

Minutes of a Chapter 54 public hearing held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Thursday, August 26, 2004, at 2:00 p.m.

**Present:**

Philip Cardinale,	Supervisor
Edward Densieski,	Councilman
Barbara Blass,	Councilwoman
Rose Sanders,	Councilwoman
George Bartunek,	Councilman

**Also Present:**

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney
Matthew White,	Code Enforcement Officer

Supervisor Cardinale called the meeting to order at 2:18 p.m.

Supervisor Cardinale: "We are now commencing the Chapter 54 proceeding. We have Matt White for our town, Code Enforcement Officer, and Dawn Thomas present, our town attorney. So can we begin, please?"

Dawn Thomas: "Now you have to be sworn. Raise your right hand. Barbara, could you swear him because (inaudible). Can you do it? You should do it because I'm questioning him."

Supervisor Cardinale: "Yes."

Barbara Grattan: "Matt, raise your right hand. Do you swear to tell the whole truth and nothing but the truth, so help you God?"

Matt White: "I do."

Supervisor Cardinale: "Okay. Proceed."

Dawn Thomas: "Mr. White, can you tell us what your title is with the town of Riverhead?"

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

Dawn Thomas: "And how long have you been employed in that

position?"

Matthew White: "July, 1999."

Dawn Thomas: "And can you tell me some of the training that you've had in connection with your position with the town of Riverhead?"

Matthew White: "Two hundred fifty hours in New York State code training including building code, fire control, plumbing, electrical. Currently enrolled in 250 hours of training under the new New York State building code. Twenty five hours of training from KeySpan dealing with electrical behavior and fire cause and origin. I'm certified by New York State firefighter and I currently continuously employed with Suffolk County Park Police as a police officer and the Town of Riverhead as an Ordinance Inspector."

Dawn Thomas: "And in connection with your duties as an ordinance inspector, do you have occasion to examine and inspect dilapidated structures in the town of Riverhead?"

Matthew White: "I do."

Dawn Thomas: "And did you examine a dilapidated structure on the northerly side of Route 58 in the hamlet of Riverhead?"

Matthew White: "I did. The exact address would be 780 Old Country Road, Route 58, Riverhead. Suffolk County Tax Map No. 0600-82-03-17."

Dawn Thomas: "Can you tell me what your inspection revealed?"

Matthew White: "I was notified by the police department in the middle of July that they received a report of a subject walking through the rear of the former Rolle Bros. property which is now owned by Exxon Mobil Corp. Myself and PO Joe Wicklund (phonetic) with the 601 sector car inspected the front main building which was secured.

The rear buildings in the back were not secured. The larger of the two buildings in the back which is centrally located on the property had an individual who was unknown (inaudible) residing in same. He had set numerous fires in same as a form of cooking and heating.

In addition to that, numerous makeshift ramps were set up where,

I guess, area children were using it as like bike jumps, skateboard jumps. There was a copious amount of rubbish as well as empty beer cans and soda cans. There was numerous amounts of graffiti and there were several broken windows in the area."

Dawn Thomas: "And with regard to that structure, did you determine that there was a safety condition that needed to be addressed?"

Matthew White: "I did."

Dawn Thomas: "Can you describe that?"

Matthew White: "The building does not need to be demolished. Structurally it is still sound. It is of type 2 construction, fire resistant. It does need to be secured to prevent further access for life safety reasons."

Dawn Thomas: "Okay. And what is your suggestion in terms of correction- interim corrections of the property to be secured by the owner and (inaudible)."

Matthew White: "Board it, basically."

Dawn Thomas: "Okay. Do you- did you prepare an inspection report in connection with this inspection?"

Matthew White: "I did."

Dawn Thomas: "And would you submit it to my office so we can make it part of the record?"

Matthew White: "I will."

Dawn Thomas: "I have no further questions."

Supervisor Cardinale: "Okay. If there's no further questions- they were notified to be here, the owners?"

Dawn Thomas: "Yes. We have a notice- "

Matthew White: "As part of our standard operating procedure, they first received a certified notice of violation stating that there was an issue with the property. They had to rectify the problem by a certain date or it would result in a Chapter 54 public hearing, which

we are currently at. Then we prepared the written documentation and a resolution was passed for a public hearing which they are notified of by my office in both certified mail and plain envelope as well as the Town Clerk's Office, which I have a copy of."

Supervisor Cardinale: "Where was that sent?"

Matthew White: "This is a copy that the Town Clerk Barbara Grattan mailed to them. It's Resolution #689 stating that there's going to be a public hearing for the unsafe structure."

Supervisor Cardinale: "Can you tell from that where it was sent?"

Matthew White: "3225 Gallows Road, Fairfax, Virginia 22037."

Supervisor Cardinale: "And has there been any kind of phone contact with these people?"

Matthew White: "None whatsoever."

Supervisor Cardinale: "Has there- was there any indication of what department that was addressed to? This is Exxon remember."

Matthew White: "It just says Exxon Mobil Corp. Sometime ago, we had spoken to an individual who is their property manager for the Long Island area. That individual is no longer employed by Exxon Mobil Corp. and no forwarding information was ever left to us."

Dawn Thomas: "Is the address that we sent the documentation to the address listed on the tax bill?"

Matthew White: "Yes, it is."

Dawn Thomas: (Inaudible)

Matthew White: "Yes."

Dawn Thomas: "And did you make other attempts to contact them other than- did you telephone them and not receive a return call?"

Matthew White: "We did."

Dawn Thomas: "And- "

Supervisor Cardinale: "Do they have an office that you're contacting?"

Matthew White: "We were contacting the 800 number that leads to the district office in Fairfax, Virginia."

Supervisor Cardinale: "And you've left messages and nobody calls you back?"

Matthew White: "I left a message and never received a call. I tried again approximately eight days later, still did not receive a call back."

Dawn Thomas: "And we should note for the record that no one has appeared on behalf of Exxon Mobil Corp. today."

Matthew White: "This is correct."

Supervisor Cardinale: "Okay."

Councilwoman Blass: "A question."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "Officer White, is this the first offense at this location?"

Matthew White: "It is not. This is the second time that we had to go there in relation to this structure being unsafe and unsecured. The first time was to secure the front building where all the windows had been broken out from vandals or something."

At this time, I'd also like to mention that two days ago, I observed that two of the panels had been removed off the windows. So they need to be re-secured. This is off the building that's on the southern side of the property in the very front.

I don't recall the exact date we dealt with this on the first occasion but Exxon Mobil has continually ignored our letters, requests to maintain the property both in property maintenance for the lawn and the structure."

Supervisor Cardinale: "Thank you. Can we close the hearing now?"

Dawn Thomas: "Okay. I'd like to close the hearing and thank you, Matt. Thank you, Dawn."

Meeting closed: 2:25 p.m.

*Barbara Heaton  
Town Clerk*