

12

dates.

13

MS. LENT: Yes, yes. Setting dates.

14

SUPERVISOR ROMAINE: Yes.

15

MS. LENT: We are setting for

16

February 25th --

17

SUPERVISOR ROMAINE: March 25th.

18

MS. LENT: I'm sorry, March 25th; I'm

19

looking at the other date.

20

Can I please -- you're going to move

21

that, Supervisor?

22

SUPERVISOR ROMAINE: Yes, I am.

23

COUNCILWOMAN BONNER: I'll second.

24

MS. LENT: And that's for 2:30 p.m. on

25

that day.

1

2

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

SUPERVISOR ROMAINE: Okay. We're going

13

to take a three-minute break and we'll be back

14

exactly at 2:30 to start public hearings.

15

For anyone that wants to chime in, I

16

heard some people may want to call in or Zoom

17

in to speak on the decision calendar, know

18

everything on the decision calendar have had

19

public hearings and written comments. Those

20

are closed now. The only thing left on the

21

decision calendar is for the board to make a

22

decision, it's not subject to public comment.

23

If anyone's waiting to do that, I just thought

24

I'd mention that, okay and we will be back in

25

three minutes with the public hearings.

1

2

(Short recess taken.)

3

4

SUPERVISOR ROMAINE: Okay. We are back, it is now 2:31 and we're going to be starting our public hearings.

5

6

7

MS. LENT: I'm sorry, but can they start my video, I'm not able to start it?

8

9

SUPERVISOR ROMAINE: Okay. Can we start the Town Clerk's video, please?

10

11

MS. LENT: Thank you.

12

13

SUPERVISOR ROMAINE: Thank you, Matt Sabatello, who's doing a bang-up job trying to keep us and the public informed.

14

15

Okay, we have the Town board back and we're going to proceed with public hearing number one, which is about the Uniform Traffic Code.

16

17

18

19

Donna, do you want to --

20

MS. LENT: Yes, certainly.

21

22

Public hearing number one, Uniform Traffic Code. Town Attorney Annette Eaderesto will be providing a brief summary of today's public hearing to amend the Uniform Traffic Code.

23

24

25

1

2

3

4

5

6

7

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.

8

SUPERVISOR ROMAINE: Thank you.

9

10

11

Annette, do you want to explain briefly what traffic codes we're changing or proposing to change?

12

MS. EADERESTO: Yes, Supervisor.

13

14

15

The following is a summary of the amendments of the Town of Brookhaven Uniform Traffic Code:

16

17

18

Article VII, Section 26 - stop and yield intersections. There are six additions in the Hamlet of Stony Brook.

19

20

21

22

Article VIII, Section 33 - parking prohibited in designated areas. There are two additions for segments of roadway in the hamlets of East Moriches and Patchogue.

23

24

25

Article VIII, Section 36 - parking time limited in designated locations. There are three deletions and two additions for segments

1

2

of roadway in the hamlets of East Setauket and
Miller Place.

3

4

Article XIX, Section 102 - speed limits
on Town highways. There are nine deletions
and three additions for segments of roadway in
the Hamlet of Medford.

5

6

7

8

SUPERVISOR ROMAINE: Thank you.

9

10

Do we have any speakers on this public
hearing?

11

MS. EADERESTO: No, Supervisor.

12

SUPERVISOR ROMAINE: Okay.

13

Does the board have any questions?

14

(No response.)

15

SUPERVISOR ROMAINE: No questions.

16

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

17

18

COUNCILWOMAN BONNER: I'll second.

19

MS. LENT: Ms. Bonner.

20

COUNCILWOMAN BONNER: Yes.

21

MS. LENT: 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 to close carries.

7

SUPERVISOR ROMAINE: And subsequently

8

I'll make a motion to adopt these traffic --

9

Uniform Traffic Code changes.

10

COUNCILWOMAN BONNER: I'll second.

11

MS. LENT: All those in favor?

12

COUNCILWOMAN BONNER: Aye.

13

COUNCILMAN FOLEY: Aye.

14

COUNCILMAN LaVALLE: Aye.

15

COUNCILMAN LOGUERCIO: Aye.

16

COUNCILMAN PANICO: Aye.

17

SUPERVISOR ROMAINE: Aye.

18

MS. LENT: Opposed?

19

(No response.)

20

MS. LENT: Motion carries.

21

SUPERVISOR ROMAINE: Okay. We are onto

22

our second hearing.

23

MS. LENT: Yes.

24

Public hearing number two, introductory

25

local law number two of 2021 - to consider

1

2

enacting an introductory local law amending

3

Chapter 66 entitled "Towing businesses" and

4

Chapter 85 entitled "Zoning" of the Town code

5

of the Town of Brookhaven.

6

Legal notices are published no less

7

than ten days, no more than 20 days prior to a

8

public hearing in one of the legal Town

9

newspapers. My office has received a signed

10

affidavit of publication from the newspaper

11

and my office is also in receipt of a letter

12

from Suffolk County Planning advising that

13

this is a matter for local determination.

14

Should the board render a decision

15

today, this has been deemed a SEQRA Type II

16

action.

17

A letter from Suffolk County Planning

18

is dated January 20, 2021.

19

Dear Ms. Lent:

20

Pursuant to the requirements of

21

Sections A 14-14 to A 14-25.

22

(Inaudible comments.)

23

MS. LENT: The above referenced

24

application which has been submitted to the

25

Suffolk County Planning Commission is

1

2

considered to be a matter for local

3

determination as there is no apparent

4

significant county-wide or inter-community

5

impact(s). A decision of local determination

6

should not be construed as either an approval

7

or disapproval.

8

Signed Very truly yours,

9

Andrew P. Freleng

10

Chief Planner

11

SUPERVISOR ROMAINE: Okay, thank you

12

very much.

13

We have Beth Reilly to explain what

14

this code change -- which is a very minor code

15

change -- what it's about.

16

MS. REILLY: Correct.

17

The proposed code amendment is to

18

change the definition of "depot" in two places

19

in the Town code, the tow section and the

20

zoning section.

21

The proposal is to allow tow depots

22

that were formerly required to have screening

23

in the fencing as well as landscaping in front

24

of the fencing, to have one or the other.

25

We've been seeing that when we ask

1

2

people to put landscaping on a depot,

3

unfortunately you're putting it in asphalt and

4

the trees don't survive, it doesn't really

5

make any sense, so this would give them the

6

option, so if they have the room to do it and

7

it will work for them to put the landscaping

8

in, that will allow that. So nothing will

9

prevent them from doing both if they'd like

10

to, but it gives them an option, it gives them

11

a little more flexibility.

12

COUNCILWOMAN BONNER: More business

13

friendly.

14

MS. REILLY: Yes.

15

SUPERVISOR ROMAINE: Yes. Thank you.

16

Are there any questions from the board?

17

(No response.)

18

MS. EADERESTO: Mr. Supervisor, we have

19

one speaker.

20

SUPERVISOR ROMAINE: Okay.

21

MS. EADERESTO: And I'll ask the

22

monitors to let him in. He's in.

23

SUPERVISOR ROMAINE: Is that Neil?

24

MS. EADERESTO: Yes, Neil G on the

25

bottom.

1

2

SUPERVISOR ROMAINE: Okay. We have to
unmute him and let him come on.

3

4

Neil, you're on.

5

MS. LENT: Excuse me --

6

7

COUNCILWOMAN BONNER: He has to be
sworn in.

8

9

MS. LENT: Yes. If you'll please raise
your right hand.

10

MR. GIAMBRONE: Can you see me?

11

12

MS. LENT: Yes. Please raise your
right hand.

13

MR. GIAMBRONE: Okay.

14

15

SUPERVISOR ROMAINE: Do you swear to
tell the whole truth and nothing but the truth
so help you God?

16

17

MR. GIAMBRONE: I do.

18

SUPERVISOR ROMAINE: Good.

19

MS. LENT: Thank you.

20

21

SUPERVISOR ROMAINE: Whenever you're
ready.

22

23

MR. GIAMBRONE: I would just like two
clarifications on that change.

24

25

One, it was always in Chapter 66 that
if anybody had something prior to a change,

1

2

they would be grandfathered in.

3

4

Is that still the account for what
you're changing right now or is that --

5

6

because there's always confusion on this with
the building inspectors when they come to

7

inspect and then when you talk to your Law

8

Department, we're having problems that one

9

doesn't agree with the other and one can't

10

overrule on the other, so I'd like, you know,

11

clarification so that way when somebody has a

12

problem because I had a problem last year with

13

this where the Town code said, you know, you

14

had to have these things, you only had to have

15

the coverings if it was a commercial property

16

to a residential.

17

My particular property, which is on

18

Mark Tree Road, they made me cover and put

19

bushes in as per Mr. Brown and he wouldn't --

20

he says I don't care what Dave Moran says, he

21

goes Tom -- Dave Moran said Brown was wrong,

22

Brown said Moran was wrong and you know what

23

came out of the whole thing, it cost me \$2,500

24

to put bushes in and covering because I

25

couldn't get anybody to overrule them or make

1

2

a clarification on who was right and who was
wrong.

3

4

MS. EADERESTO: I can take --

5

6

SUPERVISOR ROMAINE: Because what this
code amendment does is you either do bushes or
you do fences, but you don't have to do both.

7

8

COUNCILWOMAN BONNER: And now there's
no ambiguity.

9

10

MR. GIAMBRONE: You're saying for
people who were grandfathered in are going to
have do these changes?

11

12

13

MS. EADERESTO: No, no.

14

MS. REILLY: Let me be clear.

15

MS. EADERESTO: Let Beth clarify.

16

17

MS. REILLY: The reference to
grandfathering in is a reference to -- the
code says that in 1999 there was a change. So
people who had a depot before 1999, as
Mr. Giambrone indicated, only needed to put
the landscaping adjacent to residential
property.

18

19

20

21

22

23

MR. GIAMBRONE: Right.

24

25

MS. REILLY: We're not making people
rip out landscaping, we're not making people

1

2 do anything. This is moving forward, you
3 either do landscaping or screening, so --

4 SUPERVISOR ROMAINE: Or.

5 MS. REILLY: -- it doesn't affect that.

6 SUPERVISOR ROMAINE: Not and, or, so we
7 make that very clear.

8 MS. REILLY: And it doesn't -- yes. It
9 doesn't affect what you're talking about.

10 MR. GIAMBRONE: So every single depot
11 in the Town of Brookhaven is going to be
12 require to do this?

13 MS. REILLY: There's nothing that we're
14 requiring people to do more. It's landscaping
15 or --

16 SUPERVISOR ROMAINE: You either have
17 landscaping or fencing, one or the other and
18 if you have neither, then you're in violation.

19 MR. GIAMBRONE: But this covering, now
20 we're changing the Town code to whether you're
21 backed up to commercial or residential, it's
22 irrelevant now?

23 MS. REILLY: No.

24 MR. GIAMBRONE: The Town code before
25 this, it did say that the covering was only

1

2 needed if you were commercial to residential,
3 not commercial to commercial.

4

MS. REILLY: Before 1999, you needed
5 landscaping if you were -- after '99 if you're
6 adjacent to residential, you don't need the
7 landscaping, correct. It's not changing.

8

MR. GIAMBRONE: Okay. So the people
9 who don't have it before '99, they don't have
10 to -- they're not going to have to do
11 anything?

12

MS. REILLY: Nobody has to do anything
13 differently as it relates to that.

14

MR. GIAMBRONE: Okay. Just it's hard
15 because a lot of times this is what goes on
16 that, you know, there's a change and --

17

MS. REILLY: This is to loosen, not
18 tighten.

19

MS. EADERESTO: Let me just jump in
20 here.

21

So one of the things Neil asked about
22 was coordination with the Law Department and
23 Planning.

24

The Commissioner and I have coordinated
25 together for all the tow depots, we spent many

1

2

hours trying to solve all these issues. This

3

was one of the remedies because we couldn't

4

see putting landscaping in areas where the

5

landscaping was going to die if there was

6

slotted fences and the board agreed and we've

7

also gone through -- and mostly Beth has done

8

this -- gone through all the tow applications

9

to try to get to the bottom of all the ones

10

that don't comply and the answer to your

11

question is everyone's going to be treated the

12

same going forward and that's what we have

13

spent the last probably three months working

14

on and Beth has done a great job with her

15

staff and --

16

MR. GIAMBRONE: I have to commend, Beth

17

is the only person who's gotten back to me

18

with problems with, you know.

19

MS. EADERESTO: You have problems with

20

your depot?

21

MS. REILLY: We spoke.

22

MR. GIAMBRONE: I have several depots.

23

I think I have seven turns on the list.

24

Kevin's office actually reached out and

25

got in touch with Beth for me because I was

1

2

calling and calling and calling and the only

3

person I could get was Bill Rogers and Bill

4

Rogers, you know, I know he was giving the

5

messages, but no one was getting back to me on

6

issues with some of my depots and all of a

7

sudden it's okay, we're turning the list

8

March 1st and it's like okay, but I've been

9

trying to get in touch with people for months,

10

you know. It just --

11

SUPERVISOR ROMAINE: Well, you got the

12

right person with Beth.

13

MS. REILLY: I told you to call me.

14

MR. GIAMBRONE: Now fortunately --

15

SUPERVISOR ROMAINE: Greg Brown works

16

for Beth. Just so you should know, Greg Brown

17

works for Beth --

18

MR. GIAMBRONE: Okay.

19

SUPERVISOR ROMAINE: -- okay? She's

20

the boss.

21

MR. GIAMBRONE: Okay.

22

SUPERVISOR ROMAINE: All right.

23

MR. GIAMBRONE: That works for me.

24

SUPERVISOR ROMAINE: Good luck. If you

25

have any future problems, you've got two

1

2

people that you can work with, Beth Reilly,

3

our Planning Commissioner and your own

4

councilman, Kevin LaValle, who's deeply

5

involved in local issues.

6

MR. GIAMBRONE: Kevin's office has been

7

incredible, so . . .

8

SUPERVISOR ROMAINE: Great.

9

COUNCILMAN LaVALLE: Just trying to

10

help you, Neil.

11

MR. GIAMBRONE: No, I know you do and I

12

really appreciate it because especially with

13

what's going on in these times it's, you know,

14

it's really tough. I don't think a lot of

15

people realize the economic effects of COVID,

16

you know, my business alone, I'm down

17

44 percent from 2019. You know, people --

18

SUPERVISOR ROMAINE: Believe it or not,

19

there are areas of the Town that are down

20

business revenue, everything, we're no

21

different than anyone else, but we understand.

22

Neil, prosper and do well.

23

MR. GIAMBRONE: I appreciate that.

24

Thank you so much.

25

SUPERVISOR ROMAINE: Good luck.

1

2

MR. GIAMBRONE: Thank you.

3

4

SUPERVISOR ROMAINE: Stay in touch with
Beth and Kevin.

5

MR. GIAMBRONE: I will.

6

SUPERVISOR ROMAINE: Okay.

7

MR. GIAMBRONE: Thank you so much.

8

9

SUPERVISOR ROMAINE: At this time, I'll
make a motion to close this public hearing.

10

COUNCILMAN PANICO: Second.

11

MS. LENT: All those in favor?

12

COUNCILWOMAN BONNER: 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 to close carries.

21

SUPERVISOR ROMAINE: Okay.

22

23

MS. LENT: May I have a motion of
adoption?

24

COUNCILMAN PANICO: Yes, I have public

25

hearing number two of February 25, 2021. I

1

2

have a resolution of adoption of local law

3

amending Chapter 66 entitled "Towing

4

Businesses" and Chapter 85 entitled "Zoning"

5

of the code of the Town of Brookhaven.

6

So moved.

7

COUNCILWOMAN BONNER: I'll second that.

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: Okay.

19

In a moment we'll be onto number three,

20

which is a hearing.

21

(Inaudible comments.)

22

MS. LENT: Determination of the

23

premises located at 38 Parkside Avenue, Miller

24

Place, New York, to be considered -- to be

25

unsafe as defined by Chapter 73 pursuant to

1

2

the engineer's report of Cashin, Spinelli &

3

Ferretti, LLC.

4

5

The owner or other persons having an interest in the premises may be heard with

6

respect to the condition of the premises and

7

the actions necessary to secure or remove same

8

and this public hearing is being adjourned to

9

the April 15, 2021 Town board meeting at 5:30

10

p.m.

11

May I have a motion to adjourn?

12

SUPERVISOR ROMAINE: I make a motion to

13

adjourn.

14

COUNCILWOMAN BONNER: 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 to adjourn carries.

25

MR. SWEENEY: I'm just going to note

1

2

for everybody, this should hopefully be the
last adjournment; they have a building permit,

3

4

they are working to bring the home into

5

compliance, we just want to see a little bit

6

more progress including pictures before we

7

withdraw this hearing from the demolition

8

calendar.

9

SUPERVISOR ROMAINE: Thank you.

10

COUNCILWOMAN BONNER: Because we've all

11

been led down the garden path before, so thank

12

you, Brendan, I appreciate you staying on top

13

of this.

14

MR. SWEENEY: No problem.

15

SUPERVISOR ROMAINE: Brendan Sweeney

16

because you didn't identify yourself.

17

COUNCILWOMAN BONNER: Thank you,

18

Brendan Sweeney.

19

SUPERVISOR ROMAINE: For those

20

listening, they'd know who to blame.

21

Okay. Public hearing number four.

22

MS. LENT: Public hearing number four,

23

determination of the premises located at 19

24

Belleview Avenue, Brookhaven, New York, to be

25

unsafe as defined by Chapter 73 pursuant to

1

2

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

3

4

5

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7

8

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.

9

10

11

12

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.

13

14

15

16

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

17

18

19

SUPERVISOR ROMAINE: Okay. We have
Brendan Sweeney on this one to tell us a
little bit about this house.

20

21

22

23

24

25

MR. SWEENEY: Absolutely, Supervisor.
So 19 Belleview has an owner of Rose
Mingacci, who had owned it since March 28th of
1979, but I'd like it to be known that when we
did a title search, she has been deceased
since 2006.

1

2

There is a mortgage with Fannie Mae that was begun July 27th of 2012 -- that's a typo on my part I'm noticing now -- and I called Suffolk County, they noted to me that the taxes are only unpaid for the second half of last year. I did not see any payments in the system for our systems as of this year, making the County eligible to take for back taxes after 12/2023.

3

4

5

6

7

8

9

10

11

It is registered --

12

SUPERVISOR ROMAINE: The owner has been deceased since 2006?

13

14

MR. SWEENEY: Yes.

15

SUPERVISOR ROMAINE: The deed is still in that person's name?

16

17

MR. SWEENEY: What'd you say?

18

SUPERVISOR ROMAINE: The deed is still in Rose's name?

19

20

MR. SWEENEY: It's showing that way. The title report shows that it did go to surrogate's court, there were a lot of numerous relatives of hers and a lot of the ones -- I read most of it. It seemed as though most of the relatives she left her will

21

22

23

24

25

1

2

to are also deceased and then their heirs were

3

either deceased themselves or in far away

4

places, I guess they couldn't get into

5

contact.

6

In terms of the vacant registry, we

7

have it registered that way, it looks like it

8

was done by the bank, that they had a property

9

management company register themselves on it.

10

Asbestos is present and we had two inspection

11

dates conducted, January 14th of 2021, that's

12

a typo and February 23rd, which was yesterday

13

that Inspector Incagliato -- two days ago that

14

Inspector Incagliato went out.

15

SUPERVISOR ROMAINE: To look at the

16

house.

17

MR. SWEENEY: There's one violation for

18

litter that is going to be cleaned by the

19

Town, we have not gotten to it yet, it's been

20

a little crazy and we initially boarded this

21

home in September of 2020.

22

We've contacted the mortgage holder, we

23

contacted the person who's paid the taxes, we

24

contacted the attorney who was handling the

25

surrogate's case and we contacted the property

1

2

management company. As of now, neither the owner nor the mortgage holders nor relatives of the owner have been in contact with us since we opened this proceeding.

5

6

7

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14

Councilman Loguercio and I did speak with Ms. Isabella Rossellini about this, she's interested in purchasing the property. I don't know if there is a relative that maybe is hearing this and has estate through the will that they'd be maybe possibly willing to sell, but I do know there is someone who is interested in purchasing this property and fixing it up.

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Subject building, 33 by 60 foot wood frame, single story residential structure on concrete foundation over a crawlspace. It's clad with wood and asbestos shingle siding and an asphalt shingle roof. It's in extremely poor condition. It's covered by tarping and as you can see by the interior, it's not watertight. Siding, fascia and soffits are deteriorating, fascia and soffits are rotted away and open to the interior. The gutters are broken and missing in areas. The wood

1

2 trim on the building is rotting. The property
3 is overgrown and there's remains of a fallen
4 tree. There's miscellaneous trash also both
5 as you can see outside and inside.

6 The inside is in poor condition with
7 trash, construction debris and suspect mold
8 throughout. Ceilings have fallen due to
9 exposure to moisture. The conditions of the
10 interior appear to be the result of a severe
11 hoarding situation. Access was limited due to
12 the trash being piled up.

13 The building is not -- it was boarded
14 up and the site is not secure, though,
15 constituting a public safety hazard.

16 Inspector Incagliato noted that to him,
17 the conditions have worsened since Cashin
18 conducted their inspection.

19 For violations, we have from the 2020
20 Property Maintenance Code of New York State
21 Chapter One, sections 101 and 107; from
22 Chapter Three we have sections 301, 302 and
23 304. From the 2020 Fire Code of New York
24 State we have Chapter Three, sections 301 and
25 311 and the code of the Town of Brookhaven

1

2

chapters 49 and 73.

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

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

Due to the dilapidated nature and unsafe condition, it is recommended that it be demolished.

SUPERVISOR ROMAINE: Okay.

Do we have any public speakers on this?

(No response.)

SUPERVISOR ROMAINE: Public speakers?

MS. EADERESTO: No speakers.

SUPERVISOR ROMAINE: Okay.

With no speakers, do we have any questions from any of the board members?

(No response.)

1

2

SUPERVISOR ROMAINE: No questions.

3

I will make a motion to close this

4

public hearing.

5

COUNCILMAN LOGUERCIO: Second.

6

COUNCILMAN PANICO: Second.

7

MS. LENT: Mr. Loguercio.

8

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 to close carries.

18

SUPERVISOR ROMAINE: Okay.

19

Mr. Loguercio.

20

COUNCILMAN LOGUERCIO: Determination of

21

the premises at 19 Belleview Avenue,

22

Brookhaven, New York 11719 (Suffolk County tax

23

map is provided) is to be unsafe as defined by

24

Chapter 73 pursuant to the engineer report of

25

Cashin, Spinelli & Ferretti, LLC.

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 to adopt carries.

14

SUPERVISOR ROMAINE: Okay. We're onto

15

public hearing number five and I understand

16

this public hearing is going to be withdrawn,

17

so I'll make a motion to withdraw public

18

hearing number five.

19

COUNCILMAN LOGUERCIO: Second.

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

MS. LENT: Motion to withdraw carries.

6

7

SUPERVISOR ROMAINE: Okay and the only thing that's left on our calendar is the decisions that are pending and I believe there is one decision that we're making today.

8

9

10

COUNCILMAN FOLEY: Madam Clerk, do I have to open this or just read the decision?

11

12

MS. LENT: No, we'll start the decision with the motion to accept --

13

14

MS. EADERESTO: No, the SEQRA first.

15

MS. LENT: SEQRA, yeah.

16

17

COUNCILMAN FOLEY: Decision, a SEQRA negative declaration granting the application of Peconic Environmental Services Corp. for a Town board special permit for a transfer station and Town board waivers of special permit criteria on property located on Peconic Avenue in Medford, New York.

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21

22

23

So moved.

24

MS. LENT: Can I have a second?

25

SUPERVISOR ROMAINE: Second.

1

2

COUNCILMAN PANICO: 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 FOLEY: Resolution of

14

adoption granting the application of Peconic

15

Environmental Services Corp. for a Town board

16

special permit for a transfer station and Town

17

board waivers of special permit criteria on

18

property located on Peconic Avenue in Medford,

19

New York.

20

So moved.

21

COUNCILMAN PANICO: 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.

9

10

We have no further business to attend
to today, so I'll be happy to entertain a

11

motion to adjourn.

12

COUNCILWOMAN BONNER: I'll second.

13

MS. LENT: No, you'll be first, he's

14

entertaining.

15

COUNCILMAN LaVALLE: I'll second.

16

MS. LENT: And Mr. LaValle. Thank you.

17

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.)

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MS. LENT: Motion to adjourn carries.

Thank you.

SUPERVISOR ROMAINE: Thank you all.

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