

Suffolk County Landbank Corporation Board Meeting
Suffolk County Department of Economic Development and Planning
H. Lee Dennison Building
2nd Floor, Planning Library Conference Room
Hauppauge, NY 11788

February 14, 2019 at 11:30 a.m.

Meeting Minutes

PRESENT:

Board of Directors:

Peter Scully, Designee for County Executive Steven Bellone
Hon. DuWayne Gregory, Presiding Officer, Suffolk County Legislature
Hon. Rich Schaffer, Supervisor, Town of Babylon
Hon. Thomas Cilmi, Suffolk County Legislator
Cara Longworth, Regional Director, Empire State Development
Justin Hornung, Designee for Jason Smagin, Director of Real Estate

Staff Present:

Sarah Lansdale, President, Suffolk County Landbank Corp.
Dorian Dale, Suffolk County Landbank
Robert Braun, Lead Counsel, Suffolk County Landbank Corp
Janet Gremler, Dept. of Health Services
Matthew Kapell, Project Manager, Suffolk County Landbank
Mikael Kerr, Project Coordinator, Suffolk County Landbank Corp.
Doug Sutherland, Suffolk County Comptroller's Office
Colleen Badolato, Secretarial Assistant, SC Dept. of Economic Development and Planning

Not Present

Theresa Ward, Commissioner, SC Dept. of Economic Development and Planning

Guests:

Chris Gargano
Angelo Marino, Interstate Auto Glass Distributors
Joe Gavin, Apex Companies
Muzzio Tallini, Signature Organization
Dominick Mavellia, Crescent Group Realty
Michael Freedberg, Buyer
Barry Freedberg, Buyer

CALL TO ORDER

The Landbank Board meeting was called to order by Peter Scully, at 11:35 a.m. There was a quorum present...

**PUBLIC PORTION - Re: 1305 S. Strong Ave., Copiague
Peter Scully noted for the record that this property is presently in litigation.**

Angelo Marino, Owner of Interstate Auto Glass Distributors (28 employees), and Cover Luxe Baseboard Co. (17 employees). Mr. Marino has been in business in Copiague for 29 years; and would like to consolidate both businesses into one location at 1305 S. Strong Ave., Copiague.

Mr. Marino is a prospective purchaser of 1305 S. Strong Ave., Copiague (presently in litigation), presently has a

contract in place with current owner of the property. Mr. Marino has plans to renovate the building to bring it up to code and plans to hire between 30 and 45 new employees. Mr. Marino was unaware that there were issues with the property.

The current owner of the property, Dominick Mavellia, of The Crescent Group, was also present at this meeting and asked to speak.

Per Landbank Counsel, Robert Braun, litigation is ongoing and could be a lengthy process. The matter is now in the appeal process. Total outstanding tax liens are \$1,137,000. If the courts grant the relief that the current owners are asking for the Landbank will no longer have a building to redeem.

After a brief discussion, it was recommended that the best course of action would be for Mr. Mavellia, who expressed a desire to drop his lawsuit against the County, have his Counsel arrange a meeting to discuss his proposal with the County's Litigation Bureau and the Landbank's Counsel, Robert Braun.

Note: *Hon. Rich Schaffer, Babylon Town Supervisor, recused himself from the conversation as this matter may potentially come before the Babylon Town Board in the future.*

Public Portion closed.

NEW BUSINESS

Review and Approval of Minutes of December 5, 2018 meeting - Exhibit A:

Motion to approve made by Hon. Thomas Cilmi; seconded by Cara Longworth. Motion approved. 6-0-0

Review and Approval of Minutes of January 14, 2019 meeting - Exhibit B:

Tabled to next scheduled meeting on March 27, 2019, as there were not enough members present at the January 14, 2019 meeting.

STAFF REPORT - Mikael Kerr

Recent Tax Lien Payments (2019 Q1)

134 North 8th St., Lindenhurst - Owner found a buyer for the property, closing pending. Back taxes will be paid and property cleaned up.

Total Taxes Recouped since 2013 - \$6,050,515

➤ **Pending Sales:**

1305 S. Strong Ave., Lindenhurst - Owner has filed a temporary restraining order on 8/6/2018 - Case is ongoing.

➤ 753 Long Island Ave., Deer Park - Board approved - Pending legislative approval. Anticipate closing by end of March 2019.

➤ **Properties currently being marketed - 9**

➤ **2019 Phase II ESA's Pending - 4**

Janet Gremli sent out letters to the 4 property owners and persons of interest, with 1 response received from property owner at 725 Wyandanch Ave., Wyandanch. Janet is awaiting responses from the other 3 property owners.

Phase II ESA Update on Steck and Philbin Landfill - Mikael Kerr and Joseph Gavin of Apex Companies

- All the onsite work has been completed and the Draft report has been received.

Joseph Gavin of Apex Companies gave a brief summary of the Phase II findings:

Soil Conclusions

- Soil data collected during the Phase II indicated that several parameters analyzed were detected above respective Soil Cleanup Objectives.
- Contaminants found on site may be indicative of undocumented soil and fill material deposited during the sites prior use as a landfill.

- 31 test pits installed throughout the site found debris at various depths (voc's, telephone poles, trees, metal, plastic, tires and glass.)
- 12 test pits encountered native soil between 10' to 19', 19 test pits encountered debris to the extent of the excavators reach, 20' to 22'

Groundwater Conclusions

- 6 Groundwater wells were sampled - 4 new wells installed and 2 existing wells from previous investigation.
- Based upon review of the data, no significant groundwater concerns were noted.

Vapor Conclusions

- 8 temporary soil vapor monitoring points were installed along the perimeter of the site.
- Additional monitoring for methane was performed at all test pits, soil boring locations and new monitoring well locations.
- Methane was recorded only during the setting of new groundwater monitoring wells.

Janet Gremler stated that the DEC would have to make the final determination as to the remediation and the projected end use for the site. There are enough conclusions in this report that a potential purchaser could refer to, but quite often they do contact the DEC for concurrence on those conclusions.

Old Business:

Tabled Resolution SCLBC # 2018-06 Authorizing the Acquisition and Disposition of Tax Liens for the Property at 294B Old Northport Road, Kings Park, NY (Izzo Tire Site)

Proposer: Mike Cox made an offer of \$1.3mil. (cash up-front), which was put on hold until further evaluation of the Steck property. Mr. Cox has expressed a continued interest in moving ahead and making a purchase of the 5-acre Izzo property.

Leg. Thomas Cilmi suggested a review of motions and votes that the Board took months ago (May 23, 2019 and June 27, 2019) be sent out to the Board members for further review via e-mail; and a discussion be placed on the agenda for the next meeting.

Zombie Program Updates - Matthew Kappell

Round 3 Update

- **Grant Amount:: \$1,230,000.00 to be disbursed quarterly**
- **Performance Period: 1/10/17-12/31/18**
- **6 Month Extension Granted by Enterprise**
- 23 Furman Ave., E. Patchogue (UW) - construction 90% complete
- 5 Sunburst La., Bellport (LIHP) - 95% complete - Pending sale
- 54 Nicolls Rd, Wyandanch (LIHP) - construction 85% complete
- 55 E. Locust St., CI (LIHP) - construction 50% complete
- 60 Mill Dr., Mastic (Town of Brookhaven) - 15% pre-construction
- 205 New Ave., Wyandanch (CDCLI) - 10% Bidding
- 44 S. 25th St., Wyandanch (CDCLI) - 15% pre-construction
- 106 Irving Place, Wyandanch (CDCLI) - 15% pre-construction

Round 4 - 12 deliverables

- North 26th St., Wyandanch- (Habitat for Humanity) - pending transfer of lot to Habitat
- 30th St. & Jamaica Ave., Wyandanch (UW) - pending transfer of lot to Habitat
- 114 Longfellow Dr., Mastic (LIHP) - 15% preconstruction
- 54 Adams Dr., CI (UW) - 20% - Demo complete, delayed due to title issues
- 227 Calebs Path, CI (Habitat for Humanity) - Pending transfer to Habitat
- 41 Arrowhead Dr., Shirley (UW) - 10% permitting/planning

BOARD ACTIONS REQUESTED

- **RESOLUTION SCLBC 2019-04 - AMENDING RESOLUTION SCLBC# 2018-24**
Motion to Approve made by P.O. DuWayne Gregory; seconded by Cara Longworth. Motion approved 6-0-0.
- **RESOLUTION SCLBC 2019-05 - AUTHORIZING THE ACQUISITION AND DISPOSITION OF TAX LIENS FOR 4 PARCELS ON GARRISON AVE., WYANDANCH, NY 11798**
Motion to Approve made by Cara Longworth; seconded by Hon. Rich Schaffer. Motion approved 6-0-0.
- **RESOLUTION SCLBC 2019-06 - AUTHORIZING THE ACQUISITION AND DISPOSITION OF TAX LIENS FOR THE PROPERTY AT 60 DALE STREET AND 61 CABOT STREET, WEST BABYLON, NY**
Motion to Approve made by Hon. Rich Schaffer; seconded by Cara Longworth. Motion approved 6-0-0.
- **RESOLUTION SCLBC 2019-07 - AUTHORIZING THE NEGOTIATED DISPOSITION OF THE PROPERTY AT 54 NICOLLS RD., WHEATLEY HEIGHTS, NY 11798**
Motion to Approve made by Hon. Rich Schaffer; seconded by Hon. DuWayne Gregory. Motion approved 6-0-0.
- **RESOLUTION SCLBC 2019-08 - AUTHORIZING THE NEGOTIATED DISPOSITION OF THE PROPERTY AT 55 EAST LOCUST ST., CENTRAL ISLIP, NY 11722**
Motion to Approve made by Hon. Thomas Cilmi; seconded by Justin Hornung. Motion approved 6-0-0.
- **RESOLUTION SCLBC 2019-09 - AUTHORIZING THE NEGOTIATED DISPOSITION OF PROPERTY AT 23 FURMAN AVE., EAST PATCHOGUE, NY 11772**
Motion to Approve made by Hon. Thomas Cilmi; seconded by Cara Longworth. Motion approved 6-0-0.
- **RESOLUTION SCLBC 2019-10 - SELECTION OF COMMUNITY HOUSING DEVELOPMENT AGENCIES**
Motion to Approve made by Justin Hornung; seconded by Cara Longworth. Motion approved 6-0-0.

OLD BUSINESS:

Tabled Resolution SCLBC # 2018-06 - Authorizing The Acquisition and Disposition of Tax Liens for the Property at 294B Old Northport Road, Kings Park, NY (Izzo Tire Site)

After a brief discussion, the Board decided to Table this Resolution to the March 27, 2019 SCLBC Meeting.
Motion to Table to March 27, 2019 SCLBC meeting made by Peter Scully; seconded by Hon. Thomas Cilmi.

NEXT STEPS

Next SC Landbank Corp. Board meeting is scheduled for Wednesday, March 27, 2019.

ADJOURNMENT

Peter Scully made a motion to adjourn; seconded by Hon. Thomas Cilmi. *Meeting adjourned at 12:31 p.m.*