

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

March 27, 2019 at 11:30 a.m.

Meeting Minutes

**PRESENT:**

Board of Directors:

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

Staff Present:

Sarah Lansdale, Executive Director and President, Suffolk County Landbank Corp.  
Dorian Dale, Suffolk County Landbank Corp.  
Sanjay Malhotra, Counsel, Suffolk County Dept. of Law  
Janet Gremli, Dept. of Health Services  
Matthew Kapell, Project Manager, Suffolk County Landbank  
Mikael Kerr, Project Coordinator, SC Landbank Corp.  
Colleen Badolato, Secretarial Assistant, SC Dept. of Economic Development and Planning

Not Present

Theresa Ward, Commissioner, SC Dept. of Economic Development and Planning  
Hon. DuWayne Gregory, Presiding Officer, Suffolk County Legislature  
Hon. Rich Schaffer, Babylon Town Supervisor  
Hon. Thomas Cilmi, Suffolk County Legislator

Consultants:

Brian Petersen, CPA, AVZ  
Stephanie Handel, CPA, Sheehan & Co.

Guests:

Walter Parish, NYS DEC Region 1  
Michael Cox, Kevin Cox, David Cox - Proposers  
Bruce Kennedy, Esq, Attorney for 322 Merrick Rd. Realty LLC  
John Vigorito, Jr., Security Dodge

**CALL TO ORDER**

The Landbank Board meeting was called to order by Peter Scully, at 11:30 a.m. There was a quorum present..

**PUBLIC PORTION**

1. Bruce Kennedy, Esq., Attorney for applicant/tenant for 322 Merrick Rd. Realty LLC. Mr. Kennedy is also the Village Attorney for Village of Amityville. Mr. Kennedy gave an update on his client's pending application, which was submitted in July 2018, for 322 Merrick Rd. a/k/a 344 Merrick Rd., Amityville and has been pending since that time. His client has been the tenant on this property for many years.

2. Michael Cox - Proposer for Izzo Tire Site at 294B Old Northport Rd., Kings Park. Mr. Cox stated that his proposed intention is to clean up, level and fence the site and put a public storage facility on this site. Tax liens are approximately \$2,413,623. The property is 20+ years delinquent with a tax bill of \$24,000/year. Mr. Cox submitted a proposal in 2018 of \$1.3million cash for the purchase of the Izzo Tire Site.

Public Portion closed.

### **Brian Petersen presented an overview of highlights of the 2018 Financial Statements**

- The Corporation's assets exceeded its liabilities by \$2,361,816 (total net position) for the current year.
- The Corporation's total net position increased by \$383,856.
- The Corporation's governmental fund reported total ending fund balance of \$1,598,314.

### **EXECUTIVE SESSION**

Peter Scully asked for a motion to enter into Executive Session at 11:47a.m., as Board members would be discussing the sale and valuation of some brownfield properties.

*Motion to move into Executive Session made by Jason Smagin; seconded by Lora Gellerstein. Motion approved 6-0-0.*

*Peter Scully made a motion to exit Executive Session at 12:05 p.m.; seconded by Jason Smagin. Motion approved 6-0-0.*

### **NEW BUSINESS**

#### **Review and Approval of Minutes of January 14, 2019 meeting - Exhibit A:**

*As there were not enough Board Members in attendance, Jason Smagin made a Motion to Table; seconded by Peter Scully. Motion approved 6-0-0.*

#### **Review and Approval of Minutes of February 14, 2019 meeting - Exhibit B:**

*As there were not enough Board Members in attendance, Jason Smagin made a Motion to Table; seconded by Peter Scully. Motion approved 6-0-0.*

### **STAFF REPORT**

#### **Phase II ESA Update on Steck and Philbin Landfill**

- Results of Apex Companies Phase II ESA were shared with the DEC, EPA and Health Dept.
- Dorian Dale sent the Phase II report and other related information to Joe Pokorny, COO of the SCWA. Dorian read Mr. Pokorny's evaluation, which stated that at the present time, the wells are all negative for PFCs. Dorian stated that he also shared Mr. Pokorny's findings with prospective bidders of property to the south of this site.
- Walter Parish (DEC) - There is an initiative by the DEC's Division of Environmental Materials Management (Solid Waste Unit) that is looking at approximately 88 land-fills across Nassau and Suffolk. Priorities are set by the DEC. DEC has been sent the Phase II report.
- The Landbank has received some unofficial expressions of interest on this site. Phase II is posted on the Landbank's website.

#### **Tax-Delinquent Brownfield Updates:**

- Total Taxes Recouped since 2013 - \$6,050,515
- 13 New parcels added to Landbank inventory at 2019 Brownfield Intra-Agency Committee meeting.
- 13 Phase I ESA's pending for Spring/Summer
- **Pending Sales:**
- 753 Long Island Ave., Deer Park - Legislative resolution approved, closing date set for April 10th.
- Garrison Ave., Wyandanch (4 Lots), Board resolution passed; pending legislative resolution.
- 1305 S. Strong Ave., Lindenhurst - Owner has filed a temporary restraining order on 8/6/2018 - Case is on-going. The Town is considering issuing a notice of demolition due to receiving numerous complaints

from the community.

- **2019 Phase II ESA's Pending - 4**  
Janet Gremler sent out letters to the 4 property owners and persons of interest, with 2 responses received from property owners at 725 Wyandanch Ave., Wyandanch and 1180 Montauk Hwy., Mastic. Janet is awaiting responses from the other 2 property owners.
- Properties currently being marketed - 8

### **Zombie Program Updates - Matthew Kapell**

#### **Round 3 Update**

- **Grant Amount: \$1,230,000.00 to be disbursed quarterly**
- **Performance Period: 1/10/17-12/31/18**
- **Enterprise - 6 month extension granted to 6-31-19**
- **16 current projects presently going on.**
- 23 Furman Ave., E. Patchogue (UW) - construction 90% complete
- 5 Sunburst La., Bellport (LIHP) - 100% complete - Pending sale
- 54 Nicolls Rd, Wyandanch (LIHP) - construction 90% complete
- 55 E. Locust St., CI (LIHP) - construction 75-80% complete
- 60 Mill Dr., Mastic (Town of Brookhaven) - 15% pre-construction
- 205 New Ave., Wyandanch (CDCLI) - 20% complete
- 44 S. 25<sup>th</sup> St., Wyandanch (CDCLI) - 50% complete
- 106 Irving Place, Wyandanch (CDCLI) - 30% complete

#### **Round 4 - 12 deliverables, 19 acquired**

- North 26<sup>th</sup> St., Wyandanch- (Habitat for Humanity) - pending transfer of lot to Habitat
- 30<sup>th</sup> St. & Jamaica Ave., Wyandanch (UW) - pending transfer of lot to Habitat
- 114 Longfellow Dr., Mastic (LIHP) - 15% construction. LIHP already has buyers for this property.
- 54 Adams Dr., CI (UW) - 20% - Demo complete, delayed due to title issues
- 227 Calebs Path, CI (Habitat for Humanity) - 100 % complete - transferred to Habitat
- 41 Arrowhead Dr., Shirley (UW) - 10% permitting/planning
- 123 Neptune, Mastic (LIHP) - 10% complete
- 20 Allanwood Dr., Mastic (CDCLI)- in contract to purchase

### ***Congratulations to Janet Gremler on her Retirement!***

### **BOARD ACTIONS REQUESTED**

- **RESOLUTION SCLBC 2019-11 - ACCEPTING FISCAL YEAR 2018 FINANCIAL STATEMENTS**  
*Motion to Approve made by Lora Gellerstein; seconded by Jason Smagin. Motion approved 6-0-0.*
- **RESOLUTION SCLBC 2019-12 - AMENDING RESOLUTION SCLBC 2018-23 "AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO RENEWED SERVICE CONTRACTS WITH PREVIOUSLY CONTRACTED FIRMS"**  
*Motion to Approve made by Lora Gellerstein; seconded by Jerzy Kruszlinski. Motion approved 6-0-0.*
- **RESOLUTION SCLBC 2019-13 - AUTHORIZING THE NEGOTIATED DISPOSITION OF THE PROPERTY AT 114 LONGFELLOW DR., MASTIC BEACH, NY 11951**  
*Motion to Approve made by Jason Smagin; seconded by Cara Longworth. Motion approved 6-0-0.*
- **RESOLUTION SCLBC 2019-14 - AMENDING RESOLUTION 2019-06 AUTHORIZING THE ACQUISITION AND DISPOSITION OF TAX LIENS FOR THE PROPERTY AT 61 CABOT ST.**  
*Motion to Approve made by Lora Gellerstein; seconded by Jerzy Kruszlinski. Motion approved 6-0-0.*
- **RESOLUTION SCLBC 2018-06 - AUTHORIZING THE ACQUISITION AND DISPOSITION OF TAX LIENS FOR THE PROPERTY AT 294B OLD NORTHPORT ROAD, KINGS PARK, NY**  
*Motion to Approve made by Lora Gellerstein; seconded by Cara Longworth. Motion approved 5-0-1. One Abstention on behalf of Hon. Thomas Cilmi by Maria Barbara, as his Designee.*

**UPCOMING EVENT:**

**Suffolk County Landbank Presents: The 2019 Brownfield Regional Conference**

**Keynote Speaker: Hon. Steve Bellone**

Friday, May 17, 2019, 7:30-10:00 a.m.

RXR Building, 58 S. Service Road, LI Expressway, Lower Level Auditorium, Melville, NY

**NEXT STEPS**

Next SC Landbank Corp. Board meeting is scheduled for Wednesday, May 22, 2019.

**ADJOURNMENT**

Peter Scully asked for a motion to adjourn. Motion made by Jason Smagin; seconded by Lora Gellerstein. Meeting adjourned at 12:36 p.m.