

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead, in the Town Hall, Riverhead, New York, on Tuesday, September 17, 1996, at 2:00 p.m.

Present:

James R. Stark,	Supervisor
Victor Prusinowski,	Councilman
James Lull,	Councilman
Mark Kwasna,	Councilman
Otto Wittmeier,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
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Absent:

Robert Kozakiewicz, Esq., Town Attorney

Supervisor Stark called the meeting to order at 2:00 p.m. and the Pledge of Allegiance was recited.

Supervisor Stark: "-- Supervisor of the Day is a young lady who was picked through the Library reading program, summer program, where they read a lot of books and then they pull a name out of a hat, basically, and as I said to the group of students that night, there's an old expression on TV, never leave home without your American Express card, and as I said to the students, never leave home without your library card. Because it does give you the credit to the world through the eyes of books. So, Rachael Ragula (phonetic) out there, just waive your hand to me Rach, is our Supervisor of the Day. She's a little shy and as-- the gavel back to me to run the program for the day, but I appreciate her coming in, her mother and father, and I would also like to announce at this time the grandfather, Tony Regula, who is a former Councilman -- how many years, Tony? Seven years, as a Councilman up here on this Board. So if everybody would give Rachael a nice round of applause. And maybe we'll indulge upon her brother to come up to the podium and lead us in the Pledge of Allegiance? Can you do that? So if everybody will stand."

The Pledge of Allegiance was recited.

Supervisor Stark: "Rachael is a student at St. Isidore's School-- first grade, Rachael? And she has the gavel. Can you slap that gavel on that chair for me? Just slap it. All right, this meeting is officially in business. Thank you, Rachael.

I would like to welcome everybody here to our quarterly afternoon meeting, on a rainy, dreary day out there, and I appreciate your attendance here today. Victor was just down at the riverfront which we are completing. The tide will probably go over the bulk-head here very shortly because I guess we are in some kind of a small nor'easter. But the riverfront, I would like to remind you is operable and there is plenty of snappers in the river, a lot of people are fishing down there. So I commend Victor and his committee for the work they've done on that.

Is there a motion to approve the minutes of the Regular Town Board Meeting of September 3rd and September 12th?"

Councilman Wittmeier: "So moved."

Councilman Kwasna: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried.

Mrs. Grattan, if you would give us the Reports, please?"

Reports:

Open Bid Report

Benjamin Moore Paint for Historical Property, two bids were received. Was opened on September 3, 1996

Manorville Fire District

1997 budget summary

Business Improvement District

submits a proposed 1997 budget

Applications:

Site Plan	King Kullen for bottle return room in Wading River Plaza
Site Plan	Martin Sendlewski - office conversion East Avenue, Riverhead
Site Plan	Paraco - four new above ground propane storage tanks on Kroemer Avenue
Site Plan	Calverton Office Park - Phase I office building, warehouse and future construction
Site Plan	Key Bank - drive thru ATM, Old Country Road, Riverhead
Site Plan	Donald Fink - amends site plan for a storage Building, Wading River Manor Road
Special Permit	Expansion of Tanger I - construction of Manufacturers Outlet or Retail Establishment
Special Permit	Little Dumplings Play Group - playgroup of not more than 10 children, 2 teachers for 2 and 1/2 hours a day, 3-5 days a week
Special Permit	Suffolk Pipe and Manhole Corp. the outdoor manufacturing of precast concrete products and the installation of a concrete batching plant, all to be performed on an existing exterior concrete slab
Tent Sale	Tanger Outlet Centers - Ann Taylor Loft 9/18/96 - 9/23/96

Assembly Permit

Digger O'Dell's, Main Street,
Riverhead, NY, 9/21/96 block
Party

Fireworks Permit

By Grucci at Fox Hills Country
Club, Baiting Hollow, New York
on 9/16/96

Site Plan

Little Flower Children's
Services to convert residence
to office use, North Wading
River Road, Wading River

Supervisor Stark: "I believe the assembly permit is for the
RID, isn't it, Pat? Correspondence, please."

Correspondence:

Three letters of
support

Proposed Mid-Atlantic Race
Complex in Calverton

43 post cards

In favor of the Mid-Atlantic
Race Complex

Albert Barbanel

Thanking the Riverhead Town
Volunteer Ambulance Corps. for
their professionalism while con-
ducting business

Chip Clearly, Splish
Splash

Thanking the Riverhead Police
Department for the wonderful job
they have done this summer.
Special thanks to Sgt. Palmer,
Sgt. Atkinson, Capt. Hagermiller
for their above and beyond the
call of duty efforts

Paulette Zurawski

Thanking Barbara Grattan for
assisting in obtaining a copy
of her daughter's birth certifi-
cate on a Saturday morning so
they could leave on a cruise

Molly M. Roach

Writes requesting that the town preserve some of the pockets of woods and overgrowth in the town

Richard M. Odea

An owner of 11 parcels of land on Herricks Lane, is in favor of having Riverhead water for District #47, Herricks Lane

Supervisor Stark: "Since the time for the first public hearing has not arisen, Pat, do you want to make statements so you could go back to work?"

Pat Frankenbach: "Pat Frankenbach. I'm here representing Townscape. Back in January-- in June, sorry-- Townscape announced-- "

Supervisor Stark: "Pat, could you hold on one second? I want to ask our resident TV guy, because she wants to get some of this on TV. Victor, do you want to become a cameraman for a second? Lou, would you do that? There's some events going on I think Pat would like to get on TV."

Pat Frankenbach: "Yes, please. Okay. Back in June, Townscape announced a new grant program that will make funding available for outdoor beautification projects. In the past, Townscape has undertaken projects such as Lombardi Park, the newly planted border on the east side of the East End Arts Council grounds. This new grant program can help supply funding for projects that will beautify public areas within the township of Riverhead.

This program is for projects to be executed in 1997. Awards will be announced in December, 1996. The deadline for submitting applications is October 20th. For an application, you can call me directly at my store, at 727-9428, or by calling the Townscape Country Fair line at 727-1215.

The money for these grants comes from money that is raised from the Riverhead Country Fair and I would like to say a word about that while I'm here. The Country Fair will be held Sunday, October 13th and one of the things that I'd like to call the public's attention to is the competitions that add the country to the country fair. It's extremely easy to enter one of the competitions. There are

categories for jams, jellies, breads, pies, cakes, cookies, pickles. There are floral arranging competitions, cake decorating, needlework from quilting to folk art painting. There are farm and garden competitions ranging from the largest pumpkin to the tallest corn-stalk. We even have a farm wagon display competition and a special pumpkin and vegetable decorating contest for ages from four to adults. Most competitions have junior and young adult division so, please, encourage your children to enter, too. This year's entry guide is available here at Town Hall, at the Town Clerk's Office. It's also available at most local stores throughout the area. The deadline for entries for these competitions is September 30th and we would really like the Riverhead public to get out and do us proud as far as entering their entries this year. It is the 21st fair, or the 20th anniversary of the first fair and we would like to have a competition area that's larger and bigger and better than ever. Thank you."

Supervisor Stark: "Thank you, Pat."

Public Hearing opened: 2:17 p.m.

Supervisor Stark: "Let the record show that the time of 2:17 has arrived. Would the Clerk please read the notice of public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:15 p.m., on Tuesday, September 17, 1996, to hear all interested persons who wish to be heard regarding the consideration of an amendment to Chapter 108 of the Riverhead town code, Section 108-45 Uses."

Supervisor Stark: "This is basically a change that we have asked-- the Planning Department has recommended to limit the use of restaurants in the industrial zones that we have up along Calverton. Is there anybody in this particular audience that would, in fact, like to make comment on this particular hearing?"

Steve Haizlip: "Steve Haizlip of Calverton. Since it's in Calverton and you are talking about Calverton, but I don't quite

understand what's taking place, so could I get a quick explanation please?"

Supervisor Stark: "Yes. The old zoning has allowed restaurants to go wherever they want."

Steve Haizlip: "Oh, I see. All right."

Supervisor Stark: "What we're doing now is trying to-- as we do our Calverton Hamlet Study, Riverhead Hamlet Study, improve that so it would be by special permit of the Town Board that that use would be in continuity with the surrounding area."

Steve Haizlip: "Got you, thank you for that explanation."

Supervisor Stark: "Thank you. Anybody else who would like to make comment on this particular public hearing at this time? If not, I will declare the hearing to be closed."

Public Hearing closed: 2:19 p.m.

Supervisor Stark: "The time for the second public hearing has not arisen but I might just talk about something that I asked our Recreation Department head to do, Russell Kratoville, and Peter Gannon. For years we have had residents in the town of Riverhead and many times when George is here, I often wonder to myself with the history that he has in his head about the town of Riverhead so we are going to embark upon trying to retain the history of Riverhead by videotape. Before I often think of (inaudible) Mallock, the history that he had in his head about Sound Avenue and how it developed or Leon Corwin before he died, the history that he had. So if anybody knows anybody in the community who has this knowledge, I'm sure if we took Tony and sat him down we would get a lot of history about the town of Riverhead. People like George Schmelzer, so we would like to get this history in videotape for posterity so our great-great grandchildren will, in fact, have some real live people telling about the history of the town of Riverhead."

I know many people right now who, in fact, could from recollection of their parents and grandparents give you history in the late

1800's and that's what we want to capture on video. So I put a call out to anybody in the community who knows of that knowledge or who has people who have that knowledge to contact us and if they're willing, we will make them a movie star and we will put them in history for prosperity. Does that about cover it, Russell? So, keep that in mind."

Public Hearing opened: 2:21 p.m.

Supervisor Stark: "Let the record show that the time of 2:21 has arrived. Would the Clerk please read the notice of public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:20 p.m., on Tuesday, September 17, 1996, to hear all interested persons who wish to be heard the consideration of an amendment to Chapter 108 of the Riverhead town code, the inclusion of flea market as a prohibited use within the Business A, Business B, Business C, Business CR, Business D, Business E and Business G zoning use districts."

Supervisor Stark: "This is basically the first public hearing of the potential of eliminating flea markets. One has noticed that down in Nassau County they have closed down a major one. It brings dire competition to our local merchants who have either own and pay taxes or own and pay taxes through rent. It creates a competition which we feel is not equal to what the local business person has to sell or what their expenses are during their process of their normal business year.

This may be the first of two or three hearings on it. We open it up for public comment and we are going to try to strengthen our local business economy by eliminating multitude of tenants within a-- inside a store or warehouse or what have you that will just sell at non-competitive rates that our local business people have to pay taxes on. So is there anybody who would like to make comment at this particular time? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. It sounds like a

pretty good deal to me because I'll tell you why. These flea market operators and their partners can bring in a truck, get a lot, don't cost anything for his (inaudible), dump off the stuff, sell it and they are gone. The store guys and the store owner, he's got to stay here and so what was taken from him over there, he doesn't have a chance to recover and most of the time the cheap price that some of these people got, it doesn't work out to be so cheap because he'll eventually end up (inaudible). I found that out. Thank you."

Supervisor Stark: "Thank you, Steve. Is there anybody else who would like to make comment at this particular time? Yes, ma'am."

Dorothy Wold: "I'm Dorothy Wold, Riverhead. You say about banning the flea markets. I read in the paper either in or outside building. That would-- I would feel that would hurt a lot of the organizations. You men belong to the Elks, to the Lion Club. Who puts on the big flea market in the high school in November?"

Supervisor Stark: "It's the Rotary Club."

Dorothy Wold: "All right. Are you going to turn around to them-- "

Supervisor Stark: "No. This-- "

Dorothy Wold: "-- and say they can't have-- "

Supervisor Stark: "No. This does not pertain to a one day event, such as a country fair or Polish Town Civic Association fair or any local charity. This is an ongoing 12 month operation that we want to control and eliminate so that our local business economy doesn't receive unfair competition."

Dorothy Wold: "So in other words, any organization that once put a flea market on to make money, can do it?"

Supervisor Stark: "It's a special event. Yes."

Dorothy Wold: "Can do it?"

Supervisor Stark: "Yes. No problem."

Dorothy Wold: "All right. I just wanted to know that."

Supervisor Stark: "That's a viable point that you bring forward."

Dorothy Wold: "All right."

Supervisor Stark: "And is there anybody else who would like to make comment at this particular time? As I said, we are working -- we are just trying to get some initial input into this. We are working on definitions and we will probably have another public hearing very shortly on it and, again, so if there is no other comment at this particular time, I'll close this public hearing at this time."

Public Hearing closed: 2:26 p.m.

Supervisor Stark: "There are no other Public Hearings scheduled for today and I will recognize anybody who would like to address the Board for any reason. You have to do penance, Peter."

Rolph Kestling: "Rolph Kestling, Wading River. On resolution #724, what is that land zoned for now? I'm familiar-- I live up near there and I was just wondering."

Supervisor Stark: "You know, that's a very good question. See if Brenda is over there and see what the zoning is. Leroy, do you know the zoning on Little Flower? It will take us a couple of minutes. We will find it."

Rolph Kestling: "Okay. I noticed the building has been empty for quite some time but if that's residential property and they are going to put-- I mean it amounts to a business there and if you approve the business and sometime in the future down the road, which is not impossible when things are going and they decide to move out, will this always be a business again or an office? Now, when they were located up Wading River Square before, you couldn't find a parking place there. I just about everytime I ever went up there was to go to my insurance agent. You couldn't find a place to park. It's going to generate a lot of traffic. So-- "

Supervisor Stark: "Residential A."

Rolph Kestling: "Residential A, are they allowed to put a business there, an office there?"

Supervisor Stark: "That's a good question and I don't have the answer here sitting here now and our planning director is on his way back from Stony Brook from some meetings. I can find out those uses and give them to you right after the meeting."

Rolph Kestling: "Because I remember once before we had a-- "

Supervisor Stark: "Yes."

Rolph Kestling: "Years ago we had something similar with that antique store on Manorville Road and it was probably rejected for the same reason. So, because I don't understand the site plan just came in according to Barbara, 11:00, and here already you've got it on here and you are approving it, or supposedly you may approve it. I think you need a little more thought on that."

Supervisor Stark: "Okay."

Rolph Kestling: "Thank you."

Supervisor Stark: "That's no problem. Is there anybody else who would like to make comment to the Town Board at this particular time? Steve, do you want to get up? I'm recognizing you, Steve. No, Peter, Peter."

Steve Haizlip: "Steve Haizlip of Calverton. At the work session I brought up the subject about the (inaudible) and not picking up my paper, it was out there the way it was supposed to be, tied, and everything. And you were going to get in touch. So I figured Friday they will be there for sure. But they didn't show up. Have we gotten in touch with them? All right. Thank you, Lori."

I was unfortunate to be here for the hearing on Peconic County. I think it was the 26th of August, in the afternoon. Okay."

Supervisor Stark: "You were down south."

Steve Haizlip: "Yes. I had to take the grandson back. And thank goodness I have recovered to the point at where the doctor gave me an okay, I can drive 600 miles now. Just rest about every couple of hours. Which I was going anyhow. What I want to bring forward is I am glad to hear I was informed thoroughly about the meeting by a good friend of mine that was here and spoke, and I am glad to hear that we are not beholden to John Powell and Bob Gaffney on this here Peconic County. And the allegiance he took is for the people of the town, what they would like, and what they would want. And, Vic, I read the paper very closely and it said in there about that you considered the hearing to be a scam. Now, I believe you were referring to Silvers, is that right?"

Councilman Prusinowski: "The fact-- what I said was that the way it all came down, we were a little upset about because we've always supported the concept of Peconic County and the only reason we don't have a vote on Peconic County straight up or down is because the Assembly is holding up the bill because of the Staten Island problem. And what I told the ringleaders of the Peconic County organizing committee was that it's unfair to make the pretense that when this vote comes down in November we are going to have Peconic County. And, unfortunately, during the Polish Town Fair when I was working my booth, so many people had the misconception coming up to me and say, gee, please put it on the ballot because when we vote for Peconic County in November we are going to have Peconic County. And, unfortunately, when we vote for Peconic County in November, all it's going to be is an indication that we all want Peconic County but we still have to get the New York State Assembly to pass that bill because, unfortunately, that's the way it's laid out in the state constitution.

What I suggested was in addition to that, is that maybe the east end towns get together, take some buses and go to Brooklyn and stand outside of this guy's Assembly office and call the New York City stations in and say, look, you're denying us an opportunity to create Peconic County. I think it would drive home the point because the Senate passed the bill, the governor is willing to sign the bill and we have one guy-- and this is not even a partisan issue. This is New York City and the west against the east as it always comes down. It's not even Democrat and Republican.

There's one guy in Brooklyn that says no, I'm not going to

let this come to the floor of the Assembly and have my members vote for it until the Staten Island thing is resolved and it's my understanding that the New York City Republican and Democratic structure doesn't want Staten Island to break away from New York City so that's where we are. So, if I use the word scam, that's in the context that I used it, not the concept of creating Peconic County."

Steve Haizlip: "In other words, not against the people here."

Councilman Prusinowski: "No. No. Definitely not. In fact, my objection is that when you read the proposition on the ballot, it's very confusing because it's a majority vote, for us to vote and a lot, but if you vote yes, you'll be voting for the creation of Peconic County and that's where the publicity campaign is going to come in."

And I'm just a little disappointed that the-- and what we felt here in Riverhead, was again, guys in Albany are getting off the hook on this issue. They're the ones that are denying the people of Suffolk County and the east end the opportunity to vote on this thing straight up and down."

Steve Haizlip: "And one other thing that he brought up. I know this ain't a debate-- a continued conversation debate. One other thing I don't like that he brought up was that the legislature of Suffolk County has to sign off. Them guys aren't going to sign off-- "

Councilman Prusinowski: "Well, that's why-- Steve, that's why Staten Island is suing because they have in this thing-- in this law some rule message and what the borough of Staten Island is saying, how can you expect the City Council of the City of New York to say, okay, put it on the ballot and you can secede. That's why they're in Court. Because what they're saying is that's unfair. They just want the Staten Island people to be allowed to vote and to place it on the ballot but that's not the way it's written in Albany and the judge keeps throwing it back at each level and saying it's a legislative prerogative. And that's the way the while thing-- so really the east end of Long Island and Staten Island have something in common here because you think that the Suffolk County Legislature -- the guys in Babylon and Huntington and Brookhaven are going to vote to put this on the ballot and let us create Peconic County?"

So I think the law needs to be changed."

Councilman Lull: "Also, there is no historical precedent for-- there is no historical precedent for New York City voting on Staten Island and for Suffolk County voting on Peconic County. There is no historical precedent in New York State for that."

Steve Haizlip: "Right, Jim. And our-- "

Supervisor Stark: "James. We call him James. I'm Jim. Because we both turn everytime somebody says Jim."

Steve Haizlip: "Oh, I see. All right. So in concluding, my purpose of coming up here as Vic says the guy in Brooklyn they own everything in the country, so they want to control us, too. I don't think that's fair either."

Now, yesterday in Newsday, on page A42, there was a public notice, hearing, in there about (inaudible) land. Now, my question is this, why would a public notice hearing appear in Newsday on Mr. Donohue's land and when the 10 towns and the City of New York and everybody else that reads Newsday it's not concerning them. It's concerning Riverhead town and wouldn't it be proper to be published in Suffolk Life when it's designated as the Town paper?"

Barbara Grattan: "It's two weeks in Suffolk Life, Steve, and it will be five consecutive days in Newsday also that public hearing. So you will see it in there again today, Newsday."

Steve Haizlip: "But the question is, why does it have to go in Newsday? It's a local problem. Vic just got through saying local home rule, local problems."

Councilman Prusinowski: "I believe-- probably knows the answer, but I think it has something to do with state law or town law. I could be wrong. The town attorney is not here to answer that question. He's the one that directed that."

Steve Haizlip: "All right. Then, we'll just have to let that-- "

Councilman Lull: "Also remember, Steve, that this meeting

right now is taking place at 7:00 tonight according to Newsday."

Steve Haizlip: "Oh, yeah, that's right, too. Yup. All right, my last item here. September the 3rd when we had the blood drive, I wasn't able to attend and help them out, but I did have competent help there in my place, and well, Henry, you did a good job."

Councilman Prusinowski: "He outranks you."

Steve Haizlip: "Right. And so the blood drive brought in 56 pints. Am I correct on that, Henry? Okay. Fifty-six pints. We gave one over our last blood drive and of course we want to keep trying to gain more. The director has conveyed her wishes to thank the Town of Riverhead for all the help that they have contributed. So thank you very much."

Supervisor Stark: "Thank you, Steve."

Councilman Lull: "Henry, thank you."

Supervisor Stark: "Rolph, on your question on the Little Flower resolution, that is zoned Residential A. They did go to the Zoning Board of Appeals and sought relief of which they were approved. The Zoning Board of Appeals is a quasi-judicial board that works in their own right. They will have to make site plan improvements to the property for the purpose of parking. Maybe, Brenda, you could come up and just give us a quick-- I apologize for not having it but she was in another meeting. It is directly opposite the entrance of Little Flower."

Rolph Kestling: "I live up there and I am familiar with it."

Supervisor Stark: "Well, I'm going to give you a little background on it."

Brenda Filmanski: "What do you wish me to respond to, Mr. Supervisor?"

Supervisor Stark: "Well, Residential A in the process of ZBA and any site plan improvements that they may have to make."

Brenda Filmanski: "Okay. The applicant, Little Flower Children

Services did go to the Zoning Board of Appeals and obtained a special exception for a change from one non-conforming use which was the residential-- I believe it was a multi-residential, it was used as a cottage, to another non-conforming use in Residence A which is the use is for administrative offices.

What they have to do in addition to the Zoning Board of Appeals is to construct the necessary parking and paving and drainage for the administrative offices."

Supervisor Stark: "Okay. That's fine. That's the information I can give you. As it was presented to the Town Board at the work session with all those approvals and we have approved the site plan. They must conform with that to change it over to administrative office."

Rolph Kestling: "But the thing is-- "

Supervisor Stark: "Rolph, I'm going to have to get you up here so I can get you on record."

Rolph Kestling: "Rolph Kestling, Wading River. What my concern is does this become permanent? I mean if they-- I mean they're downsizing a lot, they don't have so many children and it wouldn't be long before the property will be sold in the not too distant future. Now, does this place become permanent? Will there always be an office there at all times if they decide to get rid of that?"

Supervisor Stark: "If you will just step back two steps, I'll let Brenda take two steps forward."

Brenda Filmanski: "Mr. Supervisor, the resolution before the Board is drafted specifically for use as offices for Little Flower Children's Services. So it's my understanding that any change in the type of office would have to undergo at least your approval."

Supervisor Stark: "Okay. I see the Monsignor is here today. He might want to make a little comment."

Monsignor Fagan: "If I may."

Supervisor Stark: "I'm going to have to get you up here to

the podium which you are so used to. It's a pleasure having you downtown, Father."

Monsignor Fagan: "Well, I'm smiling because it's news to me that we may close in the near future. Our school, our students, we have 100 students and the school is doing very well. We have a long waiting list of kids trying to get into the school and it's a very active program in Wading River although we've always been sensitive to the fears or the concern of the village and the town and have tried to do this and do that. But we're running very strong. I'm not running very strong. I'll be ready for Leisure Village very soon, but Little Flower, I think, is growing. There's a need for these kids that come. Now we have more and more kids from Suffolk, Nassau as well as the city who need special remedial education. And the education is excellent. I invite Rolph or anybody to see the school in action. It's a 12 month school and it's really a special school district just for these children with learning disabilities and it's good. It's good. If it wasn't good I would tell you. But it is good."

Supervisor Stark: "Well, what I think Rolph was pertaining to is the changing of the cottage of an administrative office. That if you ever change, I think what Brenda says, if it doesn't become the administrative office of Little Flower Children's Services, it would have to go back to residential."

Monsignor Fagan: "Right. But I think this will be offices that will be closed on the weekends or whatever so it will be more quiet. We had little guys up in that cottage, we had teenagers at one point years ago, we made it, and one of the little kids about two years ago was out mooning the people as they went by. So I was trying-- I had to make a few phone calls, so I think it will help the environment, you know, having offices-- "

Supervisor Stark: "At least the scenery anyway."

Monsignor Fagan: "All right. Thank you."

Supervisor Stark: "Okay. Rolph."

Rolph Kestling: "Okay, like I said, the only thing I'm concerned is it's not going to become permanent. They give up, fine."

Supervisor Stark: "Okay, thank you, Rolph. Is there anybody else who would like to-- Lou?"

Lou Passantino: "Lou Passantino, Wading River. I have a question on resolutions. Are there any other resolutions today that you would be voting on that you could discuss with us beforehand?"

Supervisor Stark: "There are no resolutions coming off the floor."

Lou Passantino: "Okay. Because last meeting, I believe it was the 20th, I didn't get up to ask and there were about six of them, between five and six, three of which had to do with garbage carting and our future plans for garbage removal. And I would have liked to-- "

Supervisor Stark: "They were resolutions going out for bids."

Lou Passantino: "For bids, yes. So how we were bidding this, this information. I would have liked to have known that beforehand if there was any discussion had on it."

Supervisor Stark: "We had discussion at work session. Those bids were rather intricate and they arrived before-- after when Barbara puts her-- it does take some time to put these programs together."

Lou Passantino: "I understand."

Supervisor Stark: "And we have a closeout date or a time with Barbara. Anything after that will come off the floor."

Lou Passantino: "Okay, anything that-- "

Supervisor Stark: "They are not intentionally coming off the floor to deceive anybody by any stretch of the imagination, Louis. They come because sometimes staff doesn't get it together."

Lou Passantino: "I asked a question. You answered it."

Supervisor Stark: "Okay, well, I'm going to continue."

Lou Passantino: "Well, I appreciate-- but you gave me an answer, at this point in time if there are any, I will always ask. Thank you."

Supervisor Stark: "Thank you. Is there anybody else who would like before we call on the learned Counsel? Yes, sir, in the back. Peter is such a fine finish for us. Yes, sir."

Joe Panone: "My name is Joe Panone from Jamesport Water District 47. Could you tell me if there's any progress on an agreement to have the water put in or are we just going to forget about it for another-- "

Supervisor Stark: "This is Herricks Lane?"

Joe Panone: "Herricks Lane."

Supervisor Stark: "Herricks Lane has been instructed by the Board as of the work session last Thursday to start proceeding forward. We now have to go into engineering design. We will probably bid it sometime during the fall or early winter months and hopefully we will break ground in the spring."

Joe Panone: "Well, if we did approve it?"

Supervisor Stark: "Yes."

Joe Panone: "Thank you, sir."

Supervisor Stark: "You are welcome. Our problem with that particular water extension was we couldn't really get a feeling of what people wanted down there and I think that last public hearing, I insisted that Gary really contact everybody to get them out and we got a lot of letters in support. We have some that are not in support of it but for the most part, it's running about two to one or even three to one."

Joe Panone: "I'll tell you one thing, Gary did a good job."

Supervisor Stark: "Yes, Gary does a great job for us."

Joe Panone: "All right. Thank you."

Supervisor Stark: "Thank you. Is there anybody else who would like to speak to the Board at this particular time? Yes, sir. We are getting closer to you, Peter."

Frederick Liess: "Frederick Liess, Thurm's Estates."

Supervisor Stark: "Did you get that last name, Barbara?"

Barbara Grattan: "Liess?"

Frederick Liess: "L-I-E-S-S. I would like an interpretation of Resolution 715, authorizing Supervisor to execute contract Thurm's Mobile Homes Estates."

Supervisor Stark: "Russell, are you doing some senior citizen work up there? Russell, could you answer that for me?"

Russell Kratoville: "The Riverhead Recreation Department sponsors senior citizens clubs throughout the town. We sponsor two in the Wading River area, the Norma (inaudible) Club, and the Wading River Club, they both used to meet at Camp DeWolf (phonetic). We no longer can meet there so we now have made an arrangement to make agreement with Thurm's with their recreation hall and North Shore Methodist Church."

Frederick Liess: "Thank you."

Supervisor Stark: "Does that answer your question?"

Frederick Liess: "Yes."

Supervisor Stark: "We are trying to find a home, with a kitchen."

Frederick Liess: "I thought it pertained to something else."

Supervisor Stark: "No. Is there anybody else who would like to make comment to the Board at this particular time? If not, I will recognize the learned counsel from Roanoke Avenue."

Peter Danowski: "Pete Danowski. I arrived a little late for the first public hearing and I would like to comment on that. The

reason I tried to cut in is that when the gentleman asked about the Little Flower project, I was personally aware of that. Before the Monsignor got here, I was going to supply some of the information you brought forward. But that having been said-- "

Supervisor Stark: "Not as delicately as he does."

Peter Danowski: "Never could, but I try to be a close second. You scheduled a public hearing and opened and closed it on a proposal to make restaurants in the Industrial zone by special permit only. And as you know, in earlier applications before this Board, an example is Helen Driss' at Great Peconic Bay Yacht Basin. I voiced my opinion that when a person has a right to use the property, that's a substantial advantage over a client's right to only go forward by the granting of a special permit.

And when I look at the Calverton area and the industrial zone there, I can think of my client Vinnie (inaudible) and DeLeo Sod Farm, (inaudible) the Crossroads, my client, Joe Puleo, next to the Crossroads with an industrial subdivision that's been approved by the Planning Board. I can think of Pat Wasky (phonetic) and Dottie Davis next to Splish-Splash with a lot. I can think of a lot of clients and potential clients who would be able to sell their property or use it under the existing zoning as a matter of right.

If you make it by special permit, what you do is really delay the possibility of a sale, and quite lengthy of a delay. You know that when you first apply for a special permit, you can't even get referred to the Planning Board until the SEQRA process is completed. The SEQRA process has been abused in the past and we've had year long delays while the Town wades its way through that process. After that, you have to refer it to the Planning Board. The Planning Board has 60 days to make a referral back to the Town Board. The Town Board holds a public hearing and only after that may they consider (inaudible) of a special permit.

If you leave it alone the way it is today, you still have the right to review the site plan. That requires a meeting with planning staff, a referral to the architectural review board, a public meeting with this Town Board to consider the site plan. You can condition the site plan as you know, as you have in the past. So,

I, for one, representing clients and future clients would ask you to reconsider any thought of passing an amendment to the code that would eliminate the restaurant as a matter of right."

Supervisor Stark: "Thank you, Counsel. Is there anybody else who would like to make comment at this particular time? If not, let us take up the resolutions."

Resolution #699

Councilman Prusinowski: "Resolution authorizing issuance of \$2,000,000 serial bonds to pay for acquisition of interests or rights in real property for the preservation of open spaces in and for the Town of Riverhead.

What we are doing here is for the first time in our history proposing-- no authorizing if the vote is affirmative tonight, \$2,000,000 in bonds to supplement the Suffolk County Farmland Preservation Program. One of the reasons why the Town is doing this at this time is not because some of the other east end towns or other people in Suffolk County have said that Riverhead does not want to put up its fair share. The fact is that Riverhead is 60 to 70 percent of the Suffolk County program now. We have more land preserved in this program than any other town in Suffolk County. Is that-- there is available now finally matching grants from the State of New York and the federal government which could make this acquisition amount to \$6,000,000 and then you are talking about preserving a significant amount of acreage.

Also, we have an agricultural advisory committee who will be setting the parameters of the program once the bond authorization is through the 30 day permissive referendum period. And I am very happy to move this resolution."

Councilman Lull: "Also to add a second-- not only my second to that but also a strong second from the Riverhead Hamlet Study Committee who looked at this in depth at their last meeting and was very pleased by the approach. Second."

Supervisor Stark: "It has been moved and seconded. Is there any discussion?"

One of the things also I think you should add, Victor, is maybe the upzoning."

Councilman Prusinowski: "Right. This is part of an overall plan that the Town of Riverhead is going to be entertaining shortly through public hearings and a public process to take a certain amount of open space and propose a general upzoning in order to reduce the potential for population growth of the town which is currently around 60,000 down to a level that can be supported through services.

This is more of an economic issue for the east end towns now because the school district taxes are 60% of our tax bill and it's something that we have to do. If we don't do this, all the commercial tax base increase that we will enjoy over the next-- through the next century will be negated by uncontrolled residential development. And it's something that has to be done and I've supported it for many years. So one of the objections that the farm community had is that we should buy their land instead of upzoning it. This will give us an opportunity to offer dollars to farm families that want to remain in agriculture and continue the heritage that we have in the town and this will be our way of participating which there will also be Suffolk County program monies still available there. So with out \$6,000,000 and hopefully with a few more million from the county on top of this we will be able to raise-- no, I know our \$2,000,000 but I'm counting on the other two from the State and from the federal government and the county program has money there anyhow that we will be able to maybe get up to 1,000 acres, maybe 500 to 1,000 acres more preserved, so I moved it already."

Supervisor Stark: "Any other discussion? If not, I would ask the Clerk to poll the Board."

The Vote: "Councilman Wittmeier, yes; Councilman Kwasna, yes; Councilman Lull, yes; Councilman Prusinowski, yes; Supervisor Stark, yes. Resolution is adopted.

Resolution #700

Councilman Lull:

Supervisor Stark: "Just before we go, one thing about

Resolution 699 and the authorization of this bond issue, it is subject during the 30 day permissive referendum period. So, I just wanted to make that clear. I'm sorry, Jim."

Councilman Lull: "Yes, 700, 701, 702 and 703 all ratify the authorization to publish legal notices for permissive referendum for serial bonding. 700 and 701 is for bulkheading in downtown. 702 for road construction bond, and 703 for the Riverhead Ambulance. I'll move all four of those."

Councilman Prusinowski: "So moved."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #704

Councilman Lull: "Approves the site plan of Key Bank for a drive thru ATM. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #705

Councilman Kwasna: "Authorizes attendance of code enforcement officer at the New York State terrorism awareness seminar. So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #706

Councilman Wittmeier: "Authorizes the Town Clerk to publish and post public notice of public hearing pursuant to eminent domain procedure law regarding the acquisition of premises at Edwards Avenue and Riley Avenue, Calverton. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #707

Councilman Prusinowski: "Approves site plan of King Kullen bottle return room. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #708

Councilman Lull: "Approves the site plan of Martin Sendlewski for an office conversion on East Avenue. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? My

only discussion is, and I see Marty in the back, you have made a beautiful improvement to our downtown area. And I hope that more professional people like yourself seek to relocate downtown and do those improvements. Any further discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #709

Councilman Kwasna: "I'm going to move 709, 710, 711, 712 and 713. All appoint recreational aides to the Riverhead Recreation Department. So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? These will be for the fall and winter programs. All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motions carried."

Resolution #714

Councilman Wittmeier: "Authorizes Supervisor to execute contract that's between the North Shore United Methodist Church. This is what Russell spoke about earlier for the Wading River Seniors Club, because they are closing Camp DeWolf. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #715

Councilman Prusinowski: "Authorizes Supervisor to execute contract Thurms Mobile Home Estates. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #716

Councilman Lull: "Authorizes the Town Clerk to post and publish notice to bidders for Hulse Landing Road drainage and beach stabilization project. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #717

Councilman Kwasna: "Rejects bids for wood window shutters for Benjamin Corwin houses. So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #718

Councilman Wittmeier: "Authorization to republish and repost bid for the shutters. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #719

Councilman Prusinowski: "Declares lead agency and determines significance of land acquisition bond resolution. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion?"

Councilman Prusinowski: "This is the SEQRA that's associated with our bonds for the open space."

Supervisor Stark: "Any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #720

Councilman Lull: "Authorizes the attendance of an employee to be chosen at the seminar-- New York seminar on turf grass association called Winning Fields. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #721

Councilman Kwasna: "Authorizes the Town Clerk to publish and post public notice to consider a proposed local law entitled, Rental Dwelling Units, to repeal and replace the existing Chapter 86 entitled, Rental Property. So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #722

Councilman Wittmeier: "Accepts resignation of Richard Suter. He was a member of the Riverhead Architectural Review Board. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #723

Councilman Prusinowski: "Amends Resolution 50, setting tipping fees at the transfer station. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #724

Councilman Lull: "Approves the site plan of Little Flower Children's Services to convert a residence to office use, as we discussed earlier. So moved."

Councilman Prusinowski: "The political pressure is on. Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried. Good luck to you, Father."

Resolution #725

Councilman Kwasna: "725, there is a misspelling. This is to amend the site plan of Finks Country Farmstand. So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #726

Councilman Wittmeier: "Accepts Suffolk County National Bank letter of credit of 1994 Soundview Golf, Inc., access road

construction. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #727

Councilman Prusinowski: "Approves the application of Digger O'Dell's to have-- we're having a street dance-a-thon, fair on Saturday from 4:00 p.m. to midnight on Main Street, Riverhead. So moved."

I think this actually came from the Riverhead Business Improvement District. It's September 21, 1996 between 4:00 p.m. and 12:00 midnight."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? You all come on downtown and have a good old fashioned block party. All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #728

Councilman Lull: "Accepts the letter of resignation of Public Safety Dispatcher, Kathy J. Beaumont. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #729

Councilman Kwasna: "729 is a General Fund budget adjustments.
So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All
in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #730

Councilman Wittmeier: "Authorizes the Town Clerk to republish
and repost a help wanted ad for contingent/provisional senior
stenographer in Juvenile Aid Bureau. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All
in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Is there a motion to pay the bills?"

Resolution #731

Councilman Prusinowski: "So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Being no further business, this meeting is adjourned."

Meeting adjourned: 3:04 p.m.

Barbara Gutton
Town Clerk