

CHAPTER 54's UNSAFE BUILDINGS AND COLLAPSED STRUCTURES

10/22/1998minutes

1704

Minutes of a Public Hearing held by the Town Board of the Town of Riverhead, at Town Hall, Howell Avenue, Riverhead, New York on Thursday, October 22, 1998, at 1:00 P.M.

**Present:**

Barbara Grattan, Town Clerk  
Adam Grossman, Esq., Town Attorney

Public Hearing opened: 1:10 p.m.

Adam Grossman: "This is a public hearing in connection with real property located at Suffolk County Tax Map No. 600-126-2-36, property owned by Carroll T. Owen located at 726 Roanoke Avenue, Riverhead, New York. I would like to call-- I'm sorry, yes. The public hearing is now open. I would like to call Sharon Klos from the Building Department."

Barbara Grattan: "I think we better read the-- first. The time is 1:10 and I have applications of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 1:00 p.m. on October 22, 1998, to hear all interested persons who wish to be heard regarding Chapter 54 Unsafe Buildings and Collapsed Structures property owned by Carrol T. Owen, 726 Roanoke Avenue, Riverhead, New York."

Adam Grossman: "Okay. I'm just going to repeat what I said initially now that the affidavits have been read. This is real property located by Carroll T. Owen located at 726 Roanoke Avenue, Riverhead, New York, Suffolk County Tax Map Number 600-126-2-36. I'd like to call at this public hearing Sharon Klos from the Building Department."

Sharon Klos: "Present."

Adam Grossman: "Sharon, if you could raise your right hand, please? Do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?"

Sharon Klos: "I do."

Adam Grossman: "Sharon, if you could state, again, your name for the record?"

Sharon Klos: "Sharon Klos."

Adam Grossman: "And you are employed by the Building Department of the Town?"

Sharon Klos: "Correct."

Adam Grossman: "Okay. Do you have a written listing of your qualifications that you will submit?"

Sharon Klos: "Not at this point in time."

Adam Grossman: "Okay, well then if you could list your qualifications for reviewing properties pursuant to Chapter 54 of the Riverhead Town Code?"

Sharon Klos: "I have approximately 25 years of experience in on site job supervision and project management, approximately six years with the Town of Babylon as Senior Building Inspector for the commercial division. I've been with the Town of Riverhead going to my seventh year as Building Permits Coordinator. I have completed 124 hours of mandated state education with respect to code enforcement and building codes and an additional approximately 40 some what hours of continuing education and have accrued 80 some odd credits towards an engineering degree."

Adam Grossman: "And, Sharon, did you conduct a site inspection or site inspections at premises located at 726 Roanoke Avenue, Riverhead, New York?"

Sharon Klos: "I have."

Adam Grossman: "And what did you find when you did those site inspections?"

Sharon Klos: "On my most recent inspection, the building in question had a collapsed porch on the north side of the building. The wrap around porch from the front to the south side of the building, the floorboards were rotting and in danger of being unable to support, you know, a human being walking on them. The stairs to the second floor were totally unusable. The building itself was open to weathering. The facias were rotted. It's in an extremely deteriorated condition."

I had previous-- a previous occasion of inspection on this dwelling approximately a year and a half to two years ago where I had some interior access to the house. From the exterior, it would appear that none of the violations which were exhibited then have been corrected or mitigated in any manner. If anything, I would say that the building is deteriorating at a rapid rate."

Adam Grossman: "Okay. And, Sharon, what are your recommendations regarding this particular property?"

Sharon Klos: "This building is definitely structurally unsound. I would recommend its demolition."

Adam Grossman: "Do you have anything further you'd like to add to your testimony?"

Sharon Klos: "No."

Adam Grossman: "Okay, thank you very much. Is there anyone else here who would like to speak in connection with this proceeding-- this public hearing?"

Robert Crimmins: "Yes. My name is Robert Crimmins-- "

Adam Grossman: "Mr. Crimmins, if you would hold on just a second, I want to get you on microphone."

Robert Crimmins: "My name is Robert Crimmins and I represent Dorothy Boscola who owns the first mortgage on this property. I would like to put into the record a copy of that mortgage and also copies of various papers, court order and postings pursuant to that court order which schedule a foreclosure sale of the property on October 28, 1998 -- first things I hope that you will put into the record of public hearing."

Adam Grossman: "Okay. Absolutely."

Robert Crimmins: "Second, I would like to, if I could ask Ms. Klos some questions about the status of the property because there may be an application at the end of her testimony to continue this public hearing until after the foreclosure date so that the purchaser at the sale, if any, could deal with the Town."

Adam Grossman: "Yes, this is really a proceeding for parties to give testimony, not necessarily for parties to have colloquoy between, you know, one another. If you have something specific-- a question for either of us to answer, we will try to answer it. But, really, testimony should be directed towards the public hearing itself not towards Sharon."

Robert Crimmins: "No. I understand, but I spoke with Ms. Klos the other day and I think she would be our best witness to put it simply. She's seen the property on several occasions over the years and I just wanted to see if-- what she thinks the status of the property is to assist the-- "

Adam Grossman: "Well, she made a recommendation in connection with the property. If there's anything you'd like her-- anything specific you'd like her to add in connection with the condition of the property, I think we might be able to do that today. But I think she already made her recommendation."

Robert Crimmins: "Yes. What I would like you to add is just simply to detail a little bit more what the status of the property is to see whether or not any further proceedings can be adjourned past October 28th."

Adam Grossman: "Okay. Sharon, would you like to add anything to your testimony?"

Robert Crimmins: "Well, for example, if I could ask her some specific questions, I think it might expedite things. Is that all right? I don't want to cause any problems."

Sharon Klos: "I don't have any problems with the questions being asked. What I will do is wait for Mr. Grossman's direction as to answer-- whether I should answer or not. Okay. Is that agreeable with you, Adam?"

Adam Grossman: "Yes, that's agreeable. Okay. Well, any time you want-- "

Robert Crimmins: "Ms. Klos, in your investigation of the property, did you find an exposed pipe and depression at the north side of the property which may be indicative of a failure of a cesspool and/or drywell?"

Sharon Klos: "Not at the time that I was there."

Robert Crimmins: "So you don't know whether or not that's the situation now?"

Sharon Klos: (Inaudible)

Robert Crimmins: "You may have testified to this but I'm not quite sure. I think you talked about the open front porch and the service porch and you said that the wood frame and the floor are in the state of structural failure and in danger of collapse?"

Sharon Klos: "Correct. You can add to that, the roof on the north side is in-- that's actually in a collapsed state at this point in time. Or at the point in time that I was there."

Robert Crimmins: "Is the exterior siding of the building dilapidated and dislodged?"

Sharon Klos: "Yes that is. In some cases there are shingles missing."

Robert Crimmins: "And the windows and doors are in advanced deterioration, they're warped and they are deformed and they're in need of extensive repair or replacement?"

Sharon Klos: "That's also correct and many of the windows have missing and broken panes."

Robert Crimmins: "Is there insect and vermin infestation on the property?"

Sharon Klos: "Extremely heavy. At the time that I gained access to the building, the cockroach infestation was the worst I've ever seen. The termite infestation was phenomenal. You had termites to the level of halfway up the walls of the first floor. Cockroaches were in places where normally they aren't. There was no food source there but there was no section of the house that you could go into that was not black and covered with cockroaches."

Robert Crimmins: "Were you able to determine whether the main beam at the center of this building evidenced a structural failure and deformed as to sagging?"

Sharon Klos: "I was able only to gain access to the first floor and to the vestibule going up the staircase to the second floor. I was not able to gain access into the basement or into the second floor itself."

Robert Crimmins: "Did you-- were you able to check the fuel oil tank and the natural gas supply piping?"

Sharon Klos: "No, I was not."

Robert Crimmins: "Were you able to check the heating and plumbing systems?"

Sharon Klos: "Only to the extent that they were visible on the first-- "

Adam Grossman: "I would appreciate it if the testimony could be limited to the structural soundness. I mean that's what this public hearing is about and not necessarily to some of the systems in the house. That's really not part of the duty of the inspector in this instance."

Robert Crimmins: "Did you find whether or not there was sagging defamation of the second floor?"

Sharon Klos: "Only to the extent that the staircase going to the second floor evidenced structural instability and is structurally dangerous."

Robert Crimmins: "Was the inside of the building structurally in disrepair, deformed and with the possibility of collapse?"

Sharon Klos: "Are you referring to the first floor level?"

Robert Crimmins: "Yes, now the first floor."

Sharon Klos: "Okay. There are sections of the floor which were severely deteriorated and I would say, yes, would be considered structurally unsound."

Robert Crimmins: "Now, your testimony just now had to do with your recent inspection of the premises?"

Sharon Klos: "That's correct."

Robert Crimmins: "And when-- what date was that? Do you recall?"

Sharon Klos: "My most recent inspection was August 26, 1998."

Robert Crimmins: "And you said you had visited these premises before?"

Sharon Klos: "Yes."

Robert Crimmins: "And do you know about when that inspection took place?"

Sharon Klos: "I couldn't give you a date but I would say it was within the last 18 months."

Robert Crimmins: "And had you inspected the premises approximately two years ago also?"

Sharon Klos: "Yes."

Robert Crimmins: "And was that your first inspection?"

Sharon Klos: "Yes, it was."

Robert Crimmins: "And at that point was the building in a state of disrepair?"

Sharon Klos: "It was."

Robert Crimmins: "No further questions of Ms. Klos. We would ask that, as I said again, obviously work has to be done on this building or it's going to have to be demolished. That this hearing be held open or adjourned even until after the foreclosure sale of the 28th so that whatever discussions have to be had, whatever arrangements have to be made would be with the new owner."

Adam Grossman: "Okay, well, let me just explain how this proceeding-- these types of proceedings work. We have the public hearing today, however, the closing of this public hearing does not mean that, in fact, the demolition is to take place or any activities

are to take place at the site. After the public hearing is closed, then the Town Board decides whether to act on the recommendation of the building-- in this instance the Building Permits Coordinator, at the subsequent Town Board meeting. The Board could choose to act or choose not to act.

What I would recommend-- I'm going to close this public hearing today. However, what I would recommend is that you write a letter to the Board members expressing your concern and copy it to Sharon Klos and Mr. Barnes at the Building Department and see if you can persuade the Board to delay on making their decision. That's really, you know, where the point comes where we can act on this process, with Chapter 54, is when the Board makes its decision whether to go ahead and authorize the demolition.

So I would suggest that you send correspondence to the Board members in connection with a delay on taking any action."

Robert Crimmins: "When would the Board consider the-- what has gone on at this hearing today in its ordinary course of business?"

Adam Grossman: "It would be at the Town Board meeting and it could be at the Town Board meeting next week. Okay. It could be--"

Robert Crimmins: "Which is what day?"

Adam Grossman: "Actually, the next Board meeting is November 4th rather than the 3rd."

Robert Crimmins: "Well, that would be after the foreclosure sale. So the Town Board would not act on the minutes of this hearing until November 4th at the earliest?"

Adam Grossman: "That's correct."

Robert Crimmins: "Then I don't have to write the letter."

Adam Grossman: "Okay."

Robert Crimmins: "And we did what we could. Thank you."

Adam Grossman: "Thank you. Okay. Is there anyone else that would like to speak in connection with this public hearing? If not, I

declare-- it is now-- oh, there is someone else who wants to. Sir, would you like to come up? Sir, is this with the public hearing in connection with the property owned by Carrol T. Owen? Okay. Then we have to do-- hold on just a few minutes. Okay, if there is no one else that wishes to speak-- are you here in connection with this particular public hearing? Okay."

Owen Carroll: "I'm Owen Carroll. As you can gather, the property is in-- "

Adam Grossman: "Sir, could you give your full name for the record?"

Owen Carroll: "Yes, it's T. Owen Carroll. And at the present time, I and John Miranda (phonetic) are owners of record. The property was foreclosed on us so it's in the foreclosure state at the present time. I-- regarding the condition of the property, we had, on October 15, 1998, just a week ago, I guess a week ago, we had a-- in order to be concerned about in boarding up, demolition and so on, we had a structural engineer look at the property and their conclusion is that certainly while it needs work, I mean, to bring it up to code, that they conclude the buliding is structurally adequate and does not need to be demolished at this time."

Adam Grossman: "Okay, sir, do you have anything in writing from them that you'd like to submit to the public hearing?"

Owen Carroll: "I do. I picked it up so I don't have a copy with me but from what you've said, the appropriate thing is to write to the Board members."

Adam Grossman: "If you would like a delay in action on this, that's what I would suggest that you do."

Ownen Carroll: "Okay. So that's the appropriate thing to do. Okay."

Sharon Klos: "Adam, can I add something at this point in time?"

Adam Grossman: "Yes, of course."

Sharon Klos: "Okay. Let me go one step further with this public hearing. I think it needs to be noted at this point in time

that structural stability or lack thereof is not the only requisite for declaring a property uninhabitable or unrehabilitatable, let's say, okay. This particular property is a site which has created a problem for the health, safety and welfare of the neighborhood in that it is impossible or appears to be impossible to adequately keep the property from being breached by vagrants and other individuals who choose to use it for illicit purposes. This in itself is a danger to the neighborhood in health, safety and welfare.

The failure to adequately board and keep secure a property so that that type of activity cannot be engaged in is also grounds for declaring a property eligible for demolition. Okay. And aside from the structural issues, I believe this is a real problem with this property as well. So I think you need to be apprised of that as well."

Adam Grossman: "Okay. Sure and I just want to reiterate what Sharon said is correct and our concern, you know, the concern of the Town Board and the concern of myself and the Building Department is any possible incidents that were to occur, either now or in the future at the site and the danger that imposes to the people and that's part of the reason that we do this-- these types of public hearings and why we invoke this section of the code."

Robert Crimmins: "Can I ask a procedural question?"

Adam Grossman: "Sure. Sir, if you can go to the microphone and state your name again."

Robert Crimmins: "Yes, Robert Crimmins again and I would ask if Mr. Carroll is going to submit an engineer's report, I gather it will be in the minutes of this-- it will be put in the minutes of this hearing?"

Adam Grossman: "I will certainly-- it will be considered along with everything else that the Board will consider."

Robert Crimmins: "Okay. Is there any way we can get notice-- I mean a copy of that and submit a report of our own, if appropriate?"

Adam Grossman: "Contact me about getting a copy of that, okay. If it's submitted to the Board members, I'll be getting a copy of that."

Robert Crimmins: "But it will be part of the minutes of this hearing, my point."

Adam Grossman: "I don't have an answer. I'm closing the public hearing right now."

Robert Crimmins: "So that the report will not come in then."

Adam Grossman: "That's up to me and, sir, Mr. Owen, if you submit this engineering report to my office-- Mr. Carroll, I'm sorry, Mr. Carroll, if you could submit the minutes of this report let's say within seven business days of today's date, I will make it part of this hearing. Okay."

Robert Crimmins: "And we can do the same, I gather, submit a report within seven days of this hearing."

Adam Grossman: "Absolutely."

Robert Crimmins: "Thank you."

Adam Grossman: "Okay, thank you. Is there anyone else that would like to speak in connection with this public hearing? If not, I declare-- it is now 1:28 p.m., and I declare the public hearing closed."

Public hearing closed: 1:28 p.m.

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Public hearing opened: 1:30 p.m.

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 1:05 p.m. on October 22, 1998, to hear all interested persons who wish to be heard regarding Chapter 54 Unsafe Buildings and Collapsed Structures property owned by James A. Boyd, 44 Cranberry Street, Riverhead, New York. And the time is 1:30 and this public hearing is opened."

Adam Grossman: "Okay, this public hearing is in connection with real property owned by James A. Boyd located at 44 Cranberry Street, Riverhead, New York, 11901, designated Suffolk County Tax Map

Number600-102-5-3. I would like to call Sharon Klos to testify in connection with this public hearing."

Sharon Klos: "Present."

Adam Grossman: "Okay, Sharon, if you could raise your right hand, please. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?"

Sharon Klos: "I do."

Adam Grossman: "Isn't it nice that I don't forget these things anymore? Sharon, if you could state your name for the record?"

Sharon Klos: "Sharon Klos."

Adam Grossman: "And you are employed by the Building Department of the Town of Riverhead?"

Sharon Klos: "Correct."

Adam Grossman: "And if you could state your qualifications for reviewing real property in the Town of Riverhead in connection with Chapter 54 of the Riverhead Town Code?"

Sharon Klos: "Approximately 25 years as a job superintendent and project manager in the private sector. Six years as a Senior Building Inspector with the Town of Babylon in their commercial division. Six years with the Town of Riverhead as Building Permits Coordinator. Some 80 some odd credits accrued towards an engineering degree, 120 some odd hours of mandated state training in building codes and code enforcement and an additional 40 some odd hours in continuous education."

Adam Grossman: "Okay. And, Sharon, did you conduct a site inspection or site inspections of property located at 44 Cranberry Street in Riverhead, New York?"

Sharon Klos: "I did."

Adam Grossman: "And what did you find when you conducted said site inspections?"

Sharon Klos: "I found a dwelling which was open and accessible, in an extremely dilapidated condition. Exterior doors were missing. There were broken windows, there was heavy rotting, shingles missing from the sides of the building, there were rafters which were sagging and cracked. Essentially there was faulty and exposed wiring. The building was heavily vandalized. There were dilapidated sheds adjacent to it. Heavy rubbish and debris throughout the site. And basically the building presented an extremely high hazard. Obviously it had been inhabited by vagrants, possibly still was. It was at high hazard for shelter for vagrants for possible illicit activities. Presented a problem with respect to a possible site for fires. Definitely uninhabitable and it would be my strong recommendation that the building be demolished."

Adam Grossman: "Is there anything else you would like to add to your testimony, Sharon?"

Sharon Klos: "Not at this time."

Adam Grossman: "Okay, thank you. Is there anyone else who would like to speak in connection with this public hearing? Sir, if you could state your name for the record, please?"

James Boyd: "Okay. James Boyd."

Adam Grossman: "Okay. Mr. Boyd, what would you like to tell us this afternoon?"

James Boyd: "Okay. In view of what Ms. Klos stated, I am somewhat in agreement. I came here-- I live in California and I got a letter from the Building Inspector sometime ago and I had my brother to assure me that everything was taken care of and I thought that it was until I got this notice here a couple weeks ago. And it gives me to respond with the letter explaining that I would be here in Riverhead to look the situation over and I did arrive last Friday and I came up here, of course, Friday was a (inaudible) day, so I called back, spoke to Ms. Klos Monday and was informed of the meeting today, so here I am."

Now, I understand your qualifications and all and I respect that, but I do think that the building can be saved. I've gone in there this week and I've worked with three people, cleaning up the exterior and interior of those buildings and I was in contact this morning with (inaudible) in getting assistance on the abatement problem there because

we had drawn up-- my property is located such that I couldn't very well clean up my property without also cleaning their property, too. And so the person wasn't there; I spoke with Joanne and I am awaiting a call from him with assist on getting and cleaning up there. I do agree; I will clean up the property and I am hoping to rehabilitate the property.

Now, along those lines, I have a sale, a buyer, for the property, but I must clear certain violations. He will accept some violations and he wants to know if this was permissible to do so in purchasing the property."

Adam Grossman: "Clearing up violations you're asking about?"

James Boyd: "Yes."

Adam Grossman: "Okay, well, that's something you're going to have to deal with the Building Department about as to what currently-- I mean, needless to say, if we're here at a demolition hearing, I would think things at the premises-- there's a lot of work that's-- that will need to be accomplished before you're going to get any approvals from the Building Department in connection with the house."

Sharon Klos: "We would need an engineer on this project. We would definitely require an engineer on this project."

James Boyd: "You see because there's some extenuating circumstances here which lead into this. This is surrounded by BOCES and my mother, which is 87 years old, was approached with the sale of this and she was ill advised-- at that time I was in the military overseas and didn't know anything about it-- and this is how it came about-- I took over the tax-- the tax was about to be taken over. So, mainly I figure that sooner or later the Town would figure out some way to get it from under her and I had made plans to come starting in November to start taking care of the property. But unfortunately I got the letter-- I got a call from the real estate agent stating that someone had been in-- was found in there. The police department, she contacted the police department and I referred them to my brother which lives here on Wildwood Trail. And he went down there, allegedly, and corrected the problem. And so I thought everything was okay until I got this bundle here through the mail and I immediately made plans to come home to take care.

I am a product of Riverhead but I went to the military in 1951 and

got sent-- been living away from Riverhead. But I would like adequate time to rehabilitate, restore, this property because otherwise I'm taking a loss, a big loss, and-- "

Adam Grossman: "Sir, I just want to add just in terms of what is happening today. In order for us to get to the point we're at a public hearing to demolish pursuant to Chapter 54, there were repeated notices that were given up until this point in connection with the conditions at the property. As far as delaying action on the part of the Town, I will listen to the advice and the recommendations of the Building Department in connection with this. If you can provide information to the satisfaction of the Building Department that they feel a delay in acting on this would be appropriate, then I think that both the Building Department and myself will make that recommendation to the Town Board. But I think you have to talk with the Building Department in some greater detail about what is going to happen at the site."

Sharon Klos: "Adam, if I could interject a thought at this point?"

Adam Grossman: "Sure."

Sharon Klos: "This-- given the fact of the history of this particular piece which has been troublesome for quite some time, it would be my recommendation that we do not suspend or delay anything on the Chapter 54 proceedings."

Adam Grossman: "Right. I intend to close the public hearing today. However, in terms of-- just like the person that was here before-- mention, you know, it is-- the Town Board vote is really the point at which a decision is made in connection with the actual demolition taking place and the Board members do make that decision. However, I would suggest that you immediately stay in touch with the Building Department from this point forward and if you are so inclined, communicate with the Town-- or copy the Town Board members with information related to what you intend to do with premises."

James Boyd: "Okay, sir, on that note, I did attempt to make contact with the Building Department Monday and I was only told I have a hearing today and since then I've gone forward and spent close to \$2,000 in getting the property cleared off."

Adam Grossman: "Like I said, it is ultimately a Town Board

decision to make as to whether we're going to go ahead with the vote on resolution of the Town Board. The next Town Board meeting is November 4. If prior to that you wish to speak with the Building Department and if you want to either write to the Town Board or come to the Town Board meeting on November 4th. If I were you, that's what I would do."

James Boyd: "Sir, I would like to, but I'm here on official business from my job and I-- to California."

Adam Grossman: "Well, right. If you can't appear on November 4th, then I would submit something in writing to the Town Board prior to November 4th regarding what you intend to do and at the same time, communicate with the Building Department what your intentions are."

James Boyd: "Okay."

Adam Grossman: "Okay. Is there anything else you'd like to add?"

James Boyd: "None other than I certainly hope that it can be resolved because I feel that I can salvage at least one of those buildings-- "

Adam Grossman: "My problem, just so you understand, is that while you are working on solving these problems, what happens if somebody gets hurt at the premises? We need first of all to make sure that the property is secured so no one gets injured."

James Boyd: "It is, it's secured."

Adam Grossman: "And, secondly, we have to figure out what it is you intend to do with the property that, in fact, and what-- I think the Board needs to be convinced that you are going to go ahead with doing what you intend to do which is either cleaning up the property or selling the property to somebody else to have them clean it up."

James Boyd: "Yes, well, Bagshaw-- Bob at Bagshaw can verify what I have stated today and I will pass this information onto him and the other lady (inaudible) it has been listed now for several months for sale. For some reason I came and found no for sale sign up there and I questioned that but I will proceed on with contact with the Board and could you schedule me an appointment to come in between now and-- I'm scheduled to leave Saturday. If I have to stay-- my flight is Tuesday."

Adam Grossman: "Sir, you can speak with Sharon after this is over about scheduling an appointment and she can be reached here at Town Hall as can I."

James Boyd: "Okay. Thank you."

Adam Grossman: "Okay, thank you. Is there anyone else who would like to speak in connection with the public hearing? If not, the time is now 1:40 p.m. and I declare the public hearing closed."

Public hearing closed: 1:40 p.m.

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Public hearing opened: 1:42 p.m.

"I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 1:10 p.m. on October 22, 1998, to hear all interested parties who wish to be heard regarding Chapter 54 Unsafe Buildings and Collapsed Structures, property owned by Lifeboat, Inc., c/o Nasoun S. Azzouni, located at 447 Peconic Bay Blvd., Aquebogue, New York."

Adam Grossman: "The time is now 1:42 p.m. and I would like to call in connection with this public hearing Sharon Klos. Sharon, would you raise your right hand, please? Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

Sharon Klos: "I do."

Adam Grossman: "Sharon, if you could state your name for the record?"

Sharon Klos: "Sharon Klos."

Adam Grossman: "And you are an employee of the Building Department of the Town of Riverhead?"

Sharon Klos: "That is correct."

Adam Grossman: "And, if you could state your qualifications in connection with conducting-- or I should say reviewing property located in the Town of Riverhead pursuant to Chapter 54 of the Riverhead Town

Code?"

Sharon Klos: "Approximately 25 years of experience as a project manager, job superintendent in the private sector, six years as a senior commercial building inspector for the Town of Babylon, six years as Building Permits Coordinator for the Town of Riverhead, 124 hours of mandated state training in building codes and code enforcement, approximately 80 some odd credits accrued towards and engineering degree and 40 some odd credits of continuing education through New York State."

Adam Grossman: "Okay. Now, Sharon, did you conduct site inspections or a site inspection or site inspections at real property located at 447 Peconic Bay Blvd., in Aquebogue, New York, Town of Riverhead?"

Sharon Klos: "Yes, I did."

Adam Grossman: "And what did you find-- oh, Sharon, before I do that, I just want to make sure the tax map number of the property is in the record, which is tax map number 600-87-1-60. And, Sharon, if you could state what you found when you conducted said site inspections?"

Sharon Klos: "This building has been vacant and unused for many years. The site is in an extremely overgrown condition. The roof is collapsed, the walls have been breached. Basically there's no section of this building which is intact. The biggest problem essentially in securing it would be to find sufficient wood of structure capable of holding up the boarding. Okay. It is that poorly deteriorated. Or in that poor condition."

I was back-- I did the original inspection on August 26, 1998. I was called back to do it again October 2 of '98. At that point in time, it had been secured, quote unquote. It was plywooded over. The roof was covered. It appeared to be relatively secure from entry. The location of this building is fairly isolated. It is not subjected to heavy vandalism. My feeling is that the securing would be probably adequate at this point in time.

It has since come to my attention that the reason that the owner chooses to try and maintain this building is to keep the footprints since it is, in fact, in FEMA protected territory. He also secured the property by repairing fencing. I would continue with-- my recommendation to the Town Board at this point in time would be to

Adam Grossman: "Sharon, could you raise your right hand, please? Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

Sharon Klos: "I do."

Adam Grossman: "Can you state your name for the record, please?"

Sharon Klos: "Sharon Klos."

Adam Grossman: "And you are an employee of the Building Department of the Town of Riverhead?"

Sharon Klos: "That is correct."

Adam Grossman: "And could you state your qualifications for inspecting real property in the Town of Riverhead pursuant to Chapter 54 of the Riverhead Town Code?"

Sharon Klos: "Approximately 25 years of experience in the private sector as a job superintendent and project manager on commercial construction, six years experience with the Town of Babylon as their commercial senior building inspector, six years with Riverhead as Building Permits Coordinator, approximately 80 some odd credits accrued towards an engineering degree, 124 hours of mandated state training in building code and in code enforcement and 40 some odd hours of additional continuing education also through the state."

Adam Grossman: "And, Sharon, did you conduct a site inspection or site inspections at at the real property located at 43 Doctors Path, Riverhead, New York?"

Sharon Klos: "Yes, I did."

Adam Grossman: "And what did you find when you conducted said site inspections?"

Sharon Klos: "Two walls."

Adam Grossman: "Would you like to expand on that? We don't have any-- structure-- "

Sharon Klos: "That's about all there is. Well, we don't really

have an intact structure. We have I think perhaps three or four roof rafters remaining, no roof. There are the remnants of two walls and I believe there's one door which is although open relatively intact. I would certainly under no circumstances call this structure structurally sound. It has been brought to my attention through the owner that they have-- well they procured a demolition permit and it is their intent to sometime between the 26th and 28th of this month-- of October, to effect the demolition on this particular edifice.

My recommendation to the Board would be to continue the Chapter 54 proceeding and have the Town make their recommendation or their finding with respect to the Chapter 54 recommendation which is brought before them and at the time that the demolition is completed, we can then close out the file. But in the interim, again, we have completed the legal aspect of the Chapter 54."

Adam Grossman: "Okay. Sharon, is there anything else you'd like to add to your testimony?"

Sharon Klos: "Not at this point in time."

Adam Grossman: "Okay, thank you very much. Is there anyone else that would like to appear in connection with this public hearing? Sharon, if you could swing the microphone over to them-- "

Sharon Klos: "We might as well do it this way, guys. Here you go."

Ronald Macklin: "Okay, thanks. Do you want my appearance?"

Adam Grossman: "Yes. If you could state your name for the record, sir."

Ronald Macklin: "Yes, hi. Ronald Macklin, Keyspan Energy, 175 East Old Country Road, Hicksville, New York 11803."

Adam Grossman: "Okay. And I just want to clarify, Keyspan is the successor to Lilco, which is the current owner of the-- you know, of this property?"

Ronald Macklin: "Yes. That's correct. Actually, Keyspan Energy is a d/b/a. The owner is Marketspan Corporate Services LLC which is the successor to Lilco for this particular piece of property."

Adam Grossman: "Okay. Sir, could you, I guess, feel free to give testimony as to what you'd like to say in connection with this public hearing."

Ronald Macklin: "Yes. We bought this property about a year ago and there is a concrete block building or the remnants thereof on the property that I believe was an old furnace housing and we had procured as Ms. Klos said, a demolition permit and will be removing the structure, I believe on the 26th. So, that should clear up the Building Department's issues with it."

Adam Grossman: "Okay, very good, the 26th being just a few days from today."

Ronald Macklin: "Yes."

Adam Grossman: "So in the meantime what I'm going to be doing is declaring the public hearing closed. But if you could send my office and copy to the Building Department, confirmation that said demolition has taken place, then we will tell the Town Board that there's no need to act in connection with this public hearing."

Sharon Klos: "The demolition will occur actually before-- "

Adam Grossman: "Before the next Board meeting."

Sharon Klos: "Just-- "

Ronald Macklin: "Okay. So we'll send that confirmation to you and also to the Building Department."

Adam Grossman: "Okay. Very good. Thank you."

Ronald Macklin: "You're welcome. Nice meeting you."

Sharon Klos: "Nice meeting you, too. Take care."

Adam Grossman: "Is there anyone else that would like to appear in connection with this public hearing? If not, the time is 1:52 p.m. and I declare the public hearing closed."

Public hearing closed: 1:52 p.m.

*Barbara Dutton*  
Town Clerk