

Minutes of a Chapter 54 Public Hearing held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Thursday, February 15, 2001, at 11:30 a.m.

Present:

Robert Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Christopher Kent,	Councilman
Leroy Barnes,	Building Inspector

Also Present:

Barbara Grattan,	Town Clerk
Melissa White,	Deputy Town Clerk
Andrea Lohneiss	

Absent:

Philip Cardinale,	Councilman
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Supervisor Kozakiewicz: "Let the record reflect that the time of 11:36 a.m. has arrived. We had scheduled for today's date, February 15, 2001 a Chapter 54 which had been left over from December, I believe, involving a property in Millbrook Gables belonging to Mrs. Giles. I see Mrs. Giles is present as is the Building Department-Senior Building Inspector from the Building Department, Leroy Barnes. And your name, ma'am?"

Laura Minicozzi: "My name is Laura Minicozzi- M-I-N-I-C-O-Z-Z-I and I work for the Department of Social Services in Adult Protective Services."

Supervisor Kozakiewicz: "Okay. I know that this had been put over. The property involved of this Chapter 54, the premises had sustained fire damage and we were looking to obtain solutions or alternatives for Mrs. Giles in order to address the situation that she's presently dealing with.

Now, are you prepared to testify today? Do you need to? No? Okay."

Laura Minicozzi: "Only-- in- my involvement in the case

basically was through public assistance when Mrs. Giles had made an application originally after I believe in mid-December. Since then, I've just been acting as a liaison between her and the agencies here, namely Building, Mr. Maironais (phonetic), and Community Development to keep Mrs. Giles informed of what's going on.

I was also contacted by the Town Attorney, Dawn Thomas, who suggested that Mrs. Giles might need some legal representation or legal advocacy to help her understand the choices presented to her and the repercussions of making one of those choices and what would follow.

And I was finally able to find a pro bono real estate lawyer who was willing to represent Mrs. Giles."

Supervisor Kozakiewicz: "Okay, now I understand we may need two weeks, a month, in order to still resolve this and I don't know where that leaves the Building Department with respect to their outstanding issues and what their position is with regard to this Chapter 54."

Leroy Barnes: "Bob, we can only tell you that currently that the house is still secured and we're still waiting for the recommendations of the Community Development Agency."

Supervisor Kozakiewicz: "All right. Now, as far as the Community Development Agency, I know Andrea and I have spoken about this particular situation as I have with George and Linda as well from the CDA and you've been working with Mrs. Giles closely in order to find a solution that will work for all the parties involved. Is that correct?"

Andrea Lohneiss: "That's right. We have pursued two avenues simultaneously. One is towards acquisition and one is towards renovations. It would be a substantial rehabilitation. It would require the reallocation of some grant funds. We started that process about three weeks ago by a resolution that you passed authorizing a public notice. If we were to acquire the property, we would need two appraisals. We started that process.

There are economic issues and there are social issues and we have not come up with an avenue that we strongly recommend at this time and one reason for that is the Department of Social Services has a fairly large lien against the property. If we were to purchase the property, the lien would capture just about all the proceeds and we are reluctant to leave Mrs. Giles without any proceeds from the sale.

So we had sent a letter to the Department of Social Services of Suffolk County to request a waiver of that lien. That was forwarded to the Town Attorney. Scott DiSimone from our attorney's office- I'm sorry, the County Attorney- "

Supervisor Kozakiewicz: "I understand what you're saying."

Andrea Lohneiss: "Scott had offered to follow up when he returns from vacation with the County Attorney to see if- "

Supervisor Kozakiewicz: "He's due back next Wednesday. Is that right?"

Andrea Lohneiss: "Right. If there's any possibility of waiver of that lien or an acceptance of lesser than 21 or \$22,000. That would make the acquisition option more viable for her."

Supervisor Kozakiewicz: "Okay. In the meantime, Mrs. Giles has a place to stay? Mrs. Giles, you've been able to stay in a place."

Mrs. Giles: "Yes."

Supervisor Kozakiewicz: "And is that something that you are going to be able to remain in for the next two weeks, a month?"

Mrs. Giles: "Yes."

Supervisor Kozakiewicz: "Because obviously that's critical to our consideration if we were to further adjourn this proceeding in order to try and reach a solution."

Mrs. Giles: "Yes, I can stay there."

Supervisor Kozakiewicz: "Okay. And I believe that's the recommendation at this time, to put this over in order to keep working on a solution working with the various agencies in order to reach a suitable solution for everybody, is that correct? Any objection to that?"

Councilman Kent: "No objection. But I just have a question. I don't know if you're the one who could testify regarding the lien and what procedure, if any, there is to waive the lien."

Laura Minicozzi: "No, I can't. That would have to come directly from the County Attorney's office."

Councilman Kent: "Okay."

Laura Minicozzzi: "All I do is social service cases."

Councilman Kent: "I understand. You're Adult Protective Services which is the social end of it not the financial. So we don't really need to take any testimony from- "

Supervisor Kozakiewicz: "No. That's the reason I just wanted to put some of this stuff on the record- "

Councilman Kent: "And there is going to be an attorney that's going to be assigned to the case or-"

Laura Minicozzi: "Yes. Nassau-Suffolk Law Services doesn't handle this type of things but they were able to find a real estate attorney that would help just to act as an advocacy- "

Supervisor Kozakiewicz: "Do you have a name that you can share with us at this time?"

Laura Minicozzi: "We have to call Nassau-Suffolk Law Services and make an appointment with a woman named Inez. I didn't take her last name."

Supervisor Kozakiewicz: "Okay."

Laura Minicozzi: "At this point- but I do know that- "

Supervisor Kozakiewicz: "When is that appointment?"

Laura Minicozzi: "We have to- I actually didn't know this hearing was going to take place. I came to meet Mrs. Giles to tell her that we have to make this phone call and make this appointment."

Supervisor Kozakiewicz: "Okay. So it is to be set."

Laura Minicozzi: "Right."

Supervisor Kozakiewicz: "Okay."

Laura Minicozzi: "But in a very timely fashion. They were hoping for tomorrow."

Supervisor Kozakiewicz: "Okay."

Councilman Kent: "Okay, good. All right. So I move that we put it over to March 15th is that's convenient for everyone."

Supervisor Kozakiewicz: "That's fine. Okay. So 11:30, March 15th."

Leroy Barnes: "So, 11:30."

Supervisor Kozakiewicz: "And nothing further at this time, the time of 11:42 having arrived, we'll adjourn."

Meeting adjourned: 11:42 a.m.

*Barbara Hutton
Town Clerk*