

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, May 18, 1982 at 7:30 P.M.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Victor Prusinowski, Councilman
Vincent Artale, Councilman
Louis Boschetti, Councilman

Absent: Richard Ehlers, Town Attorney

Supervisor Janoski called the meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of the Special Town Board Meetings held on April 22, 1982 and May 10, 1982, are dispensed without objection, and be approved as submitted.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

BILLS

Bills submitted on abstract dated May 18, 1982
as follows: 5/18/82

General Town	\$127,499.65	General Town	\$27,890.97
Federal Revenue	\$ 5,272.47	Street Lighting	\$ 724.47
Street Lighting	\$ 11,585.49	Highway Item #1	\$ 803.26
Highway Item #1	\$ 22,074.71	Highway Item #3	\$ 2,228.53
Highway Item #3	\$ 4,415.41	Highway Item #4	\$15,323.61
Highway Item #4	\$ 4,331.01		

Councilman Artale offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that subject to complete audit, the following bills be approved for payment.

General Town	\$127,499.65	General Town	\$27,890.97
Federal Revenue	\$ 5,272.47	Street Lighting	\$ 724.47
Street Lighting	\$ 11,585.49	Highway Item #1	\$ 803.53

Highway Item #1	\$ 22,074.71	Highway Item #2	\$ 2,228.53
Highway Item #3	\$ 4,415.41	Highway Item #3	\$15,323.61
Highway Item #4	\$ 4,331.01		

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "With us this evening are the heads of various departments of Town Government, if you have any question of them.

Reports Mrs. Pendzick."

REPORTS

Supervisor's Office - financial statement for month of February and March, 1982. Filed.

1982. Police Department - report for the month of April, Filed.

Tax Receiver's report dated May 11, 1982. Filed.

Supervisor Janoski: "Thank you Mrs. Pendzick. Correspondence."

CORRESPONDENCE

A & A, 5/07/82 - re: audit of vehicles. Filed.

Planning Board, 5/10/82 - recommending that special permit application of Northfork Plumbing Supply be granted. Filed.

H2M, 5/03/82 - re: performance bond for storm drainage project at Parker Road. Filed.

Conservation Advisory Council, 4/29/82 - re: application of Alan Lane. Filed.

CORRESPONDENCE

County Executive's Office, 5/06/82 - expressing assurance that he shared the view of the Supervisor's Association re: court facilities. Filed.

Polish Town Merchants Association - requesting police patrols in their area and a foot patrol. Also inviting member of Police Department to attend their meeting to advise regarding crime prevention. Filed.

Gregory Blass, 5/12/82 - re: letter to Governor about Court facilities. Filed.

UNFINISHED BUSINESS

Riverhead Airpark - special permit for general aviation airport.

Joseph & Linda Sullivan - special permit for mobile home park permit.

Riverhead Flagg Corp. - change of zone & special permit for condominiums.

Great Peconic Beach Club Hotel - site plan for hotel at South Jamesport.

Northfork Plumbing Supply - special permit for business on West Main Street.

Island Wholesale Wood Suppliers - special permit for business on Sound Avenue.

Court Restaurant - special permit for live entertainmnet.

Steven & Josephine Mitacchione - special permit at Sound Avenue and Route 25A.

Supervisor Janoski: "Under unfinished business we have the special permit for a general aviation airport of Riverhead Airpark. The Town Board is considering at the present time the Environmental Impact Statement.

A special permit application for a mobile home park from Joseph and Linda Sullivan will be addressed this evening in a resolution.

Supervisor Janoski continues:

Riverhead Flagg Corp. change of zone and special permit for condominiums, we are awaiting the submission of an Environmental Impact Statement.

Great Peconic Beach Club Hotel site plan for hotel at South Jamesport, we're waiting.

Northfork Plumbing Supply special permit for business on West Main Street, we'll be calling a public hearing on that this evening.

Island Wholesale Wood Suppliers - special permit for business on Sound Avenue. Some question as to whether that is going to be pursued.

Court Restaurant special permit for live entertainment. It would appear to me that they have a pre-existing use, but we will investigate that.

Steven and Josephine Mitacchione special permit on Sound Avenue and Route 25A, that will be the subject of a resolution this evening.

I would open the floor to anyone who wishes to be heard at this time."

No one wished to be heard at this time.

Supervisor Janoski: "That being the case, we'll move onto the resolutions."

RESOLUTIONS

#288 AUTHORIZES APPOINTMENT OF BEACH ATTENDANT TO RECREATION DEPARTMENT

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that Mark G. Hanlon be and is hereby appointed to serve as a Beach Attendant effective May 24, 1982 to and including September 6, 1982, to be paid bi-weekly at the hourly rate of \$3.50 and to serve at the pleasure of the Town Board.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#289 DENIES SPECIAL PERMIT APPLICATION OF JOSEPH AND LINDA SULLIVAN FOR A PERMANENT MOBILE HOME PARK PERMIT

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Joseph and Linda Sullivan have applied for a special permit to be issued by this Town Board for a permanent mobile home park permit, located at the east side of Wading River-Manorville Road, Wading River, New York, and

RESOLUTIONS - continued

WHEREAS, such application proposed alternate plans for the placement of either four or six additional sites in the park, and

WHEREAS, the expansion of the number of sites without any increase in the area would aggravate an already overcrowded condition, and

WHEREAS, such an expansion will impair the reasonable and orderly development of other properties in the neighborhood, and

WHEREAS, the disadvantages of such overcrowding out-weigh the interest of the applicants, and

WHEREAS, the additional units requested would be placed on current offstreet parking property, and

WHEREAS, in accordance with Chapter 108 of the Riverhead Town Code, offstreet parking in this area is a major concern particularly as it relates to the safety of the current residents in the park in the event of fire or emergency, and

WHEREAS, this matter was referred to the Planning Board for their recommendation, and this Board is in receipt of their resolution, and

WHEREAS, a public hearing was held on the 19th day of January, 1982, and all those persons wishing to be heard were heard,

NOW, THEREFORE, be it

RESOLVED, that the special permit application of Joseph and Linda Sullivan for a permanent mobile home park permit, located at the east side of Wading River-Manorville Road, Wading River, New York, for the placement of either four or six additional sites in the park be DENIED.

AND BE IT

FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to send a certified copy of this resolution to Joseph and Linda Sullivan, applicants herein.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#290 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING HEARING, RE: NORTHFORK PLUMBING SUPPLY, INC.

Councilman Lombardi offered the following resolution which was seconded Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Notice of Public Hearing with regard to the special permit application of Northfork Plumbing Supply, Inc., to operate a retail and wholesale plumbing supply at 1414 West Main Street, Riverhead, New York.

RESOLUTIONS - continuedPUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of June, 1982, at 7:45 o'clock P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested person with regard to the special permit application of Northfork Plumbing Supply, Inc. to operate a retail and wholesale plumbing supply at 1414 West Main Street, Riverhead, New York.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#291 APPOINT CHAIRMAN & ASSISTANT CHAIRMAN OF ZONING BOARD OF APPEALS

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that Patricia Tormey is hereby appointed Chairman of the Zoning Board of Appeals of the Town of Riverhead, to serve at the pleasure of the Town Board for one (1) year, commencing June 1, 1982, at the annual compensation of \$3,500.00, and be it

FURTHER RESOLVED, that Kenneth Wells is hereby appointed Assistant Chairman of the Zoning Board of Appeals of the Town of Riverhead, to serve at the pleasure of the Town Board for one (1) year, commencing June 1, 1982, at no additional compensation.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#292 RE-APPOINTMENT OF JOHN KOBYLENSKI TO ZONING BOARD OF APPEALS

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that John Kobylenski be and hereby is, re-appointed to the Zoning Board of Appeals of the Town of Riverhead, to serve at the pleasure of the Town Board for a term of five (5) years, commencing June 1, 1982 to May 31, 1987, with the annual compensation of \$2,500.00.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#295 RESOLUTION INSTRUCTION SPECIAL COUNSEL TO RECOVER SUM PAID TO WELLINGTON STOVES, INC.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLUTIONS - continued

WHEREAS, this Board, by Resolution adopted February 26, 1982, defaulted Wellington Stoves, Inc. in the performance of its agreement with the Town of Riverhead, and

WHEREAS, on March 9, 1982, Wellington Stoves, Inc. and the guarantors of the aforesaid agreement were notified of said Resolution, and

WHEREAS, Wellington Stoves, Inc. failed to cure said breach, and by a letter dated March 26, 1982, the guarantors were called upon to undertake performance of the said contract, and

WHEREAS, the only response of said guarantors was a letter from their attorney, Stephen J. Feinberg, Esq., dated April 2, 1982, which response was unsatisfactory, and

WHEREAS, the guarantors' counsel by letters dated April 9, 1982 and April 4, 1982, was called upon to make a specific proposal to cure said default, and

WHEREAS, no adequate response has been received from the guarantors or their counsel, and sufficient time has passed for said response to have been made,

NOW, THEREFORE, be it

RESOLVED, that this Board does hereby confirm and ratify its prior Resolution in this matter, dated February 26, 1982, and be it

FURTHER RESOLVED, that this Board does hereby find pursuant to Paragraph "5" of the agreement between the Town of Riverhead and Wellington Stoves, Inc., which agreement was guaranteed by Bibby Foundry, Limited, Decimal Industries, Inc. and Hugo Giannotti, that said guarantors have breached said agreement by the cessation of business within the Town of Riverhead, and be it

FURTHER RESOLVED, that this Board does hereby instruct special counsel to take those steps necessary in his judgment to protect the interests of the Town of Riverhead and to recover all sums paid to Wellington Stoves, Inc. from the Wellington Stoves, Inc. or the guarantors of its obligations.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#296 APPROVES SPECIAL PERMIT APPLICATION OF STEVE AND JOSEPHINE MITACCHIONE

Councilman Artale offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, a special permit application was submitted by Steve and Josephine Mitacchione requesting to extend an existing non-conforming use of premises located in Business "B" District, at the intersection of Sound Avenue and Route 25A, Wading River, New York, and

WHEREAS, said matter was referred to the Planning Board for their recommendations, and

RESOLUTIONS - continued

WHEREAS, the Planning Board recommended that said application be approved with the condition that a six foot fence be erected along the perimeter of the proposed expansion area, and

WHEREAS, a letter was received from Charles Cuddy, attorney for the applicants, clarifying that said application would be limited solely to the storage of fire wood and the premises would not be utilized in connection with the storage or sale of coal, and

WHEREAS, a public hearing was held by this Town Board on the 4th day of May, 1982, and all those persons wishing to be heard were heard,

NOW, THEREFORE, be it

RESOLVED, that the special permit application of Steve and Josephine Mitacchione requesting to extend and existing non-conforming use of premises located in Business "B" District, at the intersection of Sound Avenue and Route 25A, Wading River, New York, to be more particularly used for the storage of fire wood is hereby approved subject to the following conditions:

1. That any portion of applicants' property, covered by this special permit, which is actually utilized for the storage of fire wood shall be enclosed by a fence with a height of at least six feet;
2. That approval of this application is subject to the restrictions, requirements, and/or limitations of the National Fire Association Standards;
3. That approval of this application is subject to the restrictions, requirements, and/or limitations as outlined in the Riverhead Town Code, Chapter 108.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#297

RESOLUTION OF CONGRATULATIONS TO ANNA KRUEL

Councilman Lombardi offered the following resolution which was unanimously adopted by the Entire Town Board.

RESOLVED, that the Members of this Town Board wish to convey to ANNA KRUEL, the most cordial greetings and good wishes on the occasion of her 100th Birthday on May 15th, 1982;

The citizens of Riverhead pay tribute and convey recognition of the many years of dedication and preserverance encountered during a long and fruitful life span. Our wishes for continued health and happiness for many, many years!

RESOLUTIONS - continued

#298 SUPPORTS EFFORTS OF SUFFOLK COUNTY: EVACUATION PLAN
RE: SHOREHAM NUCLEAR POWER PLANT

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

WHEREAS, a proposed draft evacuation plan was proposed by Suffolk County to be utilized in the event of an incident at the Shoreham Nuclear Power Plant, and

WHEREAS, the Long Island Lighting Company has taken the position that the draft plan should be adopted, and

WHEREAS, Suffolk County has indicated that new information has rendered the prior draft plan obsolete, and

WHEREAS, Suffolk County wishes to change the evacuation plan to protect the safety of the citizens of Suffolk County, and

WHEREAS, this Town Board is particularly concerned about the safety and protection of the inhabitants of the Town of Riverhead,

NOW, THEREFORE, be it

RESOLVED, that this Town Board supports the efforts of Suffolk County to modify and improve the tentative draft evacuation plan so that a reasonable and workable evacuation plan can be guaranteed to the citizens of Riverhead.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "I see a hand, so that I will open up the meeting once again to comment from the floor."

Bill Nohejl, Wading River; "I don't want you to set a record, Joe, so I'll keep you here longer."

Councilman Prusinowski: "Wait a minute, Bill."

Bill Nohejl: "First of all, I want to thank the entire Town Board, and Frank Lescenski, Highway Department for coming to Wading River. It was a very very nice meeting. On behalf of myself and I take it, I'm also going to speak for the Civic Association, they're very thankful that you came.

Also, on the special permit of Joseph and Linda Sullivan, I understand that was a temporary permit after the original one was pulled, right?"

Supervisor Janoski: "Yes."

PERSONAL APPEARANCES - continued

Bill Nohejl: "Now being that the application is denied, where does it stand?"

Supervisor Janoski: "We will address those things forthcoming."

Bill Nohejl: "Forthcoming. Okay, good. Thank you."

Supervisor Janoski: "Thank you Bill. I want you to know in case you've forgotten, that I go to Wading River every night."

Bill Nohejl: "But we don't always see you at the Civic Association."

Supervisor Janoski: "That's true. That's because you scheduled them on Friday nights."

Bill Nohejl: "Peace."

Councilman Prusinowski: "He's the secretary, too."

Supervisor Janoski: "Zahn, did I see you — did you have your hand up Zahn? No.
Does anyone else wish to address the Town Board?"

No one else wished to be heard at this time.

There being no further business on motion and vote, the meeting adjourned at 7:51 P.M.

Irene J. Pendzick

Irene J. Pendzick, Town Clerk