VILLAGE OF WEST HAMPTON DUNES

CONDEMNATION HEARING
DAVID GLANZ PROPERTY

267 Carleton Avenue
Central Islip, New York

February 23, 2018
7:49 p.m.

PRESENT:
MAYOR GARY VEGLIANTE
TRUSTEE JOHN J. EFF, JR.
TRUSTEE MICHAEL CRAIG
TRUSTEE BARRY GOLDFEDER

CLAIRE VEGLIANTE - TREASURER
ANGELA CHINNICI - VILLAGE CLERK
JOSEPH PROKOP - ATTORNEY
PROCEEDINGS - 2-23-2018

MAYOR VEGLIANTE: We'll skip the Pledge of Allegiance; we don't have a flag. Everybody think nice thoughts.

Okay. We're gonna open with the Condemnation Hearing on Dave Glanz's property.

I make a motion to adjourn that by a request of Mr. Glanz.

David, did you want to say anything?

MR. GLANZ: Well, short and sweet, I would like it to be adjourned and we can all reconvene and get some information.

First of all, thank you. And in addition to requesting an adjournment because this just started for us, I would ask the Board to consent that Gary and Angela send me lots of information about the existing project and what's intended and what mine looks like. I'll send you an ideal list of what I'd like to see. If the Board needs to authorize that, please do so,
and then we'll see what's what.

At this point I don't have enough information to respond in any kind of useful way.

MAYOR VEGLIANTE: All right.

Joe, do you have anything?

MR. PROKOP: No.

MAYOR VEGLIANTE: So I ask a motion be made to adjourn the meeting until next month.

MR. GLANZ: I'll be away March 10th through 18th.

MAYOR VEGLIANTE: Okay, when is the meeting scheduled?

CLERK CHINNICI: The 19th.

MR. GLANZ: The 19th is a Monday, isn't it?

CLERK CHINNICI: Yeah, they're usually on Mondays in the winter.

TRUSTEE GOLDFEDER: VID phase 2.

MR. GLANZ: And what's the meeting after that? Just out of curiosity.

CLERK CHINNICI: April 24th, I think. April 20th.
MR. GLANZ: It's a little tight for me. What is your pleasure? I mean, I could use the extra time under the circumstances, but it's up to you.

MAYOR VEGLIANTE: One thing, we want to be able to get the project started, even the permit application, which until it is decided, we can't -- where are we at? Do we have the permits on this project; do we know?

TRUSTEE CRAIG: The permits are ready to be filed.

MAYOR VEGLIANTE: Ready to be filed, but cannot be filed until the ownership or the cooperation of that property is determined.

TRUSTEE CRAIG: Yeah, if the property is condemned, then we file the permit the next day.

MR. PROKOP: One of the things I would point out, the visual project can be seen because it's gonna be the same project as the other six.

MAYOR VEGLIANTE: Yeah.
MR. PROKOP: I think even the adjoining property.

MAYOR VEGLIANTE: So with half the project finished, if you want to see what it looks like, you can go down to the beach and see what it looks like on a property, that would just be visually.

I think that if we were to --

MR. GLANZ: You will have my list of requested information within a day or so, I'll put it together this weekend. It's just that it's tight timing for me.

MAYOR VEGLIANTE: Right.

What I would like to see is, if we could get you to agree to sign the permit application, that wouldn't delay anything if we go forward, you know, that would allow us to deal with the permit application and discuss the condemnation.

MR. GLANZ: I'm not really in a position today to say yes to anything.
TRUSTEE CRAIG: Is the project new to you?

MR. GLANZ: The concept isn't new to me, but what you want to do on my property, I don't have any sense of dimensions, elevation, if it gets impact on the value and marketability of my property. I have one piece of paper, a survey indicating you're going to take the northerly 50 feet, that's a lot of land.

MAYOR VEGLIANTE: No, that's --

MR. PROKOP: Yeah, but a lot of it's under water; it's property that's gonna disappear in two years if we don't do the project.

MAYOR VEGLIANTE: It's disappearing now.

MR. GLANZ: Keep in mind, I did not know that you were planning anything until I got the notice nine days ago, so --

TRUSTEE GOLDFEDER: So you didn't know about the VID project until nine
MR. GLANZ: I didn't know it was gonna come onto my property until nine days ago.

TRUSTEE GOLDFEDER: But in concept.

MR. GLANZ: We were out in June and we saw the berm on Stacy's land which is adjoining us to the east, and -- but I did not know that you were going to contemplate a condemnation against us at all until nine days ago, so I hadn't heard one word about it.

TRUSTEE CRAIG: I would say just going back on my notes, we have been talking about this VID since 2014.

MR. GLANZ: But not with me, that's the problem.

MR. PROKOP: Actually, you and I had a pretty lengthy discussion about this project specifically, and your objection was the cost, you didn't want to get involved concerning the cost.

MAYOR VEGLIANTE: Why don't we
focus on when we're gonna postpone this to. Why don't we --

TRUSTEE CRAIG: I think we would like to cooperate, and I think we would all benefit by having the cooperation, but I'm having a hard time believing that this just happened for you nine days ago. We have been hosting public meetings for four years about this project and we have been talking about easements, condemning easements for at least three years; and it's hard for me to believe that this is just coming down to a critical time for you, and I understand you're going on vacation, but for us to put this off for another month, there are five other owners here that are being impacted by your lack of either interest or effort.

TRUSTEE GOLDFEDER: I'm a little late, but have you been the homeowner for the last five years of this property?

MR. GLANZ: We have been out there
since 1957, but we don't have a house
so I rarely come out, and I'm just not
part of the conversation on Dune Road
and I don't recall seeing anything
about what you're saying, literally
zero.

When I got the letters nine days
ago, I was taken aback, frankly. Taken
aback primarily because nobody had
picked up the phone and said to me,
David, we're planning all this stuff.

TRUSTEE CRAIG: You haven't had a
conversation with anyone in the Village
that we've been contemplating a
condemnation across your property?

MR. GLANZ: Correct.

And since we're talking, in fact,
I've been in touch with Gary on three
completely other things over the past
year, we were at the cocktail party in
June, politics in October, real estate
taxes in December; nobody's mentioned
this to me, so, you know, I'm reacting
right now as fast as I can.
MAYOR VEGLIANTE: Why don't we talk about what Dave's asking for, let's say --

TRUSTEE GOLDFEDER: Can you articulate what you're asking for?

MR. GLANZ: I don't know because I don't really know what the project is. You must understand, I know there's a berm to my east, where it's gonna be on my property is not clear. I may have to run out there again and take another look. I understand that the bay beach is receding, I have a lot of questions that all of you already have answers to, but I don't. I don't even know what my questions are yet.

MAYOR VEGLIANTE: Why don't we postpone it till March, and we'll have the meeting in March. If you feel the need for another postponement, you can readdress it.

MR. GLANZ: I'll do my best to catch up, I certainly shall.

Do the best you can to provide me
paperwork.

MAYOR VEGLIANTE: We'll give you everything you need.

I think when you see the project, you'll have a whole different perspective.

MR. GLANZ: There are two of us, it's my brother and me now, and as you can imagine, we never agree on anything.

MR. PROKOP: David and I, obviously we've known each other for a long time, we're friends, and I also work with him on other things, that's why we had to get another attorney for tonight, and I'll work as fast as I can to get information.

MAYOR VEGLIANTE: We'll get you all the information.

MR. GLANZ: I have an open mind in all sorts of directions.

MAYOR VEGLIANTE: Ultimately, I think it will add to the value of your property, I truly believe that.
Otherwise --

TRUSTEE CRAIG: Can I ask just one more question?

MAYOR VEGLIANTE: Yes.

TRUSTEE CRAIG: So the original VID project was the sand placement of bags.

MR. GLANZ: Yes.

TRUSTEE CRAIG: Were you aware of that project?

MR. GLANZ: Yes, I was.

TRUSTEE CRAIG: And you have been paying your portion of the taxes that are associated with that project?

MR. GLANZ: No. Frankly, no.

TRUSTEE CRAIG: He's been billed -- all the residents have been billed for their portion of the original sand project.

MR. GLANZ: Michael, I never joined the district.

MAYOR VEGLIANTE: You had to, David, because the sandbags are there.

MR. GLANZ: No.
TRUSTEE CRAIG: I think there's got to be a matter of record of a permit that was filed for that part of the project.

MS. VEGLIANTE: I don't think he filed.

TRUSTEE CRAIG: We had to file DEC permits for that project.

MAYOR VEGLIANTE: Not for phase 2.

TRUSTEE CRAIG: No. No. Phase 1, phase 1 sandbags.

CLERK CHINNICI: All twelve houses got the sandbags?

MAYOR VEGLIANTE: Yes, all twelve houses got the sandbags.

TRUSTEE CRAIG: Can you work to get those permits?

TRUSTEE GOLDFEDER: I'm confused. So there was funding and expenditures for phase 2?

MAYOR VEGLIANTE: Phase 1.

TRUSTEE CRAIG: Phase 1.

TRUSTEE GOLDFEDER: So there is no phase 2?
TRUSTEE CRAIG: Not on his property. There is phase 1 on his property.

I recall there being permits filed and signed and paid for by all residents. Actually, I remember you attending a meeting.

MR. GLANZ: Sure. It was here, wasn't it?

You know what, how long was that; was it started five, six years ago?

TRUSTEE CRAIG: 2013.

MR. GLANZ: I went to a meeting, I guess that's what you're talking about as phase 1. And I like to be a nice neighbor, I wasn't opposed to it, I was a little bit dubious that it would work. I guess it hasn't worked.

MAYOR VEGLIANTE: We knew --

MR. GLANZ: I was hoping, you know, one always hopes.

MAYOR VEGLIANTE: We expected that it could work, but kind of realized that in order to get phase 2 in, you
must have phase 1 fail.

MR. GLANZ: I see.

MAYOR VEGLIANTE: We put it in according to a spec --

MR. GLANZ: Just out of curiosity, phase 2 includes removing phase 1?

MAYOR VEGLIANTE: Well, we're putting it in place, we'll be installing stone.

MR. GLANZ: I don't want to take up a lot of your time. In fact, I never joined the district because my situation with an undeveloped lot is different from everybody else, it's a question of cost and benefit and I didn't want to really be tagged with what I saw would be a dramatic increase in cost. In fact, that's exactly what happened. So nevertheless, it's not necessary, what we're talking about tonight.

MAYOR VEGLIANTE: I think when all the facts are laid out for you, David, I think you'll be quite a bit different
in your opinion of it.

Why don't we focus on looking at March and if Dave wants another postponement, we'll address it then.

MR. GLANZ: That's fine with me.

MAYOR VEGLIANTE: Motion to put it off until March and open to conversation by Dave or anybody else.

Do I have a motion?

TRUSTEE GOLDFEDER: Second.

MAYOR VEGLIANTE: All in favor?

TRUSTEE GOLDFEDER: Aye.

TRUSTEE CRAIG: Aye.

TRUSTEE EFF: Aye.

MAYOR VEGLIANTE: All opposed?

None.

MR. GLANZ: Thank you all.

(Time noted. 8:00 p.m.)
C E R T I F I C A T E

STATE OF NEW YORK  )
     ) Ss:
COUNTY OF SUFFOLK  )

I, STEPHANIE O'KEEFFE, a Reporter and Notary Public within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the proceedings taken on February 23, 2018.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of February, 2018.

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STEPHANIE O'KEEFFE