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Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, December 3, 1985, at 7:30 p.m.

Present: John Lombardi, Councilman  
Victor Prusinowski, Councilman  
Vincent Artale, Councilman  
Louis Boschetti, Councilman

Also Present: Richard Ehlers, Town Attorney

Absent: Joseph F. Janoski, Supervisor

Councilman Prusinowski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilman Prusinowski, "The Supervisor is not at this meeting because he is sick."

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

RESOLVED, that the Minutes of Regular Board Meetings held on November 6, 1985 and November 19, 1985 are dispensed without objection and be approved.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#### BILLS

Bills submitted on abstract dated December 3, 1985 as follows:

General Town	\$290,774.31
PM	2,267.47
Highway	76,840.11
Capital Projects	214,442.66
ST & SL	73,314.38
CF	415.09
Small Cities	60,464.59

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

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

General Town	\$290,774.31
PM	2,267.47
Highway	76,840.11
Capital Projects	214,442.66
ST & SL	73,314.38
CF	415.09
Small Cities	60,464.59

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The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.  
The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "The heads of the departments of town government are here tonight if you have any questions. Ok. Reports Mrs. Pendzick."

#### REPORTS

Town Clerk's Report for month of November, 1985. Filed.  
Building Department report for month of November, 1985. Filed.  
East End POW/MIA Committee report #5 dated November 19, 1985. Filed.

Councilman Prusinowski, "Thank you. Correspondence."

#### CORRESPONDENCE

Marjorie Kellar-submitting her resignation as home aide. Filed.  
Timothy Tyree, 11/20/85-requesting copies of bid documents Re: Ambulance. Filed.  
Frank Wibben, N.Y.S. D.O.T., 11/18/85-advising no comment to DEIS for Seawatch Condominium Project. Filed.  
Brookhaven Town, 11/20/85-Notice of Public Hearing Re: Chapter 85-452. Filed.  
Conservation Advisory Council, 11/26/85-recommending definitive action of Health Dept. re: Seawatch Condominium Project and concluding that project will have a serious environmental impact, therefore, recommending lower density requirement. Filed.  
Stanley Allen-commending Water District Superintendent and his staff for response to requests for assistance in area of Reeves Park. (See Water District Minutes) Filed.  
Allen Smith, 12/3/85-submitting his resignation from Ethics Board if still member. Filed.

Councilman Prusinowski, "Thank you. Applications and Petitions."

#### APPLICATIONS AND PETITIONS

11 Residents of Hortons Court Manorville, requesting road maintenance. Filed.  
Arthur Thurm-amended Site Plan for total reduction of 43 units. Filed.

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APPLICATIONS AND PETITIONS Continued

Village Green at Baiting Hollow-application for public water. (See Water District Minutes)

Filed.

Mid Island Lumber & Supply-Site Plan to replace storm destroyed building.

Filed.

Motel on the Bay-Special Permit to change to 20 condominium units.

Filed.

Councilman Prusinowski, "Thank you Mrs. Pendzick. Under Unfinished Business:

UNFINISHED BUSINESS

Kimbrooke Associates-Special Permit for condominiums on Sound Avenue. That is still going through the environmental process.

George Nunnara-Site Plan for storage of gas/welding supplies. That is still before the Town Board for its consideration.

Anthony Conforti-Site Plan for office Building, Howell Lane and East Main Street. That is still before the Board.

Atrium Group-Special Permit to use 2 residential homes in industrial zone. That is still before the Town Board.

Barry Wedel-Site Plan to alter sign manufacturing building on West Main Street.

Rollin Hargis-Special Permit to add 23 units to existing park on River Road. That is before the Board.

Anthony McLean-Change of Zone to construct housing on w/s of Doctors Path. Is still before the Board.

Victor Pafundi-Special Permit to construct 20 dwelling units in South Jamesport. That is still under consideration by the Town Board.

Justin Purchasing-Special Permit for 20 couple residence, Sound Avenue. That is still under consideration by the Town Board.

Ronald Fichter-Site Plan for warehouse on Line Road, Calverton. That will be addressed tonight at the Town Board meeting.

Jowich Associates-Site Plan for warehouse on Edwards Avenue in Calverton. That's before the Board and still under consideration.

UNFINISHED BUSINESS Continued

Jack & Peter Van de Wetering-Special Permit for agricultural housing in Calverton. That will be addressed tonight in a resolution.

Mill Pond Estates-Site Plan for 3-story office building, West Main Street. Before the Board.

Miles Cane-Change of Zone on north side of Route 58. Is going before the Town Board.

Councilman Prusinowski, "Ok. The time for the first public hearing has not yet arrived. Does anybody wish to address the Town Board on any matter whatsoever? Yes sir. Mr. Kasperovich."

William Kasperovich, Wading River, "Gentlemen, I know you all spent a lot of time in preparing the budget for the coming year and I'm sure you pondered many hours on how much we should spend on what. Now, in 1986 I do believe that it's time that we started to look for areas and places to economize. Places where we can be more efficient and thusly less costly. We should bring the cost of our operations closer to the forefront. Now, as an example I present to the Board and I ask that you put it on the agenda for the first meeting in January that the Town purchase plastic trash bags and sell them at a minimal cost to the residents. And you might say, where is this going to reduce our cost? This will reduce our cost in pick up that the town highway department is in operation doing now. The efficiency of this pick can be improved a hundred percent; time wise and cost wise and effort wise if we insist that the trash be put into trash bags and the bags be purchased in the unique color that you would buy by the many thousand in any color you want. Then you would know that these were for town pick up. We are always short handed in the highway department and we're always in need of equipment. Now this would reduce the manpower expenditure considerably. Thus leaving manpower free to do other things. Also, as you drive through town today you see mounds of leaves and grass clippings and what have you at almost every other house. And when these dry out, they blow all over the place and we can't cover the whole town all at the same time. Consequently, it is not a very.... It is unsightly. It is INAUDIBLE. And this would be solved by bagging. However, I present tonight (the cost) to reduce our cost of pick up and we should seriously consider it. So I bring this as a first item for your attention and ask that you put it on the future agenda. And also if I can be a forerunner of concerned citizens I bring forth economy measures that they themselves may see as they travel through the township. Thank you gentlemen."

Councilman Prusinowski, "Thank you very much Bill. Is there anyone else present who would like to address the Town Board on any subject whatsoever? Steve."

Steve Haizlip, Calverton, "One thing that I would like to commend and that is our ambulance corps. About last Thursday I think it was, my sister-in-law is very bad. She's in the hospital now. My wife was calling around trying to get someone to come and everybody was giving forty different excuses. She called

PERSONAL APPEARANCES ContinuedSteve Haizlip, Continued

the ambulance corps here in Riverhead. There were not ifs ands or buts about it. They came right up and brought that lady to the hospital. So they are doing a good job and I want you to know it."

Councilman Prusinowski, "Ok Steve. That's nice. Thank you. Is there anyone else before we move on to resolutions? The time has not yet arrived for the first public hearing. That being the case, we will proceed to resolutions."

RESOLUTIONS#745 BUDGET ADJUSTMENT - COMMUNITY DEVELOPMENT - SMALL CITIES.

Councilman Lombardi offered the following resolution to be removed from the table which was seconded by Councilman Prusinowski.

RESOLVED, that the Supervisor be and hereby is authorizing the following Budget Adjustment.

SMALL CITIES - COMMUNITY DEVELOPMENT

	<u>FROM</u>	<u>TO</u>
SMC-82-8690.4 Contingency	\$5,000.00	
SMC-83-8690.0 Contingency	5,000.00	
SMC-83 Community Baptist Church/Planning		\$5,000.00
SMC-82 Community Baptist Church/Planning		5,000.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was therefore brought off the table.

The above resolution was offered for action by Councilman Lombardi and seconded by Councilman Prusinowski.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#846 AUTHORIZES OVERTIME COMPENSATION - WATER DISTRICT.

(See Water District Minutes)

#847 AUTHORIZES OVERTIME - HIGHWAY DEPARTMENT

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

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for a total of 22 hours in the amount of \$316.89, in accordance with personnel services abstract submitted and filed in the Office of the Town Clerk.

RESOLUTIONS Continued

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.  
The resolution was thereupon duly declared adopted.

#848 ACCEPTS RESIGNATION OF HOME AIDE.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.  
WHEREAS, MARJORIE KELLAR has submitted her letter of resignation from her position of Home Aide.  
NOW, THEREFORE, BE IT  
RESOLVED, that the resignation of MARJORIE KELLAR from her position of Home Aide be and is hereby accepted effective December 2, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.  
The resolution was thereupon duly declared adopted.

#849 APPOINTS PARKING METER OFFICERS.

Councilman Lombardi offered the following resolution to be TABLED which was seconded by Councilman Prusinowski.  
WHEREAS, the availability of the positions of Parking Meter Officer has been duly noticed, and  
WHEREAS, all applicants have been interviewed.  
NOW, THEREFORE, BE IT  
RESOLVED, that KAREN FABER, JULIUS VARELA, AND GERALDINE STRICKLAND be and are hereby appointed to the position of Parking Meter Officer effective December 16, 1985 at the annual salary of \$13,208.77 as set forth in Group 2, Step P of the 1985 CSEA Salary Schedule, and  
BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Chief of Police Palmer and the Accounting Office.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.  
The resolution was thereupon duly declared TABLED.

#850 AUTHORIZATION TO PAY OVERTIME COMPENSATION TO EMPLOYEES IN ACCOUNTING DEPARTMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.  
RESOLVED, that the following employees of the Accounting Office be paid time and one half overtime compensation:

Victoria Vourakis	7.25 hrs.	@\$15.0555 = \$109.15
Fran Friszolowski	9.91 hrs.	@\$11.7184 = 116.13
Lori, Pipczynski	6.42 hrs.	@\$12.4380 = 79.85

RESOLUTIONS Continued

BE IT FURTHER RESOLVED, that the explanatory report relating to the aforesaid overtime be filed in the Office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#851 TRANSFER OF FUNDS.

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

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following:

		<u>FROM</u>	<u>TO</u>
A 7989.402	Teen Center Supplies and Misc.	\$3,800.00	
A 7989.403	Teen Center Travel	885.00	
A 3125.401	JAB Utilities	400.00	
A 1410.400	Town Clerk Contractual	425.00	
A 7989.100	Teen Center Personal Services		\$3,800.00
A 7989.200	Teen Center Equipment		885.00
A 3125.403	JAB Travel		400.00
A 1410.110	Town Clerk Personnel		425.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#852 AUTHORIZES OVERTIME COMPENSATION - MUNICIPAL GARAGE.

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

RESOLVED, that the following employees of the Municipal Garage be paid time and one-half overtime compensation:

James Bugdin	8 hrs.	@\$12.414	= \$ 99.31
Russell Fleischman	8 hrs.	@\$15.2807	= \$122.25

FURTHER RESOLVED, that the explanatory report relating to the aforesaid overtime submitted by the Municipal Garage be filed in the Office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#853 TOWN BOARD REFERRING CHANGE OF ZONE APPLICATION OF ANTHONY CINQUE TO INCLUDE MORE PROPERTY TO BE REZONED THAN IN THE ORIGINAL APPLICATION.

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RESOLUTIONS Continued

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

WHEREAS, the application of Anthony Cinque for a change of zone has been referred by this Board to the Planning Board for their review and recommendation, and

WHEREAS, a public hearing has been held by the Riverhead Town Board concerning the change of zone of Anthony Cinque to change the zone of premises located at Doctors Path from Agriculture A to Residence C, and

WHEREAS, based upon the recommendation of the Planning Board, the Town Board desires to consider the rezoning of a larger portion of property that that applied for, upon the Town Board's own motion as requested by the Planning Board by their letter dated September 10, 1985.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board refers to the Planning Board for their review and recommendation, the change of zone from Agriculture A to Residence C of the premises covered by the previous application of Anthony Cinque and the following parcels designated by Suffolk County Tax Map Numbers: 65-1-4; 84-2-2.1; 84-2-24; 84-4-30; 84-2-31; 84-2-32; 84-2-33; 84-2-34, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Planning Board and J. Stanton Pohl, attorney for Anthony Cinque.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "Let the record show that the hour of 7:46 has approached. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, December 3, 1985 at 7:45 p.m. to hear all interested persons regarding: The Proposed Amendment of Chapter 18 Section 18-5 "Disclosure of Appointed Members of Boards".

Councilman Prusinowski, "Ok. Mr. Town Attorney."

Richard Ehlers, "Thank you. The proposal before the Board this evening is to address the interest and the discussion of conflicts of interest. Conflicts of interest have traditionally been addressed through two methods. One is a prohibition method and the other is a disclosure method. The disclosure method has been favored by the State of New York and prior state acts and is the method followed by this proposal. Specifically, the proposal is that where a member of an appointed board is sitting in the determination of the use or the possible use of a parcel of property; that that board member may have an interest in. That board member should disclose to the chairman of the board such possible interest and the chairman of that board should then file such a disclosure with the Town

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PUBLIC HEARING Continued

Richard Ehlers, Continued

clerk so that it becomes a public record. Riverhead as we all know, has recently seen an increase in building activity, in construction activity, in subdivision activity. If you follow the board meetings, you've come to know that most of what local government does is deal with land use and planning in the community. So it would appear appropriate that the issue of the disclosure is a more mild form. The form that says we do not prohibit any citizen from sitting on a board but merely request that they disclose their connection with a piece of property be addressed by filing with the clerk of the town."

Councilman Prusinowski, "Thank you Dick. I would like to remind the audience that at the last months town board meeting, we passed a five minute rule which states that any member of the audience can address the Town Board on any issue but for five minutes at a time. Once people have made the rounds in the room as far as everybody having one opportunity to speak at each public hearing we will go for a second time around. Would anybody present like to address this issue? Sharon."

Sharon Wendelken, Linda Lane, "A few people have said to me that somehow I'm partially responsible for Mr. Boschetti's introduction of this amendment to the code of ethics and that's one of the reasons I'm here to speak."

Councilman Prusinowski, "Sherry is that button on?"

Sharon Wendelken, "Ok. Is that better. Ok. I have to say that I took exception to Mr. Boschetti's statement that my being on the Zoning Board of Appeals as well as being a real estate sales person was unethical. That's really not why I'm here tonight though. I had some comments and questions I wanted to make on this amendment to the code of ethics. My main question is why would it be only appointed officials. It seems to me that a disclosure law should pertain to all elected as well as appointed officials. I'm also wondering why it would only pertain to interesting real property. What about someone's who is a stock holder in a corporation that had a proposal before the Board, an employee of a company that did business with the town. I was the on the Zoning Board of Appeals for four years and there were (INAUDIBLE) from a variety of board members for various reasons. None of which are covered in this code. I don't think it's necessarily a bad idea but I think if we're going to do something like this it should be all things to all people. Thank you."

Councilman Prusinowski, "Mr. Harding."

Jacob Harding, Riverhead, "I note the absence of the Supervisor. I understand he's ill. I'd like to wish him well and wish him to have a very rapid recovery. In this hearing I note that you have disclosure by appointed members of boards. I certainly feel that if you're going to get into anything; have it read disclosure by appointed and elected member of boards. I'd like to discuss for a few moments con-

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PUBLIC HEARING Continued

Jacob Harding, Continued

flicts of interest. Some members of the Town Board wish to draw rules and regulations in regard to conflicts of interest for various town employees. Let them include the officials too. The elected officials too. My answer to this is simple and clear. The present town law covers the matter of conflict of interest. It's also covered by the general municipal law. Also in the codes of ethics that have been drawn from time to time that even apply to the Town of Riverhead, you can look them up. I feel you're wasting your time and ours. I try to read the newspapers, read what they actually say and sometimes try to read between the lines. Actually it is my feeling that some board members are trying to manufacture conflicts of interest to suit their own ends. I site three remarks which I read which took place upon the firing of Mrs. Wendelken. I've never met her. I don't know her. I just saw her probably the third tonight. But you have stated that she is a real estate agent and perhaps there is a conflict of interest. Perhaps there is a conflict of interest. This is what the newspapers have been quoting that some of you board members have been saying. I hate to see somebody kicked around in that fashion. Perhaps the conflict of interest is that she was politically opposed to a couple of members and that that seems to be the conflict of interest. Members of the Town Board have the Town Attorney at their disposal. They should ask his opinion and that should be followed and that should be the end of that. That's the way matters used to be handled. The Town Attorney was asked. If he was in doubt, he called the Attorney General or he called the Controller's office or the controller of certain departments just to make sure he was right. The Town Board accepted his opinion and then we went to the next order of business. Many of the rules are simple in regard to conflict of interest. They have to be disclosed according to codes of ethics. A person drawing a salary from the town can not otherwise contract with the town. We've all run into that. As far as the Town Board is concerned making appointments to other boards is your right, power and privilege. Make your appointments. The majority will rule. Even if it is a political majority. Don't look for lame, weak excuses. Have courage. You'll be respected more. When it comes to a competent board like the Zoning Board of Appeals, I think the actions of a couple of you were very demeaning. There is another tendance of the Town Board. Appoint committees and commissions. The Legislature of the State of New York was long before this practice. You are elected. Do your job. Don't pass the buck. Committees are generally a waste of time. Usually if you're going to appoint a committee now to draw up code of ethics in regards to this disclosure thing, who do you appoint? You appoint a lawyer, you appoint a merchant, you appoint a doctor, you appoint a republican, you appoint a democrat. You are not necessarily getting the people's input. You're just getting the input of other individuals whose opinion might be worse than your own. I'm very happy for this short opportunity to address you. I know there are more important items. But gentlemen, after reading the papers, studying the situation; I couldn't help to get up here and make a few remarks. I've lived in this town all my life and I like to see things done in a proper and as you say; code of ethics manner. Thank you."

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PUBLIC HEARING Continued

Councilman Prusinowski, "Thank you Mr. Harding. We're going to call the public hearing for the next public hearing and adjourn it, conclude this one and we'll go back to the other one. We will recess this public hearing and the Town Clerk will please read the notice for the 7:55 public hearing which is now 7:56."

7:45 PUBLIC HEARING RECESSED AT 7:56

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall, on Tuesday, December 3, 1984 at 7:55 p.m. to hear all interested persons regarding: The Repealing of the Existing Chapter 79 and Adopting a new Chapter 79, "Manufactured Housing".

CORRESPONDENCE:

1. Building Dept., 8/5/85  
Lists 7 items for the Board's consideration.
2. Ward Freese, Dept. of Consumer Affairs, 10/22/85  
Remarks that the committee has drafted an excellent law.
3. North Shore Sr. Citizens Club, 8/2/85  
Lists several sections of proposed code that seem to be inconsistent but that proposal itself is good.

Councilman Prusinowski, "Thank you very much Mrs. Pendzick. We will recess this hearing and re-open the 7:45 hearing for its conclusion."

7:55 PUBLIC HEARING RECESSED AT 7:57

7:45 PUBLIC HEARING RE-OPENED AT 7:57

Councilman Prusinowski, "Is there anyone else wishing to address the Town Board on the Disclosure by Appointed Members, Section 18-5? Steve Haizlip."

Steve Haizlip, "Mrs. Wendelken, she worked with my son many years ago on bad road conditions in Timber Park. I don't think anybody in Timber Park cared whether she was a republican, democrat or independant. They wanted that job done and she worked very hard with it to get the job done. Now, I didn't know that she was in real estate, only by reading the paper. And as far as I'm concerned and I'm pretty sure I'll be correct, I don't think she was ever in the conflict of interest at any time that she ever sat on this board."

Councilman Prusinowski, "Thank you Steve. Is there anyone else? Jessie."

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PUBLIC HEARING Continued

Jessie Tomlinson, Wading River, "I'd just like to comment on your public disclosure in acceptance of this new ordinance for the record. First of all, I think that Mrs. Wendelken was absolutely correct when she said that it doesn't make any sense to just single out appointed opposition. I think that certainly the Town Board members are subject to (INAUDIBLE) perhaps than the appointed people who do have five year terms. So I think that you would have to just to go ahead with something like this, certainly include elected officials. But I would like to know whether or not there is any town in Suffolk County that has a similar code of ethics for Town Board members or appointed members of a board."

Unidentified Speaker, "Huntington."

Jessie Tomlinson, "Huntington does? Did you follow their code? Is that where you got it?"

Councilman Artale, "No. I just read it in the paper as a matter of fact the other night. INAUDIBLE."

Jessie Tomlinson, "Well do you know why they have one in Huntington?"

Councilman Artale, "You'd just have to read it."

Jessie Tomlinson, "What about Suffolk County. Is there any thing in Suffolk County government that, aside from the fact that now if you make over a certain amount of money, you're supposed to file a public disclosure statement. Do the appointed people and their boards have to file public disclosure statements?"

Councilman Prusinowski, "I don't know Jessie."

Jessie Tomlinson, "Well then I have to ask what would precipitate this town to do something like this at this particular time. Are we being leaded or is there another reason? I mean boards like this just don't come about to a (INAUBIBLE). There must have been a reason why something like this was proposed and I think that if there is anything other has taken place in the town that you find controversial or questionable; then I think the public should be made aware of this before you add another law. No answer?"

Councilman Boschetti, "Mr. Chairman I can..."

Councilman Prusinowski, "Ok Lou."

Councilman Boschetti, "What has happened here with this particular proposal was as you know, during the time where the Z.B.A. appointment had terminated within that time, the actual appointment. There was a good amount of delay. Some of it caused by interviews. Some of it simply delay. And what was happening here was that during that period of time it did come to my attention some questions about someone... And again, maybe I should point this out now at the outset. I never said nor did I imply that there was anything unethical about Sherry Wendelken and I tried to make that emphatic that we would never do

PUBLIC HEARING ContinuedCouncilman Boschetti, Continued

anything to her personally. But the question was asked of me and I certainly couldn't answer it. I then went to Dick Ehlers to see if we could find the answer to it. The question was quite simply; how does somebody who is actively selling real estate get on a board that is as powerful as the Z.B.A. that controls real estate? And I couldn't really answer that. Consequently in discussion with Dick, we tried to come up with something. This was something that had started before the election and before the appointment and this is a follow through of it and that's why... INAUDIBLE."

Jessie Tomlinson, "Well if I recall, in 1976 there was a similar case of a person who was proposed to the Zoning Board and a similar question arose and the proposer of this I believe was asked for an opinion. And the opinion at that time was that there was no conflict of interest that could conclude a person who was in real estate from serving on the Zoning Board or Planning Board or any other board. So I think that that certainly could have some weight with.... INAUDIBLE."

Councilman Boschetti, "That's a good point and that's also why we're going on with disclosure and proclusion of someone who is in real estate. They're not barring this certain kind of thing. And as far as your statement that was made a couple of times that it should be applicable to elected officials. I should say that the reason that it wasn't written that way is because when I was going over it, I thought that elected officials would be held accountable to the elector. And if there was any kind of problem with conflict, it would certainly come out during the time of the campaign. However, I have no problem with having it all include for elected and appointed officials."

Jessie Tomlinson, "Ok. I just have one more question then. If perhaps this could be passed and a person appears to have a conflict of interest and there's evidence from disclosure filed with the chairman of the particular board, who then will say; I am sorry but you can not vote on that particular issue?"

Councilman Boschetti, "You're asking me?"

Jessie Tomlinson, "Yes. Or anyone."

Councilman Boschetti, "Well I think.... Let's put it to you from the other side of the coin. The individual who makes that disclosure obviously knows to what degree they have a conflict or a potential conflict. And I think that person would remove himself out of the simple fact that they know there is a conflict that potential exists. Therefore, they would not vote on it. Also, if they're making a disclosure to other members of the board including the chairman of the committee of whatever board they're on, I would think that that would automatically proclude them from voting on that particular issue."

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PUBLIC HEARING Continued

Jessie Tomlinson, "Well then they're using their own judgment on... INAUDIBLE... code of ethics..."

Councilman Boschetti, "Well then you're saying then that the person that fills out this disclosure statement would know themselves that they should not vote on this particular issue. Well then they know that before they filled out the form anyway."

Councilman Boschetti, "The other members of the board may not."

Jessie Tomlinson, "Well that may be true. But hopefully the people in those positions are honorable."

Councilman Boschetti, "I think the disclosure keeps any subsequent discussion on a particular application honest and above board and that other members would know from a disclosure that one of their members is involved in a particular application. I think it makes them more objective."

Jessie Tomlinson, "The chairman would also have to file a public disclosure of the board."

Councilman Boschetti, "If a chairman has a problem, yes."

Jessie Tomlinson, "And who does he give his public disclosure to?"

Councilman Boschetti, "It gets filed with the Town Clerk."

Jessie Tomlinson, "Town Clerk?"

Councilman Boschetti, "Right."

Jessie Tomlinson, "Thank you."

Councilman Prusinowski, "Thank you Jessie. Is there anyone else present? Mr. Nohejl."

Bill Nohejl, Wading River, "I feel as though this should be dropped because it's all going to boil down to the point of one... INAUDIBLE..."

Councilman Prusinowski, INAUDIBLE.

Bill Nohejl, "That's right. I feel as though like you do when it comes to your business, you set yourself aside. We know that on the Z.B.A. and on the other boards there are people in business who have a conflict of interest. But if they set themselves aside, I feel as though.... Thank you."

Councilman Prusinowski, "Thank you. Is there anyone else present wishing to address? Mr. Stillwagon."

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PUBLIC HEARING Continued

Bill Stillwagon, Aquebogue, "I'm in favor of full disclosure but not just for appointed members. For all board members elected alike. I'd really love to have some heavy artillery to fire at you guys and whatever you do, I hope you make it strong. And if you're honest men, you have nothing at all to worry about."

Irene Pendzick, "And women."

Bill Stillwagon, "And women."

Councilman Prusinowski, "Thank you Bill. Is there anyone else wishing to address the Board on this particular matter? That being the case, I declare the hearing closed. Now we will proceed to the 7:55 p.m. hearing on Chapter 79 to amendment Manufactured Housing."

7:45 PUBLIC HEARING CLOSED AT 8:07

7:55 PUBLIC HEARING RE-OPENED AT 8:07

Councilman Prusinowski, "Anyone in the audience wishing to address us. Excuse me. The Town Attorney would like to say a few words about the proposed amendment."

Richard Ehlers, "The proposal before the board this evening is to address the issue of off sight manufactured housing. The first thrust of the proposal deals with the issue of how to site in the community at large dwellings though manufactured off site are similar in both their design and appearance to on site constructed dwellings. The approach of the code is to permit them as though they were constructed on site with the normal building permits without prior approval by the Zoning Board of Appeals as is currently the requirement. The second thrust of the proposal is to address existing mobile home parks. While recognizing the integrity of those existing mobile home parks and those mobile homes which are properly situated in them, it is intended that over a period of time these parts be upgraded for the benefit of the residents within. The final thrust of the proposal is to deal with mobile home parks which have complied with existing laws and are in good condition. So that there are standards for the continued maintenance, the continued upkeep and the continued health and safety of the residents within those mobile home parks. Incidentally, this revision does not address the issue of expansions of mobile home parks or new mobile home parks. Mobile home parks are not permitted uses within any current town code zoning districts. They are prior non-conforming uses and as such may be expanded by an application to the Town Board for expansions of prior non-conforming uses. This code would be flexible in that it could address future expansions as granted from time to time by the Town Board in their discretion or in the event that the board would amend the zoning use classifications to permit mobile home parks in any of the zones within the town."

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PUBLIC HEARING Continued

Councilman Prusinowski, "Thank you Mr. Town Attorney. Does anyone here wish to address this? Mr. Douglas Stark."

Douglas Stark, Ostrander Avenue, "Before I get onto this ordinance, I would like to pose one question to Mr. Boschetti if I could."

Councilman Prusinowski, "Doug just for the record, your name and address."

Douglas Stark, "My name is Douglas Stark. I live in Riverhead on Ostrander Avenue. Mr. Boschetti, in last Thursday's News Review you were quoted as saying that because you have a direct conflict of interest (I'm surprised you're discussing this right now.) with this ordinance, that you would refrain from voting on same and further comment. I would suggest to you in light of the ordinance that you have just proposed and in the spirit for which it was rendered and as an example to your fellow town employees, that you further refrain from any comment on this ordinance. Do you wish to answer?"

Councilman Boschetti, "Was that a question?"

Douglas Stark, "It was a question."

Councilman Boschetti, "What's the question?"

Douglas Stark, "Gentlemen, the purpose of this ordinance, as is stated in Article One 79.2..."

Councilman Boschetti, "Doug excuse me. I wasn't being ficitous. I thought you made a statement."

Douglas Stark, "I asked you, would you refrain from further comment and voting on this issue."

Councilman Boschetti, "Absolutely. In fact I've said right along that after this public hearing..."

Douglas Stark, "That's fine."

Councilman Boschetti, "Well I just wanted to make clear at what point I was going to do that."

Douglas Stark, "You've done it. The purpose of this ordinance as stated in Article One 79.2 is quote and I take this out of context but I think you'll get the jest of it, is the health, safety, welfare of the general public. And the health, safety, welfare of the users of manufactured homes. I contend that this is not so and that the adoption of this ordinance; just the opposite would take place with these people. You will make them... INAUDIBLE. Their homes and their lifestyles will be in jeopardy and you will be forcing them on the welfare rolls. When the clock starts ticking on this ordinance, our park operators and investors are going to have three choices. The first of course would be mandatory litigation because we can not obviously live with this piece of legislation. The next two options are for the park operator, a

PUBLIC HEARING ContinuedDouglas Stark, Continued

renewable life of two years or a temporary life which will end in three years. If we opt for a renewable two year life, all parks will have to spend vast amounts of in order to come into compliance with this ordinance. To quote a few; Article 4-79 24, A, C, and D. All roads will have to be rebuilt to meet town specs. You will have to put in curbs and gutters, provide for dual parking. That's off-street parking. This dual parking will necessitate uprooting and the moving of some of these homes. The digging and opening of trenches. We will have to change the grading in some of these parks as outlined in Article 3-79, 15B. We will have to bury all the lines; Article 5-79, 31. This means contractual arrangements in negotiations with L.I.L.C.O., telephone, cablevision. It seems to me that cablevision has just now finished rewiring this town. You'll have to make charts and maps indicating the entire systems, the entire electrical systems. The depths of pipes, the sizes of pipes, whatever they're near. This half in itself is monumental and I hate to think of the cost. You will have to put identifying numbers on mobile homes. Even though they have them today we will have to put new ones on them. Article 3-79, 13A. INAUDIBLE. It may sound insignificant putting numbers on homes but we're talking about a twenty-five thousand dollar investment. In addition to just a few of the items mentioned above, we have to stack our labor force with mandatory personnel as described in Article 3-79, 21. Park Management. Park manager must be an educated person in the mobile home business and in the operation of parks. Further, in order to comply with the ordinance, you must have a small INAUDIBLE issued by the County of Suffolk. He must have a home improvement license issued by the County of Suffolk. He must have a master plumbers license issued by the County of Suffolk. He must have a master electricians license issued by the County of Suffolk. And on top of this, he must have a minor in sociology. Now you'll get a kick out of this next item; B5. That first one I mentioned there was Article 4-79, 21B.4. Article B5 states that, when I had located it (gentlemen) the management park; I have to submit his resumes to the Building Department to hire and fire him. I have twenty-eight years in this business gentlemen. I do not qualify to operate my own park. While the park operator or the investor is in the process of rebuilding his park, tearing up roads, opening up trenches, changing cesspools, etc., the residents are not going to get away cheaply either. They have a lot of expense under this ordinance. Article 1-79, 4 referring to accessory buildings; will require most tenants in Glenwood to purchase new sheds. A thousand or fifteen hundred dollars."

Councilman Prusinowski, "Mr. Stark, you're coming up on your five minutes and you will definitely be called back. And if you wanted to sum up your thought here, go right ahead and I'll call you back."

Douglas Stark, "Too much."

Councilman Prusinowski, "Ok. I'll call you back. Anyone else here wishing to address the Town Board on this subject? Sherry."

PUBLIC HEARING Continued

Sharon Wendelken, "I just have a question for Mr. Boschetti. And that is simply, if you're going to abstain on discussion on the discussion and the vote, I wanted to know why."

Councilman Boschetti, "Well it's been well known by now that I have maintained a connection with the manufactured housing industry. And since there is a connection there, I feel that it would be in the best interests of everyone including myself to not take part in any discussion once this hearing was opened, once any board members that have any questions of me as a result of this hearing are answered. And therefore, I will not vote on it either. And I think that removes any possibility of me influencing the board members who can vote on this proposal from acting in the best interest of the town."

Sharon Wendelken, "Don't you think then it's a conflict though when you spend three years writing the ordinance, when you feel you have a conflict initially?"

Councilman Boschetti, "Not so. Number one; I didn't beg for this particular job. It was assigned to me. Something that they wanted done and I and Vince went about doing it. We held meetings. We talked to individuals. We gathered as much information as possible. This was put together in a way we thought was as meaningful as possible. Not to say that there might be problems with it but that's why we sought out as much input as possible to make the problems as minimal as possible. That being the case and the case that I'm not going to have a final say on it, the case being that the Town Board members upon hearing the discussions here tonight and I'm sure the letters that will follow this meeting, they will make up their own mind and I'm not going to be a party to however they want to change it, modify it, scratch it, improve on it, whatever. But have to fill my obligation of presenting them with a rewrite of Chapter 79 which is included in it's final stages of conclusion."

Sharon Wendelken, "Thank you."

Councilman Prusinowski, "I'm just keeping track here. Ok. Next. Mr. Bruce Stark."

Bruce Stark, Middle Road, Riverhead, "Mr. Chairman I would like to have my five minutes but my thoughts and my topic follows my brother's thoughts and I would like to defer until after he is finished if that's possible."

Councilman Prusinowski, "That's possible. No problem. Anyone else would like to. Yes sir."

Joe Sullivan, Wading River, "Good evening. My name is Joe Sullivan. I come from Wading River and I'd like to say that I think this ordinance is necessary. I think the old ordinance had plenty of room to be improved but I don't think this ordinance is exactly correct as written and I think it does need work. It needs improvement. I would suggest to the town that they shelve any possibility of voting on this as written until such time that it is reviewed and corrected. I agree totally with Mr. Stark on everything that he has

PUBLIC HEARING ContinuedJoe Sullivan, Continued

said so far. I have spent two hours last week speaking to Mr. Lombardi in his office about this very issue. I think that two hours is not enough. I could have spent four hours discussing it. There are things in this ordinance that are absolutely impossible for mobile home owners and mobile home park owners to conform to. There's other things that should be in here that are missing that would be an improvement in our park situation. And I think that it has to be looked at very carefully. I don't think anybody has time this evening to go over this ordinance in detail. There's too much to be done. Thank you."

Councilman Prusinowski, "What you do... Go ahead. I'm sorry."

Councilman Boschetti, "Mr. Sullivan before you leave, could you be just slightly more specific as to what you find objectionable and what you think might or should have been added?"

Joe Sullivan, "Yes. The roadway problem. It states that the roadways, other than widths, will refer to rules and regulations to dedication of public highways. In those rules and regulations it specifically states that there may be no dead end roads without cul-de-sacs or turn arounds. Those cul-de-sacs have to be (as I recall) radius of the cul-de-sac must be equal to the width of the road. Those of the roads that are allowed in the mobile home parks according to the code are twenty-five feet. That would make the cul-de-sac a diameter of fifty feet which would be impossible to turn around emergency vehicles such as fire trucks, ambulances, things of the sort. So it's inadequate in that respect. That's only one item. When it refers to parking in mobile home parks, it refers to two types of roads. One road would be thirty five feet wide which would allow parking on part of the roadway. The other road would be twenty-five feet wide which would allow no parking on the roadway. If you have a twenty-five foot road, you're required to have two parking spaces per mobile home lot. If you have a thirty-five foot road, you're required one parking space per mobile home lot. But in no case are you allowed to park anything on the road or on a parking space and that's what it says right in this code. Those are a few examples."

Councilman Prusinowski, "Joe, I would presume that you would write down some of your comments and submit some of your input in writing to the Town Board so that we can start complying some information."

Joe Sullivan, "I would be glad to."

Councilman Prusinowski, "You're one of the park owners here and I see several others out there and that's the type of input we would need."

Joe Sullivan, "I would be very glad to."

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PUBLIC HEARING Continued

Councilman Prusinowski, "Thank you."

Joe Sullivan, "I would just like to finish by saying that I do agree with the purpose of this code. It's just that unfortunately, I think it needs a lot more work. Thank you."

Councilman Prusinowski, "Ok Joe. Is there anyone else out there? Jessie."

Jessie Tomlinson, "I have first a question for Mr. Ehlers because from your opening remark and from what I just briefly read in there, I don't understand a certain section. If you would be so kind. On page 32 of the legal notice it's the section concerning the Article 2, mobile home park."

Irene Pendzick, "Jessie, put that mike down. We can't hear you."

Jessie Tomlinson, "Article 2, mobile home park, section 79-7 and I'm referring to A. An application for a permanent or temporary mobile home park permit. Then you go A, B, C, D and then you go A again."

Councilman Prusinowski, "Jessie what article is that. I have the code."

Jessie Tomlinson, "Article 2, section 79-7 and it says, A, B, C, D and then.... I'm sorry. I didn't see that there was another topic number 79-8. And then 79-9 I guess. Don't take this off my time."

Councilman Prusinowski, "No I'm not. I'm not doing that; or discussion with Board members and especially not to you."

Jessie Tomlinson, "It says that application for a permanent or temporary mobile home park. Do you have that section Mr. Ehlers?"

Richard Ehlers, "No I don't."

Jessie Tomlinson, "Oh."

Richard Ehlers, "79-9 on Page 11, application procedure?"

Jessie Tomlinson, "I have the newspaper article."

Richard Ehlers, "I think I've got it."

Councilman Lombardi, "On Page (ten) eleven."

Councilman Prusinowski, "Section A Jessie?" .

Jessie Tomlinson, "Yes. Section A. An application for a permanent or temporary mobile home park permit shall be filed with the town Building Department, etc., etc. Alright. My question is you said that this does not apply to new parks this particular ordinance. Now, this seems to say that a person can then come to the

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PUBLIC HEARING Continued

Jessie Tomlinson, Continued

town with an application for a new mobile home park. Is that correct?"

Richard Ehlers, "The historically way that mobile home parks have been dealt with in the town is through two sections of the town code. The zoning ordinance which is Chapter 108 and the old Chapter 79 that dealt with mobile home and travel trailer parks. The Sections in Chapter 108 where is a mobile home park is permitted within the town are not varied by this chapter."

Jessie Tomlinson, "Oh. So in other words, where..."

Richard Ehlers, "So what I was trying to explain is that we're not addressing the issue of looming mobile homes in some minds or failure to provide affordable housing and others. That is not addressed by this. What is addressed is existing mobile home parks. However, if the Board makes a change in the policy to proclude additional mobile home parks, we left the language that this would deal with existing or new ones so that we would not have to rewrite this in that event."

Jessie Tomlinson, "Well you're sort of losing me there. You can or you can not apply."

Richard Ehlers, "You can not apply for a new mobile home park."

Jessie Tomlinson, "Even though it states here that you can."

Richard Ehlers, "It doesn't say you can. It says that this Chapter, if you go there down to Article 1 on the first page, is intended to be used with existing or new mobile home parks. They're not permitted under Chapter 108 in any zone within the town. They used to be permitted in industrial zones. They're not anymore."

Jessie Tomlinson, "I think that it's very ambiguous. But aside from that, what I would like to say is that I would hope that since we already have at least nineteen parks in this small town, that you are not then going to open a door in some fashion that (I'm not an attorney and I haven't read every line.) would allow new applications for new parks in different areas of this town. I would hope that that is not the intention. I am very pleased that there is a proposed ordinance such as this and I understand where the Stark brothers and Mr. Thurm and so on might not be too happy with it. And frankly, as far as their parks go, I really don't have a problem because they are really rather attractive. But the fact of the matter is as I have said to Mr. Stark on many occasions and Mr. Thurm, their parks are an exception. There are parks in this community. And with all due respect to Mr. Sullivan, I think that if he spent two hours talking to Mr. Stark or Mr. Thurm, he might do a better job than spending it with Mr. Lombardi. His park is (frankly) very unattractive. I pass there just about everyday and he is a park that does need some sort of fixing up. And it's about time, this has taken four

PUBLIC HEARING ContinuedJessie Tomlinson, Continued

years for something like this which is one of my pet projects in this town; to see that the existing parks are made to look attractive and that people that live there have decent housing. So I would hope that while this may be stringent and as I've said, I haven't read all the details. I have sympathy for the owners. There are some owners that need something like this to shake them up a little bit and clean up there act."

Councilman Prusinowski, "Thank you Jessie. Anybody else who hasn't spoken already who would like to address the Town Board. Ok. Sure."

Councilman Boschetti, "Mr. Chairman, just to address a point Jessie brought up and that is that this particular proposal does not change whenever accessibility or availability there is for an individual to apply for a mobile home park now. It's not part of Chapter 79. It's not a part of this proposal. If there's an ability to apply for a park now, then it still exists even if the proposal is adopted. If there is not an ability to do so, then there is still not under this proposal."

Councilman Artale, "It simply doesn't deal with it."

Councilman Prusinowski, "Yes sir."

Charles Watson, Wading River, "I live in Wading River in a trailer park. I happen to live in a travel trailer. I wish you people would explain to me what you are going to do with us. There are eight of us in that park. Are you going to kick us out? Are you going to do away with us? Are you going to take us right off the town code? What are you going to do with us?"

Councilman Boschetti, "Mr. Chairman."

Councilman Prusinowski, "Yes. Go right ahead."

Councilman Boschetti, "There are exempt. If they are there legally now, they are exempt under this new ordinance."

Charles Watson, "Well, we're not legally according to the old 79 but you've let us live there for all these years. Now you are going to tell us we can't."

Councilman Boschetti, "If you're there and there's no violation against that building, then you're going to be allowed to stay there under this new provision if it's adopted."

Councilman Prusinowski, "Thank you sir. Is there anyone else who would wish to address the Town Board on this matter who hasn't spoken previously at this public hearing? Yes sir. In the back and then I'll go to Bill."

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PUBLIC HEARING, Continued

John Lazarus, Lakeside Trailer Court, "Chairman and members of the Board. I am in favor of this manufactured housing, this section you have, this new law. But as far as the general public goes for the safety, I think you're going to create more hazards for the tenant and the mobile home park owner. Because there is too much work involved for the upgrading of all the parks. If there is no objection to the tenants, no complaints, I don't see why we should adapt to all this new code. I am in favor of the manufactured housing law. Ok. Thank you."

Councilman Prusinowski, "Ok. Thank you very much sir. Anyone else wishing to address the Town Board? Steve. I'm sorry. Bill you had your hand up before. It's up to you."

William Kasperovich, "I feel it's important to me to get up here and speak on this because on previous occasion, I got up and spoke in favor of manufactured housing. Now I sort of carry the impression that manufactured houses were to be brought in individually. Where we have many single empty lots in this township, we have many two or three empty lots in a neighborhood, we can develop areas. And in the less expense areas that manufactured houses could fit in. Then all of a sudden I am rudely awakened and we're talking about parks and multiple units. It's an entirely different situation. We here in Riverhead came in on the so called dirty end of the stick with pre-fabricated houses and then a number of people tried to sell us junk in the township. And so we formed opinions about pre-fabricated houses. Now, at that time there were very good pre-fabricated houses in this country. Today there are poorly manufactured houses and there are very luxurious manufactured houses that I couldn't possibly dream of affording. So I don't know what you gentlemen are after here. I'm sure somebody has calculated how many units are open to the parks that exist. Not all the parks are fully developed. So how many units could be introduced to fully develop the parks that are hereby permitted properly and legally? Consideration; how many single units in the township that don't lend themselves to a contract of building a half dozen houses at the same time that he could do it more economically than he could with one or two. Not many of the contractors do houses like ones and twos anymore. The cost is just too high. Now, I think I'm simple about the conduct of the Town Board in this area. I frankly think...."

TAPE ENDED

William Kasperovich, ".... then the existing house, however he labels it, and the response to him is that if there are no violations. D--- it to h--- you're sitting there creating violations on that man's resident. This shows no good faith here. You're not telling us what you're really after. And so people like myself don't trust your actions. You don't tell us what void you're trying to fill in this township. You don't tell us what the statistics actually are. But when you sit there (Mr. Boschetti) and tell us that if a violation exists then you're sitting there party to an act that will create violations. This is not a sign of good faith."

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PUBLIC HEARING Continued

Councilman Boschetti, "Well Bill...."

William Kasperovich, "Now conflicts of interests has come into this evening's discussion and we have to take this with a grain of salt. Because people that know something about the houses, have been in one way or other involved with them. So you can't be an innocent bystander and know something about the situation. You've got to have been in it or currently in it to know what the score is."

Councilman Prusinowski, "Bill, I'm sorry your five minutes are up. I'll ask you to come back."

William Kasperovich, "Thank you."

Councilman Prusinowski, "Thank you. Anyone else wishing to address the Town Board. Yes ma'am."

Janet Uhrig, Riverhead, "What prompted the beginning of this change of whatever laws you have in the town? Was it complaints from people who lived in parks or what?"

Councilman Boschetti, "Precisely. That's precisely what it was. I would note two specific events that took place. One just before I came on the Town Board and one almost a month or two prior to that time. We were at a Mobile Home Owners Association meeting back in October of 1981. Vince and I and I believe Joe Janoski was also there and we heard many many complaints and we were asked to at least look into the problem. Just before taking office there was also a letter by Mr. Peter Danowski who was doing some work for the town at the time and he felt there was a number of problems with our code as it exists today. We have taken those and Mr. Janoski formed a mobile home committee to look into the problem. As Bill brought out a moment ago, why we doing this. We held meetings in this very room in fact at least one meeting a month for the most if not all of 1983 and we had a pretty good response from tenants who came forth and told us what they felt was good about their mobile home living in parks situation and what was bad about it. We had some park owner confrontation but not a great deal of it. I wish we had more. But as it turned out, we didn't. So that being the basis for where we are at today for the rewrite,...."

Janet Uhrig, "This has been going on for three years."

Councilman Boschetti, "It's been going on since '82. Yes."

Janet Uhrig, "Well I can see you doing it but I think you're attacking the ones that maybe don't need it. It's the ones that have to be changed. They should be changed. But that's a little ridiculous that we need sidewalks and curbs in a park. A lot of your proposals are way out. I mean I've lived in one many years and I think if you're unhappy, then things should be done to correct them. True. But don't go overboard and we'll be paying five hundred dollars a month rent with all of these proposals. I mean it's absolutely ridiculous."

PUBLIC HEARING Continued

Councilman Boschetti, "Ok. I just want to point out that you bring up a good point and one or two of the owners brought up that point also. I should point out at this time that to include in this public hearing I will be sending recommendations and closing out my involvement with this proposal to the Town Board. One of the things that I will be recommending is that they do look at some sort of an exemption mechanism for parks that simply can't comply or are pre-existing because there might be a problem in that regard."

Janet Uhrig, "There are some but we know need fixing."

Councilman Boschetti, "Oh yes. Absolutely."

Janet Uhrig, "But if it isn't broken, don't fix it."

Councilman Boschetti, "Ok."

Irene Pendzick, "Mrs. Uhrig, how do you spell your name? Could you tell me how you spell your last name?"

Janet Uhrig, "Yes. U-h-r-i-g."

Irene Pendzick, "Thank you."

Henry Pfeiffer, Wading River, "Good evening."

Councilman Prusinowski, "Henry you want to just push the other mike up because that's the mike that records."

Henry Pfeiffer, "How about that."

Councilman Prusinowski, "That's the one that makes you a star on the radio."

Henry Pfeiffer, "I'm amazed at the kind of belated reaction to this proposal. Copies of this proposal were circulated in certain areas and I'm sure the park owners particularly must have received copies of it at least back in June of last year, of this year."

Councilman Prusinowski, "No. Nobody knows, The park owners didn't receive anything."

Henry Pfeiffer, "I'm surprised because there were some occasions where comments were solicited. And as I understand according to the reading by the Town Clerk, that several letters were received in response to this. But I'm particularly interested in the remarks of Mr. Stark earlier on where he got very concerned about the manager being someone who required licenses as a plumber and an electrician and so forth and so on. It doesn't say this. It says the manager shall be experienced or trained in mobile parks, home parks manager with specific experiences but not limited to the following: the care and maintenance of mobile home units, accessory structures, community structures, utility mechanisms as in community social management. This does not require any great expertise beyond that which Mr. Stark has undoubtedly has. And he undoubtedly

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PUBLIC HEARING, Continued

Henry Pfeiffer, Continued

can call upon the help that he has in the area. So this is not my primary concern here. In respect to this chapter concerning all mobile home parks and this is 79.16, "occupancy requirements"; all mobile homes located within a mobile home park must conform to the standards established by the U.S. Department of Housing and Urban Development. That is; the federal manufactured home and structure safety standards effective June 15, 1976, except what is provided by section 79.16B which reads as follows. To respect to this chapter and the individual mobile home units which at the time of the adoption of this ordinance existed lawfully within the Town of Riverhead or which were constructed prior to June 15, 1976 and do not comply within the minimum standards set forth by the H.U.D. code and New York State Fire Prevention and Building code, shall be permitted structures and may be occupied. And expansion of or addition to these units must meet the requirements of this chapter. Now there are several people who know that there are additional requirements so far as the road widths, the dimensions of the lot upon which the mobile home park would stand which are different in many cases from those which exist in the park. I think perhaps, this might be covered by including a grandfather clause for the parks such as you have for the individual homes."

Councilman Prusinowski, "Thank you Henry. Is there anyone else wishing to address the Town Board? Steve."

Steve Haizlip, "I would like to address the subject of about public law 262 which involves and initiating zoning in this town by a matter of having three hearings. Now, as I recall it states in there that anything that exists can be there. Now, I have a park in mind up on Mill Road just behind the cauliflower block. Now it's got flat roads. There's no curbing and no sidewalks and so forth and it's been there many years and I think the safety of the people and the getting in and out of there and the use of sewage and so forth, has been adequate. I feel due to that law that says if it is there and it can exist, would impose a great expenditure and modification on that mobile home park owner."

Councilman Prusinowski, "Thank you Steve. Is there anyone else wishing to address the Town Board who has not already spoken concerning this ordinance? Yes sir."

Richard Haefli, Attorney, "Gentlemen, my name is Richard T. Haefli. I'm from the law firm of McNulty, DiPietro and Haefli here in Riverhead. I'm here speaking on behalf of Glenwood and Fox Wood mobile home park. I'd like to address certain brief comments with respect to this proposal. The first is that you are proposing a law wherein the individual park owners are supposed to obtain a permanent permit which is renewable every two years. At the present time your current code already has a provision for a permanent permit. That permit is not renewable once issued and is assumably valid until such time at that park or park owner does not comply with the existing code. And I would point out to you that I don't think that you can impose the standards of this new law upon any of the parks that already have a permit issued under the permanent permit issued under the prior law. Second comment that I would

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PUBLIC HEARING Continued

Richard Haefli, Continued

have is that you have certain provisions in here with respect to some of the uses of the home. Such as; you require a mobile home park to have a smoke detector and that all mobile homes should be maintained in good repair. Now a mobile home is defined as a dwelling unit. You do not require those same standards for the existing houses in the Town of Riverhead that are conventionally built homes. What you're doing here is you're putting a standard, imposing a greater standard on the existing mobile homes in the Town of Riverhead then you are imposing upon the conventional homes within the Town of Riverhead. And I think that any law that has a dual standard with respect to one-family residential dwellings would be found by any court to be unlawful. Finally, you're imposing a standard upon these existing parks that in essence would be require a substantial expense of money. If that had to expend those sums of money to meet the requirements, you are in effect making these owners of a business non-profitable. If you get to the point where an owner is not having a profitable business, you're requiring that owner to do things to defend his business. And obviously a park owner in such a situation would have to bring litigation to prevent him or them from not being able to continue in the business that they're in. I should think that if you review these provisions as they apply to existing parks and put in a grandfather provision which you have with respect to certain aspects of it. We have already grandfathered the size of lots. You grandfathered INAUDIBLE. I think the Board would be very wise to take into consideration grandfathering existing parks that meet minimum standards set forth in the existing code. If they meet those standards, it's assumed that they were operating at least to minimum level of the health, safety and welfare of the community. And I think you're going to run into tremendous problems with the park owners if you were to try to impose these greater standards upon these existing parks. Thank you."

Councilman Prusinowski, "Is there anyone else wishing to address the Town Board on this particular ordinance? Nora."

Nora Brewer, Wading River, "I would just like to substantiate the statement made by Mr. Boschetti that I was at that mobile home park, a mobile home owners meeting the day that there were people that complained so terribly about the conditions they live under in mobile homes. At that time he was requested to make some improvements. And he gave his word. He and Vincent. That they would take this up. So therefore, this is what initiated this hearing. Thank you."

Councilman Prusinowski, "Thank you Nora. Is there anyone else in the audience who would like to address the Town Board concerning this issue who has not spoken before? That being the case, we will go back to Doug Stark who has six minutes because there was one minute time of discussion left. You have six minutes."

Douglas Stark, "I think we were discussing the expenses of the individual mobile home residents who have to concur with the adoption of this ordinance and we had referred to at that point, the sheds being a thousand or fifteen hundred dollars. Although I'm not opposed the installation of smoke detectors, that will have to be another expense on their part. A big item: Article

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PUBLIC HEARING, Continued

Douglas Stark, Continued

79, 13B makes reference to ground anchors. It means (gentlemen) that the homes that are existing today, their skirtings will have to be removed. The landscaping will have to be uprooted. Porches and whatever that come with some of these homes will have to be removed. And once the anchors are installed, then everything will be put back together again. The price tag on something like this, you tell me. Three, four thousand dollars easy. To those tenants who have boats or recreational vehicles, this law prohibits the parking of the same on their sites. That means they must go to the private sector or the commercial sector to find storage for these units. I don't think that's imposed upon single built homes in the Town of Riverhead. There would also be disconnect and reconnect charges by utility companies when these homes have to be moved because of setbacks and the rearrangement of lots for lot sizes. Now, the park operator starts rebuilding or trying to comply with this ordinance, he's going to want to recover his investment or recapture his investment. Gentlemen, I know it may sound like a lot but believe me the rents in these parks are going to double and in some parks triple and could conceivably quadruple. The tenant is going to pay this bill not the park operator. What you have caused here is nineteen hundred families to rebuild the mobile home parks for the park operator. On top of recapturing the capital improvements, we again have the end layer of mandated personnel. When rebuilding is complete and I question the financial stability of my investments at that particular juncture in time and the financial stability of the remaining tenants. Now let's take option two. There is a three year life span that is offered under the temporary permit. Knowing that we will be out of business for three years and knowing that the land is going to be encumbered for many years beyond do to the eviction procedures that must follow, the park operator or the investor will probably refrain from paying the real estate taxes. This would be the easiest means to recover the land value because I can't sell it. To the Town of Riverhead this means over one million dollars revenue. A short fall here will be made up by the rest of the taxpayers in the Town or the County. What you have effectively done is to destroy a one hundred million dollar industry. You have dried up seventeen million dollars of expendable income. I don't know what this effect will have on the car dealers, restaurants, merchants, insurance salesman, schools, the hospital. But obviously a nineteen million dollar short fall is going to cause some catastrophic happenings in this community. Now if the real estate taxes in these parks are not paid, and believe me they won't be paid, eventually they are going to fall into the hands of the county. Now let me pose this question for you. How long is it going to take some smart dude in the welfare department to see an instant solution to his housing crisis? And what we've got now is seventeen four forty ones. You laugh. But that's in there. You all have just settled what the park operators will have to invest in and what the tenants will be required to spend. But this ordinance is plum full of a lot of nonsensical items. For example; 79.19 item C, garbage cans. Do you realize that every tenant in the town will now have to bring his garbage can down to the Building Department to have it inspected to see if it meets with their approval. Or better yet, maybe Jimmy DeLucca and Ray Wiwczar would like to visit the park and inspect all

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PUBLIC HEARING Continued

Douglas Stark, Continued

the garbage cans. Can you see the headlines now? "Riverhead Stagnates While Building Department Wallows in Garbage". What this ordinance, this utopian piece of legislation that we've been waiting two and a half years for does not do is address the needs of the industry as it exists today with its demand for services. The change of lifestyle that has come about with the evolution of the mobile home industry, this proposed ordinance makes reference to water feeds and speaks of half inch lines. To homes today (gentlemen) they come in two and three bathrooms, washers, dishwashers, irrigation systems and who knows maybe someday even swimming pools. This ordinance the way it is written, you'd have to stand in line to take showers. It talks about fire protection of hydrants on four inch mains producing twenty pounds per square inch of water at fifty-five gallons per minute. In talking with Gary Pendzick who works at the Riverhead Water Department, the Fire Department pumpers require one thousand gallons of water per minute. You can imagine the damage that will be done to the water mains of these parks and the pumping themselves when they hook up and get fifty-five gallons."

Councilman Prusinowski, "Doug if you could sum up on this round, you can come back up."

Douglas Stark, "Hydrants today are placed on six inch and eight inch mains. A thousand to fifteen hundred gallons of water a minute is ideal. Not fifty-five."

Councilman Prusinowski, "Ok. Next one on my list who spoke was Sherry Wendelken. Does she want to come up again?"

Sharon Wendelken, "No."

Councilman Prusinowski, "Ok. Bruce Stark."

Bruce Stark, "Gentlemen, talking about ordinances, talking about legislation, mobile home industry. We are probably one of the most legislated industry in the world. Right here I have from start to finish the legislation, the rules and requirements of the mobile/modular industry as it exists today and this does not include one ordinance for the State of New York which is the modular home construction code which I couldn't find in there. From the day the first bolt was put into a frame of a mobile home or a modular home, we have codes starting on the federal level starting with H.U.D., Part I, Part II and Part III. That's the federal government. Then we get into the national fire protection. The N.F.P.A. books 501 which include mobile home parks. 501B which includes mobile homes and now there's another book for modular. Now all of a sudden we have left the factory. We've gone through the interstate. We get into New York State. All of a sudden New York State Health Department subsection seventeen, title ten, sub part seven, sub part eighteen one and two. Now we've got into New York State. We get to Suffolk County. Suffolk County Health Department, article seven,

PUBLIC HEARING ContinuedBruce Stark, Continued

article six and the new article that just came out. Now we're through that. It was article fifty. This was article seven. We get to Riverhead. We have an ordinance which tells us how to build a mobile home park. From start to finish this industry is legislated from start to finish. All construction codes, all movement codes has more than any other industry in the world. The proposed ordinance as it's set today in reading it, doesn't even conform in many ways to the industry standards by higher levels of government. What are we to do? Who am I to listen to? Jimmy DeLucca? The guy from the Health Department? The guy from the state or the guy from H.U.D? Many, many conflicting levels of construction as far as the mobile home park is concerned. I understand that when this was put into effect and when Mr. Boschetti started the hearings back in 1982, that many (and I've been to a couple of those meetings) many, many of the problems that were brought before that committee were not in mobile home construction. It was mobile home park management. Want to handle that? You've got all kinds of laws in the state, the county and the federal government to handle that. One of the biggest problems that you have in this industry is that nobody enforces what we have on the books now. The Town Attorney, (no offense) the State Attorney, the County Attorney, the District Attorney, nobody cares. Nobody will enforce the regulations that we have. We don't need more legislation. What we need is enforce what you have now. The tenants are well protected. There's a mobile home bill of rights. They have the one of habitably. There's all kinds of laws sitting on the books. What they need to be done is enforce. Why put more laws on the books when you won't even enforce what you've got. We don't need a new ordinance. What we need to do is a new government. Thank you."

Councilman Prusinowski, "Thank you Bruce. Round two. These are people who have spoken before who would like to speak again. Is there anyone out there who would like to speak again who has not spoken twice because there might be somebody who wants to speak a third time. Mr. Sullivan you happen to be next on the list anyhow."

Joe Sullivan, "Mr. Watson asked about his travel trailer which he owns and has for several years at Oak Park in Wading River. It says here in the code that travel trailers will not be... They are prohibited accommodations in mobile home parks. I see no exclusion for that in the code. No grandfather clause. Would you explain to me where you had told him and for what reason you told him that he'd be allowed to stay in that park?"

Councilman Boschetti, "I believe Mr. Pfeiffer read that section to you. I don't recall the number of it right now but it does say that anything that meet the code right now and is there, will be allowed to remain."

Joe Sullivan, "Did you write this code?"

PUBLIC HEARING Continued

Councilman Boschetti, "I don't think it says that."

Joe Sullivan, "It says mobile home, not travel trailers. It says mobile homes that were not yet approved due to the fact that they were built before 1979 or some particular date it was. It doesn't say travel trailers."

Councilman Boschetti, "As you well know, our present code as it defines mobile homes and travel trailers are practically interchangeable. So I don't think that what you're suggesting would occur to the individual that got up a few moments ago and asked that question. It does exempt it. It would exempt it. And that particular home.... In fact here it is. 79-16 says in respect to this chapter, individual mobile home units which at the time of the adoption of this ordinance existing lawfully within the Town of Riverhead which was constructed prior to June 15, '77 does not comply with the minimum standards set forth by this code shall be permitted, structure may be occupied."

Joe Sullivan, "Ok. I do believe that it's totally confusing. You have a definition of a travel trailer in the code. And his mobile home or travel trailer, whatever it might be, apparently fits into your definition in this new proposed ordinance as a mobile home. And the code does go on to say that mobile homes are not allowed. Travel trailers are not allowed in mobile home parks. And you say because the prior code said that it was maybe a mobile home, that that would be allowed under that provision that mentions the H.U.D. mobile home. I think as much of this ordinance is, is totally confusing. And I think it's up to be interpreted anyway the Town Board decides they'd like to interpret it. I'd like to see the code written tight enough and in such a way that there's not quite as much interpretation that people would understand what is required and what isn't required. What is allowed and what isn't allowed. Thank you."

Councilman Prusinowski, "Ok. Is there anyone else who has spoken already once who would like to speak again. Mr. Kasperovich."

William Kasperovich, "I would like to confirm that the tape recorder at the Town Clerk's office is functioning well because I don't want you to use that excuse again that the tape wasn't working."

Irene Pendzick, "I don't know if it's working until I play it back."

William Kasperovich, "Then you gentlemen from the press, in the event that her tape recorder doesn't give her information to put into the town record, will come forth with your tape and information. I would appreciate it. The violations that exist in this township...."

TAPE ENDED

PUBLIC HEARING Continued

William Kasperovich, "The conduct of the Town Attorney has not always been in the best interest of the public and I'm sorry to have to include our ailing Supervisor but he is the captain of the ship. Now, our building code is not the best code by any stretch of the imagination. I have been on this aspect for over a decade and I'm getting a little weary and tired of coming back like a broken record. You people don't want to listen. When it comes to a solution for a few problems you want to introduce a practically new code and yet you take the same attitude as exists. If we put anything on the books, we have to live by it. We just can't wave it in one hand and then change the color of the flag and put it in another hand. We permitted the parks in Riverhead to exist after many, many hours of discussion and differences and arguments. And we do have a good set of parks in this township. Now, the laws that the man brings forward out of his portfolio covers a great different picture in this country and this state for the conduct of mobile park owners and operators. We have been blessed with a good gang of people to make good living accommodations at lower costs. We have accomplished this, not perfectly but we're there. We've gone about as far as we want to go volume wise. Now I say we have to take care of what we have created, what exists. Because we permitted it to grow and come to the point that it is today. And if there are violations, we should address them individually. We should judicate them with the laws that exist like good American people where justice is always standing before us. Not like the town attorney would like to interpret the law to suit his needs or the needs of his particular person trying to get him out of a hole. You think I'm anti-town attorney, you should hear me privately."

Richard Ehlers, "They should know that I prosecuted you once Bill."

William Kasperovich, "Improperly, illegally and..."

Councilman Prusinowski, "Ok. Alright. That's it. We're not going to get into court discussion. We can do that another time. Bill could you conclude your remarks. You have one minute to go on this round."

William Kasperovich, "Ok. I can't go on with this because I won't be saying anything different than I've said in the past. We have what exists. We should take care of... Let's get it on tape."

Irene Pendzick, "It always changes when you're talking."

William Kasperovich, "Well thank you. You've made my day." We have a good set of parks. Let me repeat that. We have a few problems here and there. Let us not take a wide brush and smear these fellows that have been doing a good job for these years with a few exceptions. And with that positive note, I think it's time I sat down. I might get carried away and get thrown out of here."

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PUBLIC HEARING Continued

Councilman Prusinowski, "No. No. I won't throw you out of here. Who else wants to speak again and has spoke the first time. Yes sir. You had your hand up before."

Charles Watson, "It looks as though I'm the only tenant around here. I'd like to invest in the town attorney to discuss chapter 80 on the phone. What was the... INAUDIBLE."

Richard Ehlers, "It appears that that's a typographical error."

Charles Watson, "Oh. A good way to get out of it. Alright I have to agree with Mr. Sullivan."

Richard Ehlers, "My intent (if I may) is not to get out of that as you ask the innuendos and whatnot. What has developed and Mr. Sullivan has been a part of the development of what you're witnessing tonight as much as anybody else, is that the old town code section lumped together mobile homes and travel trailers. And travel trailers could be of a very minimum dimension and a very minimum specification. And through a compromised settlement which is a public record at this point, Mr. Sullivan was able to obtain additional units of a character smaller than the units generally employed in mobile home parks throughout the town. And what we're attempting to deal with and not attempting to throw anybody out of a building that they're in now but what we're attempting to deal with is to say from this point forward does the town want to see someone successfully prosecute an application to bring additional travel trailers into an existing mobile home park to increase the density and the revenues and decrease the standards within the mobile home park. There is no attempt and if it's incorrectly reflected in the draft which is proposed for the evening tonight, I think it's clear from the comments that that will be remedied. That we will go back and redraft this if there is a conflict within the way it's put together that may cause you a particular concern. But you may have been the victim of a mobile home park owner who placed those units at sometime. I don't know your particular circumstance but there is certainly no intent to cause you any personal aggravation."

Charles Watson, "Ok. Now I have to agree with Mr. Sullivan. There's no where in there that you state that the prior can stay. But I was actually living illegally. They allowed it for so many years. What are you to do? Come back to me and say you were living illegally so you're out."

Richard Ehlers, "That's the difficult philosophical question. It sounds to me like the recommendations of Mr. Councilman Boschetti are going to be that if your unit was there at the time that this is adopted, you're going to be permitted to stay."

Charles Watson, "Yes. But I was illegally there. So now you're going to come and tell me that I was illegally there, I can't stay?"

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PUBLIC HEARING Continued

Richard Ehlers, "No. I think that I understood it to be that if he's there, he is going to be permitted to stay."

Councilman Boschetti, "Do you have a violation against you now?"

Charles Watson, "No I don't. But according to the old town code, it's in violation because the travel trailers were not supposed to be for more two days or maybe a week."

Richard Ehlers, "That's the issue that we litigated with Mr. Sullivan. Not necessarily to our great benefit. I think Mr. Sullivan will agree that the existing code is a mess on the travel trailers. And that's what we're attempting to stop. It is not at all clear that your travel trailer is illegal at this time."

Charles Watson, "Will I found out someday?"

Richard Ehlers, "We're attempting to do that. We're attempting to set the time of looking at mobile homes and travel trailers at some identifiable date because the existing ordinance is a real disaster."

Councilman Boschetti, "You've hit upon one of the very few main reasons that this was rewritten and that is the distinction between what is a mobile home and what could be considered a travel trailer. And they're so insignificant that they're practically were synonymous. And that's the problem that exists in the current code. But as far as your particular home is concerned, if it's there now and I know that Dick or Bill brought up the fact that if there's a violation we should pursue it. Our intent is not to throw people out in the street. We're not trying to do that. We're trying to address ourselves to the concerns that were brought to our attention. If you're living there now and you don't have an active violation against you, you will be permitted to remain under this proposal if it's adopted as written tonight. And I'm sure there is going to be some changes but I don't think that will be one of them."

Charles Watson, "In other words, from the day that this has concurred, no travel trailers can be put into parks."

Councilman Boschetti, "That's right."

Charles Watson, "Why, can I ask why? Do you think they are uglier than mobile homes?"

Councilman Boschetti, "One of the problems we had as the town attorney pointed out, it just so happened to be with Mr. Sullivan's case. A travel trailer would lend an ability to a mobile home park operator to cut the size of the lots down because you can simply fit more of them in. Ok?"

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PUBLIC HEARING Continued

Charles Watson, "And that can be governed by the rules and regulations."

Richard Ehlers, "But it wasn't or isn't adequately in the existing code."

Charles Watson, "Thank you."

Councilman Prusinowski, "Thank you. Ok I have a..... Is there somebody else who wants to speak on this who hasn't spoken before? Steve we're thinking about taking a ten minute break. Otherwise we'll adjourn the meeting. I think somebody might want to come back a third time. I don't know. Steve do you want to say something briefly?"

Steve Haizlip, "It will be brief. Mr. Stark, the Stark brothers, I don't know them. I only know them by name. You gentlemen I know. So I don't know whether you'll think anymore of me or any less of me. But as he was talking, he mentioned well if I don't pay my taxes, the people will have to get out and it will be a wonderful thing for the welfare investigators to put people in my trailers. Now, those people are paying the rent and their paying the taxes. So I don't think they're going to go that quick. So they're entitled to stay there. Now I don't know if he said that as a threat or not but those people in those trailers do have a right to stay there and they're paying the rent. And if he resents or against these here proposed codes and don't want to pay it, those people shouldn't have to be punished for it."

Councilman Prusinowski, "Ok. Is there anyone else who wishes to address this? Ok. We're going to take a recess of this hearing and we'll be back at 9:30."

MEETING RECESSED AT 9:18  
MEETING RECONVENED AT 9:30

Councilman Prusinowski, "Now it's 9:30 we will re-open the hearing."

Janet Uhrig, "In listening to all this, I guess maybe you have a very long two year or how ever many years it was. But maybe if you had just gotten after it; all the violations that were never corrected, it might have been an easier task and you would not have had so much flak and stuff to deal with. I don't know but that's my opinion any maybe you have gotten that from a lot of people here tonight. Thank you."

Councilman Prusinowski, "Anyone else who wishes to address this? Dick Carey hasn't spoken yet. Come right up."

Richard Carey, Middle Road, "I'm not an expert on town ordinances nor on mobile home parks but there is one point that has not been brought up and I think all of us who have stopped to think would find that we have many of our citizens of the community who lived here for many years have moved into the mobile home parks

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PUBLIC HEARING Continued

Richard Carey, Continued

because it provides them with a home at less of an expense I'm sure, lesser maintenance and everything else. I visualize what they're talking about here, what we're talking about here tonight is an expansion or any other new parks that we may have at some date. I am one to say that you don't need to cover the whole town with mobile home parks that it will be so expensive that this will not be INAUDIBLE people to have a place to go to be away from their relatives and their friends. If it's going to cost so much more to construct a new construction.... Even myself I'd kind of like to move into one of these places. I think that ought to be addressed in your deliberations. Thank you."

Councilman Prusinowski, "Ok. Thanks a lot Dick. Anyone else left who would like to address anything else concerning this public hearing? Round three."

Douglas Stark, "I think I left and not to belabor this point but I do want to refer to articles 5 and 6 because I think they're very antiquated. I think where we left off was with pumps and fire hydrants."

Councilman Prusinowski, "Right. You talked about water pressure."

Douglas Stark, "This ordinance further makes reference to these homes being delivered today with umbilical cords. Cords that will stretch out twenty-five feet and plug into the old barge low amperage plugs. It doesn't address the homes today with six inch side walls that are completely electrified. Three ton air condition is common today. It's not out of the ordinary. You're talking pre-heated dishwashers. You're talking electrical stoves. Frost-free refrigerators, electrical water heaters. And if you have children, boxes and stereos. If I was to plug my home into the amperage that is allowed under this ordinance, I don't believe my children could blow dry their hair. Articles 1 through 4 talk of the utopian park constructions. Articles 4 and 5 and 6 which constitutes more than a third of this ordinance; and by the way, it's taken verbatim (except for two items) from the old ordinance, still talks of antiquated systems to be used in parks. It would almost lead you to believe that this industry is still chasing Lucille Ball and Desi Arnaz around in the long long trailer that is supplied in the latest Youngtown kitchens. It does not speak of the health, welfare and safety of the community. What this ordinance does in effect is eliminate the mobile home parks as they exist. Despite what the Town Attorney says, it provides for new mobile home parks to come into this town and the indiscriminate placing of modular homes within the community. Gentlemen I think you've heard enough comments tonight to know that this ordinance should be withdrawn and put back on the drawing table. My help is available and I would certainly hope that you think twice before you pass on this."

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PUBLIC HEARING Continued

Councilman Prusinowski, "Thank you very much Doug. Is there anyone else wishing to address this? Jessie."

Jessie Tomlinson, "I just want to agree with Mr. Stark that I think that it is evident that there are so many ambiguities that I would hope that this is withdrawn and completely revised and we all have an opportunity at another public hearing to go over this revision. Is that possible at this point?"

Councilman Prusinowski, "Well I would certainly say that there's going to probably be a lot of revisions to this just from what I'm hearing. Because if we're having a public hearing tonight we're calling for agricultural worker housing that we have changed somewhat since 1983. We're having another public hearing on it so it's safe to assume that we'll probably have another public hearing on this too."

Jessie Tomlinson, "So we will have another public hearing."

Councilman Prusinowski, "I would imagine so and that's up to the next Town Board in January."

Jessie Tomlinson, "I see. You can not make that statement now for yourself."

Councilman Prusinowski, "Well I'm only speaking for myself. I can't speak for the other Board members."

Jessie Tomlinson, "I know. But you yourself, you feel that come January you would like to have another public hearing."

Councilman Prusinowski, "If we have as much input here as I think we have tonight, yes."

Jessie Tomlinson, "I would certainly hope that at the next one it is clearly stated that this in no way applies to new mobile home parks applications in this town."

Councilman Prusinowski, "Ok Jessie. We got your point. Is there anyone else wishing to address this? Sir one more time?"

Charles Watson, "I would like to apologize to Mr. Ehlers for the statement I made. It was not necessary."

Richard Ehlers, "I appreciate that sir."

Councilman Prusinowski, "Ok. Anyone on this? Yes Mr. Sullivan."

Joseph Sullivan, "I think one of the main problems with this ordinance is its basic structure. It has to pertain individually in some way to the responsibility of the mobile home park owner and also in some way to the responsibility of the mobile home owner. It says that we have to anchor trailers and the mobile home park owner and the manager would be responsible for this but for making sure this is done. I can't fasten things

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PUBLIC HEARING Continued

Joseph Sullivan, Continued

on to a mobile home that I don't own. That's a problem. I can't go and put sturdy on somebody's mobile home because I don't own it. I own the land it sits on. I can't go inside their mobile home and install smoke detectors because I don't have any right to be in that mobile home. I don't own it. I think it has to be separated; what the mobile home has or what the mobile home owner is responsible for and what the park owner is responsible for. I think that's a big oversight in this ordinance."

Councilman Prusinowski, "Ok Joe. Anything else from anyone who would like to say something? Mr. Conroy."

John Conroy, Riverhead, "I've listened to a lot of this discussion and I think I have to agree that this should go back to the drawing board and have it be revised. There are several factors that entered into this in my mind tonight and I think various people have thought them out. I have to agree with Mrs. Tomlinson. There are some parts that could need cleaning up. This town had issue with one of our stores on Main Street not too long ago because they didn't like the sign. It took away from the town. So if it takes away from the town because it's a sign, (I believe it was Satellite Design or some such thing) then why shouldn't mobile home parks be made to be cleaned up? Another factor was brought out; possibility of a welfare system. I don't think that we're worrying about that. The people who live in your mobile parks I find are those people who have a lot of concern about themselves and a lot of respect for themselves. They're not looking for relief. They're looking for to be able to live comfortably and reasonably well. They're not looking for a lot of problems to be solved by you or anyone else. I think in this country today we have too many people in government solving our problems. But I do feel that they would like to be able to have some say and I don't think you're going to see much come of it unless you listen to more of these people. I know that you have put many hours and research on this and I'm sure that the people that are here tonight realize the amount of time that was put in by you. They also have to be... I read this thing last night. I have to prove it by having this copy. And if I were a mobile home park owner, I think I would be up in arms because I could not protect my tenants with this sort of a condition. I think it was Doug Stark that brought out the amount of money that would be utilized, that would have to be utilized by anyone, whether it's Thurms or Stark or whoever, would have to go then back to the tenant. And if the tenant (and we saw this, we know this)... There are some tenants living there on scant money but they're living there. They're not looking for help and you're not going to give them any help. What you're going to give them is a hardship if you try to put this into effect."

Councilman Prusinowski, "Ok John. Thank you very much. Is there anyone else wishing to address the Town Board on this ordinance? That being the case, I do believe...."

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PUBLIC HEARING Continued

Councilman Boschetti, "Mr. Chairman."

Councilman Prusinowski, "Oh. I'm sorry."

Councilman Boschetti, "If I may have a closing statement. I've listened to many people discuss this and just for the record so that members of the Board that can vote on this, do so or if they chose to have another public hearing at least we'll have it for the record. A number of things that you mentioned about this ordinance and god knows it's certainly not perfect. It was never intended to be. We recognize that there would be a problem in drafting such a comprehensive rewrite of an entire chapter. Because we recognize this early on, we invited everyone to attend our meeting; tenants, mobile home park owners, anyone who had a interest whatsoever. When those meetings concluded at the end of '82, we then set about trying to put our findings into some meaningful solution. The Town Board had at that time come across some legal problems. They were mentioned tonight. They don't need to be reiterated now. That further brought our attention to the very code that we set about tonight to try to change. We have made available draft copies of this proposal at every step of the way to anyone who expressed any kind of an interest whatsoever to having a copy. John Conroy pointed out that he was privileged to have it. It was my pleasure to give him one but it was my pleasure to give it to anyone who so asked for it. I never held it back. I wanted the input. We weren't afraid of it. We weren't trying to push anything over on anybody. We were simply trying to clean up a code that was an abomination. And has caused us already one legal problem and the likelihood of causing more was certainly there. So our intent was to clean up the entire ordinance, make it meaningful and try to also give guidelines to mobile home parks to also clean up there act. It was brought out tonight. Certainly Mr. Stark's park is not one that we have a great deal of worry about. It's one of the better parks as is Mr. Thurms. Unfortunately we do have some that need some help. We can't, as was offered here tonight, simply single out those parks that need the help and say; we're going to draft a law only for your park and only you must comply to it. We can't do that. Now there was a number of things that were specific about this particular proposal. One of the things that were mentioned was about the management of the park. Someone mentioned in their speaking that one of our basic problems was with management. That's true. It was. At least it was one of the things that we publicly discussed at our meetings. You know let's not hide the fact that a lot of the information that we received was from people who had the courage enough to get up and make a public statement. The courage to do so even though their park owner may have been present and they feared retaliation which is one reason why many more didn't get up and speak. At the conclusion of meetings we usually got the real meat of what people were trying to say but couldn't in a public form. Now as far as the managers are concerned, there is no requirement that they have a sociology degree. The Building Department will not hire and fire. The owner can certainly manage his own park. And I think that although it was exaggerated perhaps with a humorous intent involved, it did perhaps leave somebody, some people to depart this room with the impression that we were trying to totally dictate to the park owners

PUBLIC HEARING ContinuedCouncilman Boschetti, Continued

how and who would manage their mobile home parks. It's simply not true. We're trying to give the management of parks a guideline. We're trying to simply say; tell us what you know about parks and let us file it in the Building Department so that we have a pretty good conception of what kind of people are managing these parks. A park is a business but it's also a residence to many people. And these residents have had problems. When those of you don't live in parks, have a problem on your block, you come to the Town Board expecting some action. These people are no different. They feel that they have been wronged and they want some kind of resolution to their problems. What we have heard here tonight and this proposal is simply an attempt to adjust those problems. There was some humor discussed about garbage cans, smoke detectors, new utility connections. We're not necessarily saying that you can't supercede these things. And perhaps maybe the language as I look back in it, does say you shall and would mean you must. That certainly can be improved upon by saying this will be a minimal, a minimum half inch line. Now I know Doug takes care of that kind of problem. I know that the water and the electrical systems in that particular park are pretty good. But there are also parks in this town that I know of who I can name right now that have the bare minimum of wiring, the bare minimum of water. And talk about water pressure, practically none. I was involved in a situation just two years ago that we had to threaten the park owner with a Suffolk County Health Department intervention in order to have him restore water to his tenants after three days. So while Doug probably does run a very good park and I'm sure he does, there are others who don't and this is what we're trying to do. Now as I said, you can poke fun at this, you can say well what's the point of smoke detectors, how do we make people do it, how do we get garbage cans. We simply put it in their leases. These things are not unheard of. It's not as if we're trying to ask the park to suddenly have a magic wand and make these things happen but they can happen. They can happen relatively easily. As far as anchoring and skirting is concerned, again, they can be required through a lease. A person lives in the park. They are expected to abide by certain rules and regulations. These can be some of them. And I'm going to dwell on anchors for just one moment because during the last hurricane we had, (Hurricane Gloria) a number of park owners were quite incensed that mobile home park tenants were required to move out in accordance with the threat of the hurricane. And one of the reasons we did that, was because we knew not all mobile homes are anchored. Tonight we hear from discussion about not having them anchored. Well, they should be anchored. This is a hurricane zone and I think that's a bare minimum requirement when you talk about the health and safety and welfare of the residents of the town."

Unidentified Man, "How many blew over Lou?"

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PUBLIC HEARING Continued

Councilman Boschetti, "I'm sorry."

Unidentified Man, "How many blew over?"

Councilman Boschetti, "How many blew over?"

Unidentified Man, "How many mobile homes?"

Councilman Boschetti, "None. You had..."

Unidentified Lady, "No. Yes. Yes. We did."

Councilman Boschetti, "You did have one."

Unidentified Lady, "There were a couple in our park. Mobile homes."

Councilman Boschetti, "Really? I didn't..."

Unidentified Man, "A tree knocked it over."

Councilman Boschetti, "Ok. I don't want to get into a discussion off the floor. But to my knowledge there was no serious damage either to mobile homes or regular homes, conventional homes. I leave you with that thought only because I think it's important that the record is balanced inasmuch as what the intent of the Town Board was when they asked me to do this and what we tried to accomplish here tonight. There are problems with it. We anticipated them. We're willing to correct them. And hopefully you will continue with your input if the Board so elects to have another draft made so that it can be something that is acceptable and fair to everyone. Thank you."

Councilman Boschetti, "Thank you Lou. Ok on that note we will declare the hearing closed. We will proceed now to finish up the resolutions."

7:55 PUBLIC HEARING CLOSED AT 9:50

RESOLUTIONS

#854 AUTHORIZING THE TOWN BOARD OF THE TOWN OF RIVERHEAD TO APPOINT RICHARD HANLEY HEARING OFFICER TO HEAR ALLEGATIONS IN CONNECTION WITH CONTRACTOR FERRAN CONCRETE CO., INC.

(See Scavenger Waste District)

#855 AUTHORIZING THE SUPERVISOR OF THE TOWN OF RIVERHEAD TO EXECUTE A LETTER OF AGREEMENT WITH ERM-NORTHEAST.

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

RESOLUTIONS Continued

WHEREAS, it is necessary for the Town of Riverhead to make application to the Department of Environmental Conservation for an additional cell for sand mining at the Town landfill and for the development of a plan for use of the current sand mining cell as a demolition landfill; and

WHEREAS, ERM-Northeast, consultants to the Town of Riverhead, have provided a proposal to make application to the Department of Environmental Conservation for a debris landfill and expansion of the existing sand mine.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor in the amount of Twelve Thousand Nine Hundred (\$12,900.00) Dollars is authorized to execute a letter of agreement with ERM-Northeast in conformance with the terms of the proposal submitted by ERM-Northeast dated August 30, 1985, and be it further

RESOLVED, that the Town Clerk send a certified copy of this resolution to ERM-Northeast for their records.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#856 AUTHORIZING THE TOWN BOARD OF THE TOWN OF RIVERHEAD TO ACCEPT MAINTENANCE BOND OF MOHRING ENTERPRISES, INC. IN THE SUM OF \$112,000.00.

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

WHEREAS, Mohring Enterprises, Inc. has filed with the Town Clerk a Performance Bond in the amount of \$112,000.00 assuring the improvements of the Subdivision Map of "Mohring Enterprises, and drainage as required by Town Planning Board resolution of June 21, 1982, and

WHEREAS, these improvements have been installed and inspected by the Highway Superintendent by letter dated January 4, 1985, and found to be acceptable, and

WHEREAS, Mohring Enterprises, Inc. has presented a Maintenance Bond for a period of one (1) year to assure the continued maintenance of the improvements as installed.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is authorized to return the Performance Bond signed and sealed the 21st day of July, 1982 of Mohring Enterprises, Inc, and be it further

RESOLVED, that the Town Board does hereby accept the Maintenance Bond in the amount of \$112,000.00 signed and sealed the 18th day of July, 1985, such Bond to be in effect for a period of one (1) year from the date of acceptance of the improvements in the Subdivision known as "Map of Mohring Enterprises, Inc.," and be it further

RESOLVED, that the Town Clerk is authorized to send a certified copy of this resolution to Mohring Enterprises, Inc.

RESOLUTIONS Continued

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#857 APPROVES SITE PLAN OF RONALD AND RICHARD FICHTER.

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

WHEREAS, a site plan and elevations were submitted by Ronald Fichter and Richard Fichter for a building permit for a warehouse building located at Line Road, Calverton, New York, site plan prepared by Sealand Surveying and Engineering, P.C., site plan dated August 15, 1985, with the latest revision November 25, 1985 and elevations prepared by Ira Haspel, Architect dated September 18, 1985.

WHEREAS, this Town Board has reviewed the site plan prepared by Sealand Surveying and Engineering, P.C., site plan dated August 16, 1985, with the latest revision November 25, 1985 and elevations prepared by Ira Haspel, Architect dated September 18, 1985.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Ronald Fichter and Richard Fichter for a building permit for a warehouse building located at Line Road, Calverton, New York, site plan prepared by Sealand Surveying and Engineering, P.C., site plan dated August 15, 1985, with the latest revision November 25, 1985 and elevations prepared by Ira Haspel, Architect dated September 18, 1985, be and are hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

4. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

5. Trash receptacles of a decorative design shall be maintained at the premises.

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

RESOLUTIONS Continued

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

8. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones.

9. Subject to highway curbcut approval if necessary.

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Ronald Fichter and Richard Fichter and the Riverhead Building Department.

## DECLARATION AND COVENANT

THIS DECLARATION made the \_\_\_\_ day of \_\_\_\_\_, 1985, by \_\_\_\_\_, residing at \_\_\_\_\_, State of New York, Declarant.

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in Schedule A annexed hereto as provided by the Declarant, and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owner of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel,

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed do hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors, and assigns, to with:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

4. Trash receptacles of a decorative design shall be maintained at the premises.



RESOLUTIONS Continued

RESOLVED, that the Town Board of the Town of Riverhead hereby amends the Riverhead Town Code to create Chapter 101-13D-Three Hour Parking as follows:

Chapter 101-13D - Three-Hour Parking

No vehicle shall park for longer than three (3) hours in the following designated parking lots of the Riverhead Town Parking District from the hours of 8 a.m. to 6 p.m., Monday through Friday.

<u>Street</u>	<u>Side</u>	<u>Location</u>
<u>South of Main St.</u>	<u>As designated in the official map on file with the Town Clerk.</u>	<u>Peconic River Parking Lot</u>

\*underscore indicates addition

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared TABLED.

#859 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: ADOPTION OF LOCAL LAW # -1985, AGRICULTURAL WORKER HOUSING TO THE RIVERHEAD TOWN CODE.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the adoption of Local Law #\_\_1985, Agricultural Worker Housing to the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that the public hearing will be held on the 17th day of December, 1985, at 7:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the adoption of local law #\_\_-1985, Agricultural Worker Housing to the Riverhead Town Code.

## AGRICULTURAL WORKER HOUSING

1. LEGISLATIVE INTENT: This Local Law shall be interpreted to insure safe, sanitary, and sufficient housing for agricultural workers. It is intended that such workers, as shall be housed under this local law, shall be employed solely on property owned by the special permit owner, engaged in the production of agricultural products. Such production may include incidental sorting, grading, and packing. However, such housing as provided herein shall not accommodate employees of a special permit holder engaged primarily in the grading, sorting, or packing of agricultural products.

RESOLUTIONS Continued

2. SPECIAL PERMIT REQUIRED: No person, corporation, partnership, or association shall permit agricultural worker housing, as herein defined, to be occupied on land owned by such person, corporation, partnership, or association without possessing a current, valid special permit, as provided in Section 108-3 of the Riverhead Town Code, for the operation of such agricultural worker housing.
3. PERMIT NOT TO RUN WITH THE LAND NOTWITHSTANDING ANY OTHER PROVISION TO THE CONTRARY: The Special Permit provided herein shall be personal to the landowner and shall not run with the land nor be assignable or transferable to any successory in interest to the land. Only the landowner may be a permit holder.
4. OWNER SUPERVISION: Special Permit owner referred to herein shall assume personal responsibility for the day to day operation, maintenance of the camp, and conduct of camp employees. The owner shall at all times be responsible for the compliance with all the provisions of this chapter and the special permit. In the event that the owner does not live on the premises, the owner shall designate, in writing, a mature, responsible individual as his agent which shall be filed with the Town Clerk and the Chief of Police. He shall satisfy the Town Board as to the method and adequacy of supervision to be particularly described in the special permit.
5. SITE PLAN REVIEW: The applicant shall submit a site plan in conformity with the requirements of commercial buildings as is more fully set forth in Chapter 108 of the Riverhead Town Code. The physical layout of the agricultural worker housing must at all times comply with the filed site plan.
6. DIMENSIONAL REQUIREMENTS: The following minimum square footage requirements shall apply to all agricultural worker housing as follows:
  - a. Bedroom for every three (3) persons: 200 square foot minimum.
  - b. Laundry and Utility room: 200 square foot minimum.
  - c. Total living area, including hall and closets: equal to total bedroom area.
  - d. Dining area and kitchen: Equal to one-half ( $\frac{1}{2}$ ) total bedroom area.
  - e. Minimum set back shall be 200 feet from nearest traveled roadway.
  - f. Electrical and plumbing and sanitation shall comply with New York State Building Code and Riverhead Town Code as well as the Suffolk County Health Department.

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RESOLUTIONS Continued

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property. and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to send a certified copy for filing, with the Secretary of State.

----- running line indicates deletion  
\_\_\_\_\_ underline indicates addition.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#860 GRANTS SMALL CITIES FUNDS FOR PLANNING AND DESIGN OF COMMUNITY LIFE CENTER BY THE FIRST BAPTIST CHURCH.

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

WHEREAS, the First Baptist Church has made application to the Town of Riverhead for a grant of Small Cities Funds for the planning and design of a Community Life Center for the betterment of the youth of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that said grant be made, and

BE IT FURTHER RESOLVED, that the grant recipient abide with the single audit requirements of the Town of Riverhead Small Cities Block Grant as administered by the Federal Government, and

BE IT FURTHER RESOLVED, that a copy of the completed study and design be submitted to the Town Board for filing with the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#861 APPROVES SPECIAL PERMIT OF PETER VAN de WETERING AND JAMES VAN de WETERING.

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

WHEREAS, by application September 25, 1985, Peter Van de Wetering and James Van de Wetering did apply to this Town Board for a special Permit to construct agricultural housing on premises located on Sound Avenue, Baiting Hollow, New York; and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation, and

WHEREAS, by letter dated October 18, 1985 the Planning Board recommended that the special permit be approved, and

WHEREAS, on the 19th day of November, 1985, this Town Board held a public hearing wherein all persons wishing to be heard were heard, and

WHEREAS, the Environmental Quality Review Board has determined that the action is a Type II action without significant impact upon the environment, and

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RESOLUTIONS Continued

WHEREAS, based upon the Town Board's review on the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the special permit applied for will be a Type II action without a significant impact upon the environment pursuant to the State Conservation Environmental Law.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board determines that:

a. The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.

b. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained whether by the neighborhood or the town.

c. The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use.

d. Such use will be in harmony with and promote the general purposes and intent, and be it further

RESOLVED, that the premises covered by this special permit shall be maintained in conformity with such plan which may from time to time be approved by the Riverhead Town Board, and be it further

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this resolution to Peter Van de Wetering and James Van de Wetering and the Riverhead Building Department.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#862 APPOINTS LORRAINE MILLER TO THE PART-TIME POSITION OF ACCOUNT CLERK-TYPIST WITH THE SCAVENGER WASTE DISTRICT.

(See Scavenger Waste District Minutes)

#863 APPOINTS PART-TIME CLERK IN TOWN CLERK'S OFFICE.

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

BE IT RESOLVED, that Albertina Shableski be and is hereby appointed Part-Time Clerk in the Office of the Town Clerk, and is to be compensated at a rate of \$4.50 per hours, effective December 9, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

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Councilman Prusinowski, "Without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:55 p.m.

IJP:nm

*Irene J. Pendzick*

Irene J. Pendzick