

Minutes of Chapter 54 Unsafe Buildings and Collapsed Structures
Public Hearings held at Riverhead Town Hall, 200 Howell Avenue,
Riverhead, New York on Thursday, October 28, 1999, at 1:00 p.m.

Present:

Barbara Grattan,	Town Clerk
Laurie Dowd, Esq.,	Town Attorney's Office
Leroy Barnes,	Building Administrator
Matthew White	

Public Hearing re-opened: 1:11 p.m.

Laurie Dowd: "(inaudible)-- first we're going to re-open the hearing on Greenport Landing that was adjourned from September 30, 1999. Mr. Barnes?"

Leroy Barnes: "At the moment, we're securing the file. Can we move on to the Parkinson one?"

Nick Spanos: "We can't. I just drove two hours."

Laurie Dowd: "We're not going to (inaudible). We're just going to postpone it for five minutes."

Leroy Barnes: "For another maybe 10 seconds."

Nick Spanos: "Oh, okay, that's good. I thought I had to go back-- "

Laurie Dowd: "Stay here."

Leroy Barnes: "While we're waiting for the file. Okay, here's the file."

Nick Spanos: "I understand."

Leroy Barnes: "All right. We'll just continue this hearing. Okay, we had the hearing on the Greenport case which is now being reopened, that being September 30th at 1:00 p.m. Now this day it's being reopened. I believe that the property owner is here and present. And your name again is, sir?"

Nick Spanos: "Nick Spanos."

Leroy Barnes: "Nick Spanos. Can you come up and sit at the microphone here?"

Barbara Grattan: "How do you spell the last name? S-P-- "

Nick Spanos: "S-P-A-N-O-S."

Laurie Dowd: "(inaudible). We have a hearing tonight. The minutes are passed on to the Town Board for their decision and our input will be relayed to them as far as whatever the building officials say. There won't be a decision today, but we are going to take (inaudible)."

Nick Spanos: "All right."

Laurie Dowd: "Mr. Barnes?"

Leroy Barnes: "I believe that as last we left it, Mr. Spanos was-- we had talked informally and we had talked about possibly getting building permits in place and finishing up the house and securing it. The house definitely needs some work. He started doing some sheetrocking and some other items that did not fall under the purview of the building permit so I believe he's working towards getting a building permit and getting it all rectified. But I'm not exactly sure what the status is right now. But I believe that's correct."

Nick Spanos: "Yeah, I have to get a survey to get the building permit because I don't have a survey on the property, so I'm going to order a survey and it's going to cost me a \$1,000 buck or so; I'm not sure. I mean, I did buy the property from the County the way it was and there were some holes in the wall which we patched up and I've got some pictures and stuff-- if you can pass them on to those guys.

There is a deck that was started before I bought the place, that's still the same way it was so that's probably what-- "

Leroy Barnes: "Well, Mr. Spanos, I don't mean to interrupt you but I think once you get the building permit we're certainly going to allow you to-- if after we review the plans-- and we're certainly going to allow you to finish the house and make it occupiable and give you a certificate of occupancy. That's our goal. Currently it's

sitting and it's not being occupied and obviously there's a concern and we're just hoping to help you move along as quickly as we can to make it presentable and habitable."

Laurie Dowd: "Can some steps be taken in the meantime to secure it so it's less unsafe?"

Nick Spanos: "I don't understand what's unsafe about it. Except for the deck. I mean the deck doesn't have a railing, that's it. Everything is beautiful inside. I've got all the pictures. It's pretty safe if you think-- "

Leroy Barnes: "Well, as I said, the idea was to get him to get the permit."

Nick Spanos: "I want to get the permit but I don't want to pay a thousand bucks for a survey which I don't really need just for the permit, if there's a way I can get a permit for that deck that I didn't start anyway."

Leroy Barnes: "Well, Mr. Spanos, do you know if there are any surveys on record here -- at Town Hall?"

Nick Spanos: "Yes, there was a survey and the girl actually gave it to me. She got it from the basement but I lost it. She gave it to me last year and I lost it. And then I asked you if there's a survey and you told me there wasn't. That was a year later."

Leroy Barnes: "Okay."

Nick Spanos: "And I don't want to pay a thousand bucks for a survey, if it exists. That would be fine. I, you know, I'd fill it out. It does exist because she gave it to me a year ago. It's my fault I lost it."

Laurie Dowd: "Do you remember where it's from?"

Nick Spanos: "From the Building Department."

Laurie Dowd: "Somebody must have prepared the survey. Maybe the surveyor has another copy of it."

Nick Spanos: "Yes, it was-- I don't think it was-- it wasn't Young & Young. It was someone else, some other name. I don't

remember it. But I know it's in the basement here."

Leroy Barnes: "Well, we could check in the Assessor's records to see if there's another additional copy. I didn't realize that you were trying to get a survey."

Nick Spanos: "I don't have a survey and that cancelled out the building permit to get the survey."

Leroy Barnes: "Okay. Well, I would recommend that we leave this open another-- up until November 18th."

Nick Spanos: "I want to understand why it's in-- this is code enforcement, right? I don't understand. This is if the building's unsafe."

Laurie Dowd: "This is a hearing to determine if a building is unsafe and if it is deemed to be unsafe, the Town will take the necessary measures to make sure it's safe and charge you."

Nick Spanos: "Okay."

Laurie Dowd: "Now, as I say, another alternative-- "

Nick Spanos: "But I don't think it's unsafe."

Laurie Dowd: "-- to make it safe."

Nick Spanos: "Yes, it is-- it's safe, I mean, I don't know why it's here first of all. I don't know why it's in this-- I mean I got the paper-- "

Laurie Dowd: "Give me a chance."

Nick Spanos: "Oh, I'm sorry."

Laurie Dowd: "Could we put on the evidence regarding the safety of the building yet, or is that something that happened-- "

Leroy Barnes: "Well, this was something that was Ms. Klos has done. She did the actual inspection. It was left open for the purpose of to allow him to correct and secure a building permit. So we left the hearing open. He came down, he was very cooperative. He said he would try to get a building permit. I didn't realize that he

would have a hard time getting a survey. I'll be glad to find a survey for him. I'll bring it back myself if I have to. And I'll help fill out the building permit. That's all we want him to do. And we'll finish up the deck and we'll get a rail on it and get the property cleaned up and give him a CO. That's all we want."

Nick Spanos: "I want that, too."

Laurie Dowd: "Now-- "

Leroy Barnes: "So, let's go."

Laurie Dowd: "-- deck without a rail can be dangerous-- "

Nick Spanos: "I think that's dangerous."

Laurie Dowd: "-- the Building Department has got a list which was sent to you which lists all-- "

Nick Spanos: "And they want me to paint the outside of the house."

Laurie Dowd: "You might refer to that."

Nick Spanos: "There's a couple-- I know. I don't have-- can I look at it a second? Because I said over there something about, you know, painting. I painted the inside of the house. They wanted me to paint the inside of the house. So that's safe for now with the fresh paint."

Leroy Barnes: "That's good. But we're asking for a building permit for the work that you're doing inside and for the deck. That's all we're asking you to do."

Nick Spanos: "Oh, I want the building permit."

Leroy Barnes: "I don't want to sit here and belabor all the points, all day. All I'm asking you to do is get a building permit. I'll try to help you find a survey and I'll help you even fill out the building permit."

Laurie Dowd: "Mr. Spanos, do you want us to keep these pictures or-- "

Nick Spanos: "You can pass them on. It doesn't, you know, I just want it known that I don't think the place is unsafe. And I think that certain things-- maybe they got a little happy with the checking off of the boxes there, but I want to get the building permit and I want to comply and I want-- I don't want to spend a thousand dollars for a survey that I don't need if it exists. I'd love to have-- it does exist because you guys gave it to me already."

Laurie Dowd: "But we only had one copy and (inaudible) and it doesn't exist any more. So-- "

Nick Spanos: "It's a photocopy."

Laurie Dowd: "When were these photos taken?"

Nick Spanos: "Today."

Laurie Dowd: "They were taken today. By you?"

Nick Spanos: "Yes."

Laurie Dowd: "We just need to know that (inaudible)."

Nick Spanos: "Yeah, they're still warm."

Laurie Dowd: "Any other points to raise?"

Nick Spanos: "I just-- I don't want to sound like I'm pushy-- punchy whatever. But I've got to drive two hours to get out here and you're going to postpone me for another month, if everything is not done then, I've got to come back out here and my parents are sick and, you know. We lived out here our whole lives. Now, I've got them staying with me in the city now and I, you know, I had to find someone to stay with them."

Leroy Barnes: "Mr. Spanos, you have to understand you have an obligation as a property owner. All we ask you to do is to get a building permit."

Nick Spanos: "I will. You know, I will abide by that obligation. I want the building permit."

Leroy Barnes: "Once you get a building permit, you're legally covered under insurance laws. You are trying to protect your

property, you have to protect your investment. We're just trying to help you move along a little quicker, that's all. That's all we're trying to do."

Laurie Dowd: "We held over from September to now."

Leroy Barnes: "Like I said, I'll even help you fill out the building permit."

Nick Spanos: "No, I understand. But, my question. I know I need the building permit. Not my question-- my statement is, if it can be pushed, you know, I'm going to come back to another hearing, if it's not done, right?"

Leroy Barnes: "Correct. At least you record a building permit. Once we issue a building permit, you have 18 months to complete the work."

Nick Spanos: "Do I have to come back to an unsafe hearing if I put the railing on it? I just don't want to keep coming back to an unsafe hearing."

Leroy Barnes: "Once you get the building permit, then-- I will then close the hearing on the 54."

Nick Spanos: "Okay. I didn't understand."

Leroy Barnes: "Once you secure the building permit, then-- so what I'm going to do now is I'm going to ask and recommend that we leave the hearing open until November 18. You have until November 18 to file for a building permit. And I will help you get a survey. If we cannot find a survey and you have to order a survey, we'll ask that the hearing be held off to the end of December. So you don't have to come back in November."

Laurie Dowd: "Sounds reasonable."

Nick Spanos: "Sounds good, yes. Thank you."

Leroy Barnes: "We'll leave it at that then."

Laurie Dowd: "All right. On that basis then, we'll adjourn it to November 18 (inaudible)."

Leroy Barnes: "And if you do file, then I will appear on November 18 recommending that it be closed."

Nick Spanos: "Adjourned-- closed."

Leroy Barnes: "And that you don't have to reappear."

Nick Spanos: "Okay."

Leroy Barnes: "But you can call me prior to that."

Nick Spanos: "No. You've been very cooperative. I might sound a little-- but I had a bunch of traffic on the road."

Leroy Barnes: "And you have to drive two hours, you have to take pictures. I understand."

Laurie Dowd: "Okay, well we're going to have a few more hearings, but if you want to wait until the end of this which probably won't be that much longer (inaudible)."

Nick Spanos: "All right. Thank you."

Leroy Barnes: "Nick, why don't you go down to the Assessor's Office. They probably have it in your jacket."

Nick Spanos: "The Tax Assessor's Office?"

Leroy Barnes: "Yes."

Nick Spanos: "All right. Thank you."

Leroy Barnes: "Okay."

Public Hearing left open to November 18, 1999

Leroy Barnes: "Let's close Parkinson. And reopen it as a hearing."

Laurie Dowd: "We'll reopen the hearing on Parkinson."

Public Hearing reopened 1:22 p.m.

Barbara Grattan: "What's the first name?"

Leroy Barnes: "It's James and Marie. It's known as 2892 North Wading River Road, Suffolk County Tax Map District 0600 Section 27 Block 1 Lot 25. The persons that were charged in this Chapter 54 were just here. They have complied pretty much to what we have asked for. They are removing two mobile homes from the site and they're asking the ZBA that they can replace them with newer mobile homes. And that application was made yesterday. So I told them that we will see it through the application process. If they're approved we will then ask you to adjourn or consider an adjournment of this case until November 18. I mean-- leave the hearing open, excuse me-- to adjourn."

Laurie Dowd: "So you want to leave this hearing open. But if they just applied for their Zoning Board stuff yesterday, they're probably not-- "

Leroy Barnes: "If they applied and-- "

Laurie Dowd: "It's hard to have it decided by the 18th."

Leroy Barnes: "Well, if they applied and they're denied, I would like to continue to leave this open so if it's-- the status is quo at the November 18 hearing, then I'll ask you to take it into the December meeting."

Laurie Dowd: "The trailers are still in-- "

Leroy Barnes: "The mobile homes are still in place. The older ones. If they lose-- if they fail to get their relief from the ZBA, then we need to take other action. That's why I want to leave the hearing open."

Laurie Dowd: "So you're (inaudible)."

Leroy Barnes: "Until November. Correct."

Public Hearing left open to November 18, 1999

Public Hearing opened: 1:24 p.m.

Barbara Grattan: "Let the record show that the time is 1:24 and

the public hearing is now open.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 1:00 p.m. on October 28, 1999 regarding Chapter 54, Unsafe Buildings and Collapsed Structures, property owned by Sophie Semachuk, located at 1031 Parkway Street, Riverhead."

Laurie Dowd: "Okay. The public hearing is open. Who's going to be testifying for the Building Department? State your name and position."

Matthew C. White: "Matthew C. White, Code Enforcement Office, Town of New York-- Town of Riverhead, Suffolk County, New York."

Laurie Dowd: "And what are your qualifications to review unsafe structures under the Town Code?"

Matthew C. White: "Town Code Enforcement Officer, certified police officer with the Town of Riverhead, volunteer fire service for five years, building construction for two years, in the process of code classes with the New York State Building Code."

Laurie Dowd: "Did you inspect the property owned by Sophie Semachuk located at 1031 Parkway Street, Riverhead?"

Matthew C. White: "I did."

Leroy Barnes: "That's Semachuk, for the record."

Laurie Dowd: "When did you perform the inspection?"

Matthew C. White: "On September 9, 1999 at 11:30 in the a.m."

Laurie Dowd: "What did you observe when you did that inspection?"

Matthew C. White: "Upon inspecting the house, there's two structures located on the parcel. This particular house is a single family residence located on the northwest corner of the parcel at 1031 Parkway Street, Suffolk County Tax Map No. 600, map 24, block 1, lot 3.

Upon investigation, the overall structure I found to be unsafe.

There's heavy overgrowth in the front preventing any means of egress from the residence. Upon looking at the back of the residence, it literally is falling off the back of the house. It's open. The overall structure I feel personally is unsafe. There's no means of egress from the front or sides. The way it got like this is most likely from inadequate maintenance. From being abandoned for so long, the Building Department feels that its use as a house is obsolete. We would recommend that the house be torn down. We feel it is structurally dangerous, dilapidated.

Among other things, the exterior doors are missing in the rear of the house. There's broken windows. The structure is rotten, in need of repair. The floor joists are cracked and/or damaged. Steps are in an unsafe condition; shingles are missing on the top and side of the building. There's a rotten fascia on the building. Sheetrock and plaster are damaged throughout the building.

The plumbing is in disrepair. There is no hot or running water of any form. There's no heat. Some of the wiring to the rear of the structure due to the collapse is exposed. The interior of the building we feel is unfit for human habitation and cannot be remodeled or saved.

The building has had some form of vandalization and the building is exposed to the elements."

Laurie Dowd: "How many stories is this building?"

Matthew C. White: "It's a one story structure."

Laurie Dowd: "You say the back is falling off-- "

Matthew C. White: "There is no rear on the structure."

Leroy Barnes: "There's actually an addition on the back of the house that has collapsed and fallen off the back of the house, the kitchen, and the refrigerator is sitting in the middle of the yard. So it's really dilapidated and collapsed. I will also add for the record that the Semachuks on two prior occasions have filed for demolition permits and most recently within the last month, obviously always promising to demolish the structure. However, they have not done it and it continues to be a hazard."

Laurie Dowd: "Have they obtained the permits or just applied

for them?"

Leroy Barnes: "They have obtained demolition permits on two occasions and have expired."

Laurie Dowd: "How long are they good for?"

Leroy Barnes: "Eighteen months. However, under our code, we do not commence any type of action (inaudible) within four months. So I would recommend that the Town Board demolish this building and I believe Mr. White would agree with me. Please make that as part of the testimony."

Matthew C. White: "For the record, we have a letter dated January 28, 1998 from Lilco, signed by Kevin T. Schuss (phonetic), Gas Planner of the Eastern Suffolk Division, stating that Lilco gas and electric facilities have been removed from the above premises, reference 1031 Parkway Street. He's left a phone number. He's stating basically there's no electric or gas going to the house so that's one step closer for as far as the Town doing demolition. We do not need to get another letter from Lipa or Brooklyn Union. We have a letter already."

Leroy Barnes: "Do you have any recommendations?"

Laurie Dowd: "Do you have any recommendations on how we (inaudible)?"

Matthew C. White: "The recommendation of the Town Building Department as well as Code Enforcement to have the building demolished and pieces of the demolition removed from the site and make this safe. There are children who live in the area. It is our fear that we do not want anyone else to go in there, to get hurt. We would like to start basically as soon as possible."

Laurie Dowd: "I was under the impression there are two homes on this property."

Matthew C. White: "There are."

Laurie Dowd: "And this is just one of them?"

Matthew C. White: "Yes."

Laurie Dowd: "The other home is not (inaudible)?"

Matthew C. White: "The other structure is being resided in currently and is okay."

Laurie Dowd: "Are there any children residing in that structure?"

Matthew C. White: "Not to my knowledge."

Laurie Dowd: "Is there anything else you'd like to add to your testimony?"

Matthew C. White: "No."

Laurie Dowd: "There's something else I'd like to add and that is that I neglected to put you under oath so I'd like to just ask you if everything you said is true?"

Matthew C. White: "Yes."

Laurie Dowd: "So I'd like to swear you in. Do you-- "

Leroy Barnes: "Matthew White."

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

Matthew C. White: "I do."

Laurie Dowd: "All right. And has your previous testimony is true (inaudible)."

Matthew C. White: "All testimony I have given has been true."

Laurie Dowd: "Is there anybody else here to speak on this matter? All right. Hearing none, the public hearing on this property is closed."

Public Hearing closed: 1:30 p.m.

Public Hearing opened: 1:30 p.m.

Barbara Grattan: "Let the record show that the time of 1:30 has arrived."

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 1:05 p.m. on October 28, 1999 regarding Chapter 54, Unsafe Buildings and Collapsed Structures, property owned by Ralph Naso located at 4600 Middle Country Road, Calverton."

Laurie Dowd: "We'll open this hearing on the property at 4600 Middle Country Road, Calverton. Who is here to testify? You sir, you are Mr. Naso?"

Ralph Naso: "Yes."

Laurie Dowd: "Take a seat. The Town will have their chance first and then you will have the opportunity to speak."

Ralph Naso: "No problem."

Laurie Dowd: "All right. Can I swear you in, please?"

Matthew C. White: "Yes."

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

Matthew C. Dowd: "I do."

Laurie Dowd: "Very well. Will you state your name and position with the Town for the record, please?"

Matthew C. White: "Matthew C. White, Code Enforcement Officer, Town of Riverhead."

Laurie Dowd: "What are your qualifications to review unsafe structures in the Town of Riverhead under the unsafe building code?"

Matthew C. White: "Code Enforcement Officer, Town of Riverhead. Five years firefighting experience, two years building construction experience, currently enrolled in code classes, the State of New York Building Code."

Laurie Dowd: "Did you inspect the property owned by Mr. Naso

located at 4600 Middle Country Road, Calverton?"

Matthew C. White: "This is correct. On September 1, 1999 at 12:30 in the a.m. I did visit 4600 Middle Country Road. There are two parcels-- two areas of concern on that particular parcel. First, I was doing a rental inspection of a structure located in the rear which the Town has no problems with. In the front of this, however, approximately 75 to 80 feet from the roadway there is a-- best described as a foundation left from a prior building. I believe it was known as the (inaudible) Lounge.

While there's evidence that there was an attempt to secure it, there's I would say a four to five foot cyclone fence around the structure. However, it's a dilapidated fence. There is no railing across the top, there's just several metal poles, fence, around it."

Laurie Dowd: "What type of fence?"

Matthew C. White: "It would be a cyclone, metal fence-- metal link fence. Around the back of the fence, it's severely dilapidated. I was able to step right over the fence. If I wanted to jump down into this foundation, I could have. There's numerous garbage in there, beer cans and bags, etc. And it's severely overgrown. There's a lot of overgrowth there.

It's the Building Department's recommendation that this foundation be removed and the hole be filled in. We would like the foundation demolished and we'd like the hole filled in as soon as possible.

I'm unsure of who exactly lives in that particular house. I don't have that record in front of me. But there are-- "

Laurie Dowd: "The house-- "

Matthew C. White: "This would-- also be the house to the rear of the parcel at 4600."

Leroy Barnes: "It's a rental house."

Matthew C. White: "It's a rental house Mr. Naso owns. There are down the road some several small children and without there being a park, sometimes kids play in their own yards, sometimes they wander. It's a fear of the Building Department that these kids could wander,

fall into the hole, it could be dangerous. That's why the Building Department recommends that the hole be demolished and filled in as soon as possible.

Structurally, it's dangerous. There's inadequate maintenance. The fence, as I said, does not provide any means of protection at all. It's just basically a fence that's up there for the purpose of saying you have a fence up there."

Laurie Dowd: "What's the dimensions of this property? Do you have these figures?"

Leroy Barnes: "It's probably 10 feet deep and I have to say the foundation itself somewhere around 30 by 60, is a guess."

Laurie Dowd: "Is it a concrete foundation?"

Leroy Barnes: "Yes."

Laurie Dowd: "So if you fell in, it would be concrete?"

Leroy Barnes: "You'd hit something. Absolutely."

Matthew C. White: "The dimensions of the foundation are 49 feet by 32 feet by 42 feet."

Laurie Dowd: "I've heard your recommendation on the matter. Is there anything else you'd like to add?"

Leroy Barnes: "I think it should be known that the foundation probably has been exposed-- probably more than 15 years and I know Mr. Naso would like to certainly maintain his business rights and his use. And I believe he thinks-- he's under the impression that by leaving the foundation there, he doesn't lose his use. I tried to explain to him that he has lost his use and that he would have to reapply for any new permits because he would like to put a deli there. He obviously is entitled to come in and apply for a building permit and ask for a use permit and certainly we would help Mr. Naso and guide him through the permit process. He definitely has business property. And certainly he's allowed to use that for business. But the Town and the Supervisor has taken a different position and they want the Town of Riverhead to be more aesthetically pleasing and we have that ability through our code to do that.

So I'm asking Mr. Naso to fill in the foundation, clean up the site, make it presentable, and be proud to be a resident of the Town of Riverhead."

Laurie Dowd: "Is there any fencing that you think would be adequate to protect the site without necessarily filling it in?"

Leroy Barnes: "There is a possibility but I believe it serves no purpose because Mr. Naso is only maintaining this site because he does not want to give up any future use and I believe that can easily be obtained if he levels the ground and crushes up the foundation and starts from scratch. Because most likely that foundation is not going to be-- the integrity of that foundation being exposed all these years, I doubt an engineer will certify that to be structurally sound to support the weight of a commercial building. So, I think we're all doing each other a favor. And he probably pays taxes on the foundation as well. So, if he took it down, he'd probably save a few dollars on his taxes."

Laurie Dowd: "Any other input from the Town? All right. Mr. Naso, may I swear you in, please?"

Ralph Naso: "Okay. My name is Ralph Naso-- N-A-S-O."

Laurie Dowd: "May I swear you in?"

Ralph Naso: "Yeah."

Laurie Dowd: "Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

Ralph Naso: "Yes."

Laurie Dowd: "Thank you."

Ralph Naso: "You know, over there-- I want to open a deli, he will explain. I talked to him, he explained the rights. Now, why-- I mean it's no sense to me to spend the five, six thousand dollars to bury the hole and then they've got to (inaudible) to open. I suggest there was this gentleman-- I don't remember the name-- said put a eight foot fence, you know, what do you call it-- look nice, a couple of trees in front. Eight foot fence and I mean I did (inaudible) cost me \$1,800, level everything (inaudible)."

Laurie Dowd: "How tall is the fence that you're proposing?"

Ralph Naso: "What?"

Laurie Dowd: "You're proposing to put a fence around the property?"

Ralph Naso: "Yes."

Laurie Dowd: "How tall is-- what you propose to-- "

Ralph Naso: "I've got a fence now. It's three feet now. The gentleman told me eight feet. I know-- because I don't know-- I can't say if him's wrong or him's right. Because I don't know. Now somebody told me-- an engineer said you can put a fence-- three foot. I don't know is it true or not."

Laurie Dowd: "Well, a three foot fence isn't going to keep anybody out."

Ralph Naso: "I don't know, is it good or not? If I have to change, I change."

Laurie Dowd: "Well, I would think that if you have to put up a fence to stop kids from getting in there-- "

Ralph Naso: "Yeah, I got a three foot fence there already."

Laurie Dowd: "A three foot fence isn't going to stop the kids."

Ralph Naso: "Oh, you need eight-- six foot?"

Laurie Dowd: "I don't know what to tell you. Talk to your engineer friend. But it seems to me a three foot fence isn't going to-- "

Ralph Naso: "I could put-- do you want to put eight? It's up to you, you know better."

Laurie Dowd: "No, no. I'm just saying-- you're here today to give your testimony. It's going to go to the Town Board. I want to know what you're proposing to make the-- "

Ralph Naso: "I mean, I want to do what you make everybody-- I

want to-- "

Laurie Dowd: "We've heard that the Building Inspector is recommending to the Town Board that the site be filled in and the Town Board would like to hear your recommendation and they're going to decide which recommendation to go with. Whatever recommendation they decide that's going to go-- either you are going to have to do it voluntarily or the Town Board will do it and charge you-- "

Ralph Naso: "No. You're tell me what do you want to do, I do."

Laurie Dowd: "You've heard what they want you to do."

Ralph Naso: "Yeah. I don't think it's fair. I mean, a waste of \$10,000. We're not going to (inaudible) fence-- eight foot, no, six foot fence, and put every 10 feet, I talk with a guy, two feet to cement a pole. Maybe I could put-- going to put a sign no trespass because if me no pay it cost me \$1,800 to level the things in there. Because everybody go maybe (inaudible), the police officer stop there, you know, everybody (inaudible) going to put a sign no trespass."

Laurie Dowd: "Okay. Well, we'll pass your comments on to the Town Board and they'll decide. So if you have any other recommendations that you'd like to make or comments?"

Ralph Naso: "I want a recommendation to put an eight foot-- a six foot fence."

Laurie Dowd: "Six foot fence. Made out of metal?"

Ralph Naso: "Yeah, yeah. Put the things inside to look nice."

Leroy Barnes: "He's talking about a chain link fence."

Ralph Naso: "Yeah, that's it, that's it. A couple of trees, you know, bushes and put a sign no trespass. Because a lot of trucks drive-- there, you know, the police stop all the time. And it cost me \$1,800. I'm going to close it-- just to go in and out (inaudible)."

Laurie Dowd: "All right. We'll pass that recommendation on to the Town Board."

Ralph Naso: "Okay?"

Laurie Dowd: "All right."

Ralph Naso: "You're going to let me know what happened, right?"

Laurie Dowd: "Absolutely."

Leroy Barnes: "We'll let you know."

Ralph Naso: "Have a good day everybody."

Leroy Barnes: "Take care, Mr. Naso."

Laurie Dowd: "Then, nobody else is here to comment so we'll close the hearing."

Public Hearing closed: 1:41 p.m.

Barbara Gatten
Gown Clerk