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, September 24, 1998, at 1:00 P.M.

**Present:**

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| Barbara Grattan, | Town Clerk |
| Adam Grossman, Esq., | Town Attorney |
| Bruce Johnson, | Fire Marshal |

Barbara Grattan: "The time is 1:01, September 24th. Chapter 54 public hearings are now in session."

Public Hearing opened: 1:01 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 1:00 p.m. on September 24, 1998, to hear all interested persons who wish to be heard regarding Chapter 54, Unsafe Buildings and Collapsed Structures, property owned by Stanley K. Horton and Genevieve Horton Life Estate located at 27 Wading River Manorville Road, Manorville, New York."

Adam Grossman: "Okay. I would like to ask Bruce Johnson, the fire chief of the-- Fire Marshal of the Town of Riverhead to come before us. Bruce, you're here?"

Bruce Johnson: "Yes, I am."

Adam Grossman: "I'll need you to raise your right hand and to swear-- do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?"

Bruce Johnson: "Yes, I do."

Adam Grossman: "Okay. Bruce, this is regarding-- this particular public hearing is regarding real property located in the Town of Riverhead, 7--47 Wading River Manorville Road in Manorville. No, that would-- what is the property address here?"

Barbara Grattan: "47."

Adam Grossman: "It is? Okay. 27 you have?"

Barbara Grattan: "I have 27."

Adam Grossman: "27 Wading River Manorville Road in Manorville, New York. I'm sorry. Tax map number, yes. If I could have it from there. Okay. The tax map number of this property is 146-1-28 and, Bruce, before we get started, if you could explain-- actually list your qualifications in which you have the authority to be able to view property pursuant to Chapter 54 of the Riverhead Town Code."

Bruce Johnson: "Certainly. I was appointed Town of Riverhead Fire Marshal on April 13th of this year. I'm currently enrolled in New York State Code Enforcement courses for certification as code enforcement official. My education-- I have a Bachelors of Accounting Degree from Dowling College, a Masters Degree of Finance and Real Estate from the University of Southern California, Los Angeles, and a Bachelors of Science Degree in Fire Service Administration from Empire State College.

I also have numerous training certificates from the National Fire Academy, New York State Fire Academy, and Suffolk County Fire Academy in topics including firefighting, building construction, safety, management, incident command and hazardous materials.

I have 17 years experience as a volunteer fire fighter including five years as chief officer and I'm also an adjunct college professor in the Fire Service program at Empire State teaching courses in fire science."

Adam Grossman: "Okay. Did you conduct a site inspection at 47-- 27 Wading River Manorvile Road in Manorville, New York?"

Bruce Johnson: "Yes, I did."

Adam Grossman: "Okay. And can you tell me what exactly you found when you conducted said inspection or inspections?"

Bruce Johnson: "Okay. Basically, the site has three structures, one of which is currently being used as a garage and looks like it's being used for repair of automobiles. There is a barn that's on the site that has all but substantially collapsed and that also has numerous items of miscellaneous storage inside. There is a storage building on the facility which is also in a state of collapse and there is a large amount of drums, debris, some abandoned vehicles,

etc., still on the site."

Adam Grossman: "Okay. And what is your recommendation regarding this Chapter 54 proceeding?"

Bruce Johnson: "I have spoken with the owners' representative and he's in the process of trying to clean up the property. My recommendation is that we continue to work with him. I'd like to maybe set a timeframe of approximately 30 days, excuse me, for him to work out a written plan that addresses how we're going to deal with the debris and the vehicles on the property and removing at least two of the three structures that should be taken down and I would not have a problem with recommending that we put a timeframe on the plan of let's say six months after it's submitted to get the work done, you know, through the winter into next spring."

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

Bruce Johnson: "That's it."

Adam Grossman: "Okay. Thank you. We'll close the public hearing."

Barbara Grattan: "Close the public hearing at 1:06."

Public Hearing closed: 1:06 p.m.

Public Hearing reopened at 1:08 p.m.

Adam Grossman: "Sir, if you could just submit your name. Yes, we're reopening the public hearing in connection with property-- real property located at 27 Wading River Manorville Road, Manorville, New York and the public hearing is now reopened, and, sir, if you could give your name for the record."

Stanley W. Krupski: "Stanley W. Krupski."

Adam Grossman: "Okay. And what is your relationship to the owner of the property?"

Stanley W. Krupski: "I'm his son."

Adam Grossman: "Okay."

Stanley Krupski: "Their son. Excuse me. Me and my sister have a living will-- my parents-- and I guess me and my sister take care of the property for them."

Adam Grossman: "Okay. So is my understanding correct that I guess your son has a life estate in the property or-- I'm just trying to-- "

Stanley Krupski: "No. Me."

Adam Grossman: "You have a life estate in the property."

Stanley Krupski: "Yes."

Adam Grossman: "Okay. Well, then I should be swearing you in if that's, in fact, the case. Can you raise your right hand, sir? Do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?"

Stanley Krupski: "Yes, I do."

Adam Grossman: "Okay, again, I'm sorry to repeat things, but if you could state again your name for the record?"

Stanley Krupski: "No problem. Stanley W. Krupski."

Adam Grossman: "Okay. And, Mr. Krupski, if you could, I guess state whatever you'd like to state at this public hearing regarding this particular proceeding?"

Stanley Krupski: "We-- I just wanted to tell you what we've been doing. We already started cleaning up. We've got most of the vehicles out of there, the gas tanks are out. We've taken a couple loads of sheetmetal out to Gershow. I'd just like to bring up to the Town that this took my father approximately 92 years to accumulate and it's not going to disappear over night. You know. I work for a living and I intend on doing this myself, between me and my son, and we can't afford to have contractors come in and do the demolition and everything, but we intend on doing it ourself and basically that's it. I'm working with the Town. I've got the Conservation Department in the process of getting a demolition permit, can't do anything further

with the demolition until I get that and get a permit from the Town."

Adam Grossman: "But you intend to get that permit?"

Stanley Krupski: "Oh, yeah, definitely intend to fix the place up, definitely. Mr. Johnson was saying that two buildings should be demolished, there's one-- both of those buildings I plan on saving, approximately 20 foot on one I believe it is and I believe 16 or 18 foot on the other and to continue using those storage buildings. Because we have quite a bit of antiques there."

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

Stanley Krupski: "No. Basically that's it."

Adam Grossman: "Okay. Thank you very much.

Now we will declare the public hearing closed. The time is 1:10."

Public Hearing closed: 1:10 p.m.

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Public Hearing opened: 1:14 p.m.

Barbara Grattan: "The time is 1:14. The public hearing is open. 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 September 24, 1998 to hear all interested persons who wish to be heard regarding Chapter 54 Unsafe Buildings and Collapsed Structures property owned by Great Peconic Bay Yacht Basin, Inc., located at 3 West Street, South Jamesport, New York."

Adam Grossman: "Okay. This public hearing is regarding the real property just previously mentioned by Barbara Grattan. The tax map number is 600-92-3-15. The location is 3 West Street in South Jamesport, New York. I'd like to call Bruce Johnson. He's Fire Marshal of the Town of Riverhead to testify.

Bruce, I understand you have a written statement of your qualifications. However, before you give it to me, I'd like to swear

you in. Okay. Would you raise your right hand, and do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?"

Bruce Johnson: "Yes, I do."

Adam Grossman: "Okay. Can you state your name and your title with the Town of Riverhead for the record?"

Bruce Johnson: "Bruce Edward Johnson, Fire Marshal 1."

Adam Grossman: "Okay. And I understand you have a written statement of your qualifications that you wish to submit to the Town Clerk?"

Bruce Johnson: "Yes, I would. If I could submit that into the record."

Adam Grossman: "Okay. Mr. Johnson, did you conduct a site inspection or site inspections of the real property which is the subject of this public hearing?"

Bruce Johnson: "Yes, I did."

Adam Grossman: "Could you explain to myself what exactly you witnessed and what you found as the result of your site inspections?"

Bruce Johnson: "Okay. At that site, we have a single story wooden structure that is certainly open. There is some storage inside and it is in some state of you know partial collapse. The building has a fence around the perimeter. It is adjacent to West Street and it is also-- faces the beach area up there. It does have a chain link fence around it. However, there is some sections along West Avenue where the building really comes right up to the roadway and even with the chain link fence, it's very easy to climb the fence and to gain access to the building. So that portion of the building I feel is unsafe and requires corrective action."

Adam Grossman: "Okay. And what corrective action do you recommend?"

Bruce Johnson: "Either giving a little bit more distance between the fence and the building, if that's possible, if not,

securing the building in that area so that it would not be accessible to any persons."

Adam Grossman: "Okay. Do you wish to add anything further to your testimony?"

Bruce Johnson: "That is all."

Adam Grossman: "Okay. Thank you very much. Is there anyone else who wishes to speak? Okay, I declare the public hearing closed. It is now 1:16 p.m."

Public Hearing closed: 1:16 p.m.

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Public Hearing opened: 1:17 p.m.

Barbara Grattan: "The time is 1:17. 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 September 24, 1998, to hear all interested persons who wish to be heard regarding Chapter 54 Unsafe Buildings and Collapsed Structures property owned by Stanley K. Horton and Genevieve Horton Life Estate located at 27 Wading River Manorville Road, in Manorville and there's also another one property owned by Stanley K. Horton and Genevieve Horton Life Estate located at 27 Wading River Manorville Road, Manorville for 1:10 p.m."

Adam Grossman: "Okay. I'd like to call Bruce Johnson, Fire Marshal for the Town of Riverhead to testify. Mr. Johnson, can you raise your right hand? Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

Bruce Johnson: "Yes, I do."

Adam Grossman: "Okay. Can you state your name and title with the Town of Riverhead for the record?"

Bruce Johnson: "Bruce Edward Johnson, Fire Marshal 1."

Adam Grossman: "Okay. Now, we have-- this is going to be two separate public hearings we're doing at the same time? Okay. All right. Well, let me see. Do you have a statement of your

qualifications that you wish to submit to the Town Clerk?"

Bruce Johnson: "Yes, I do."

Adam Grossman: "Okay. And if you would submit those qualifications, that will also be part of the record. And, Mr. Johnson, did you conduct site inspections at the subject property?"

Bruce Johnson: "Yes, I did."

Adam Grossman: "Okay. And what comments would you like to make at this public hearing regarding those inspections?"

Bruce Johnson: "All comments were handled at the 1:05 meeting also on this property. So I have no additional comments."

Adam Grossman: "Okay. And nothing further you'd like to add?"

Bruce Johnson: "No."

Adam Grossman: "Okay, thank you very much. Is there anyone else who would like to speak regarding this public hearing? If not, I declare the public hearing closed. It is 1:18 p.m.

Public Hearing closed: 1:18 p.m.

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Public Hearing opened: 1:19 p.m.

Barbara Grattan: "The time is 1:19 p.m. The public hearing is now in session. I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 1:15 p.m. September 24, 1998, to hear all interested persons who wish to be heard regarding Chapter 54 Unsafe Buildings and Collapsed Structures property owned by Hamit Ali Butt and Linda C. Butt at 33 Railroad Avenue, Calverton, New York."

Adam Grossman: "I'd like to ask Bruce Johnson to appear before us. Mr. Johnson, can you raise your right hand? Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?"

Bruce Johnson: "Yes, I do."

Adam Grossman: "Okay. This public hearing is regarding property located at 33 Railroad Avenue in Calverton, New York, tax map number 600-137-1-23.02. Mr. Johnson, if you could state your name and title for the record?"

Bruce Johnson: "Bruce Edward Johnson, Fire Marshal 1."

Adam Grossman: "Okay. And do you have a statement of your qualifications that you wish to submit to the Town Clerk?"

Bruce Johnson: "Yes, I do."

Adam Grossman: "If you could submit that, that will also be made part of the record.

Mr. Johnson, did there come a time when you conducted a site inspection or site inspections at the subject property located at 33 Railroad Avenue in Calverton, New York?"

Bruce Johnson: "Yes, I did."

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

Bruce Johnson: "There's two structures on the premises. The first one is a residential house and we found that to be lacking electric service and also needing minor repairs, but basically without the electric service we were concerned about sanitary conditions and whether or not that particular house is habitable in its current condition. The second structure is a wooden single story probably a former bar or other commercial building. That building was found to be open in a number of spots allowing access for unauthorized persons, creating a dangerous situation. We also noticed some rotting surface wood and possibly some other structural damage. We didn't enter the structure feeling that it might be unsafe.

That facility also has electric service at least to the meter so the concern there is also the fact that we have electric service to that building."

Adam Grossman: "Okay. And what is your recommendation

regarding this property?"

Bruce Johnson: "The recommendation for the house is basically to secure that structure until such time that it is made habitable on the inside and that utilities, electric and water, can be restored to make it habitable. There is an extension cord that was running from the wooden structure, commercial structure, to the house. That should obviously be removed and not utilized and as for the wooden structure, all open areas should be boarded up and made secure so that it would prevent the unauthorized access and the utilities should all be terminated, particularly the electric, at the utility pole."

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

Bruce Johnson: "That's all at this time."

Adam Grossman: "Okay. Thank you very much. Is there anyone else who would like to be heard regarding this public hearing? Whichever of the two of you would like to go first. Ma'am, you're-- I just want to make sure I understand. The two of you are the owners of the property? Okay."

Susan Jager: "No. Mr. Butt is at this moment. I'm the mortgagee."

Adam Grossman: "Okay. Actually, I think probably it would be better if we had the property owner to be the first one to testify of the two of you."

Susan Jager: "It doesn't matter."

Adam Grossman: "If that would be okay. I'm sorry about that."

Susan Jager: "Sure, fine, okay."

Adam Grossman: "Okay, sorry. Sir, if you could state your name for the record?"

Hamid Ali Butt: "My name is Hamid Ali Butt."

Adam Grossman: "Okay. Mr. Butt, if you could raise your right hand? Do you swear to tell the truth, the whole truth, and nothing

but the truth, so help you God?"

Hamid Ali Butt: "I do."

Adam Grossman: "Okay. You've already stated your name for the record. It is my understanding that you are the owner of the property-- real property which is the subject of this public hearing today?"

Hamid Ali Butt: "Yes."

Adam Grossman: "Okay. And what statement would you like to make today, sir, regarding this public hearing?"

Hamid Ali Butt: "I don't know what to state."

Adam Grossman: "Okay, well, you don't have to state anything if you wouldn't like to. I just wasn't sure whether you had something you wanted to add."

Hamid Ali Butt: "No, I don't."

Adam Grossman: "Okay. All right. So if you have nothing to state actually if you'd like to come back and we'll put you on the record. Thank you. Okay. Ma'am, would you state your name for the record, please?"

Susan Jager: "Susan Jager, J-A-G-E-R."

Adam Grossman: "Okay. And Ms. Jager, if you could feel free to make a statement as to what you'd like to-- testimony you'd like to present at the public hearing today."

Susan Jager: "Okay. My partner and I have a mortgage on that house. We're the mortgagees. And we're in the process of foreclosing on Mr. and Mrs. Butt. So they have since moved out and they left the property in the condition you see it now. So I would like a 30 day adjournment so that I can secure the property and have all the utilities turned off and make it safe until the foreclosure is over with so we can take the property back and do what we have to do with it."

Adam Grossman: "Okay. Well, we could do the testimony today.

The decision as to what's going to be done with this Chapter 54 proceeding is going to be a decision of the Town Board itself. Okay. This is just a public hearing regarding the Chapter 54 proceeding and so what I would say regarding your request is that, you know, it will be brought to the Board's attention. Okay. And they will thereafter render a decision."

Susan Jager: "Okay. So the property has to stay the way it is for now? I can't do anything-- "

Adam Grossman: "Well, nothing is going to happen to the property until there's a resolution adopted by the Town Board acting on this public hearing."

Susan Jager: "Okay."

Adam Grossman: "Okay. Beyond that-- "

Susan Jager: "I've never been through this before."

Adam Grossman: "Okay. Beyond that I can't tell you exactly in terms of timeframe, how quickly this can be done other than to suggest that you stay in touch with Mr. Johnson and Mr. Barnes regarding this."

Susan Jager: "Okay."

Adam Grossman: "Is there anything you'd like to add? Bruce, do you want to add anything?"

Bruce Johnson: "Yes. If I may, just with the property there is also a trailer on the site that we should have removed and the landscaping and the grass should also be cut, just again, it's gotten quite out of hand because of the lack of maintenance over the summer and I would recommend that for safety sake, that we try to address the boarding of the building and the utility shut off if the mortgagee is willing to do that as soon as possible."

Adam Grossman: "Okay. Anyone else like to add anything? Okay. Well, if that's the rest of the testimony, I will declare the public hearing closed. It is right now 1:27 p.m.

Public Hearing closed: 1:27 p.m.

Barbara Grattan
Town Clerk