

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, August 5, 1980 at 7:30 P.M.

Present: Joseph F. Janoski, Supervisor
Francis E. Menendez, Councilman
John Lombardi, Councilman
Antone J. Regula, Councilman
Victor Prusinowski, Councilman

Also present: Kevin Duffy, Town Attorney

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

Supervisor Janoski: "The Town Board in view of the temperature outside, has taken the liberty of coming dressed in a very casual manner."

Councilman Menendez offered the following resolution which was seconded by Councilman Regula.

RESOLVED, That the Minutes of the Town Board Meetings held July 1, 1980, July 18, 1980, the Special Town Board Meetings held July 22, 1980, July 24, 1980, and July 29, 1980, and the Public Hearing. Oil Refinery, held July 2, 1980, are dispensed without objection and be approved as submitted.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

BILLS

Bills submitted on abstract dated August 5, 1980 as follows:

General Town	\$169,122.95
Special Districts	\$ 7,611.58
Ambulance	\$ 518.52
Highway Item #1	\$ 26,423.11
Highway Item #3	\$ 25,158.70
Highway Item #4	\$ 3,397.66

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

RESOLVED that subject to complete audit, the following

bills be approved for payment.

General Town	\$169,122.95
Special Districts	\$ 7,611.58
Ambulance	\$ 518.52
Highway Item #1	\$ 26,423.11
Highway Item #3	\$ 25,158.70
Highway Item #4	\$ 3,397.66

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "We have in the back benches some representatives from departments of Town Government who would be available if you have any questions of them."

OPEN BID REPORT - TIRES FOR "OFF THE ROAD" HEAVY EQUIP.
After being duly advertised the bids for Tires for "Off the Road" Heavy Equipment were opened by the Town Clerk on Monday, July 21, 1980 at 11:00 A.M.

TOCE BROS., INC.
137-147 East Main Street
Torrington, Ct. 06790

ITEM 1 - PURCHASE BID

FIGURES: \$2,800.00

WORDS: Two Thousand Eight Hundred Dollars

ITEM 11 - PURCHASE BID

FIGURES: \$2,400.00

WORDS: Two Thousand Four Hundred Dollars

FILED.

JAMESPORT TIRE CORP.
Main Road
Jamesport, New York

ITEM 1 - PURCHASE BID

OPEN BID REPORT - TIRES FOR "OFF THE ROAD" HEAVY EQUIP. -
continued

FIGURES: \$3,974.76

WORDS: Three Thousand Nine Hundred Seventy-Four and 76/100

ITEM 11 - PURCHASE BID

FIGURES: \$2,990.67

WORDS: Two Thousand Nine Hundred Ninety and 67/100

FILED.

TIRE SUPPLY CORP. OF SUFFOLK
630 East Jericho Turnpike
Huntington Station, New York 11746

ITEM 1 - PURCHASE BID

FIGURES: \$4,227.00

WORDS: Four Thousand Two Hundred Twenty Seven

ITEM 11 - PURCHASE BID

FIGURES: \$3,272.00

WORDS: Three Thousand Two Hundred Seventy-Two

*** ADDITIONAL COMMENT TYPED IN:

We are offering Goodyear Tires in Both Items.
Prices are firm for ninety days after which prices
are subject to price in effect at time of Delivery.

FILED.

REPORTS

Monthly report for May, 1980 - Recreation Department. Filed.

APPLICATIONS

Site Plan - Leecar Corp. (addition to "Showtime Stereo,
Route 58). Filed.

APPLICATIONS - conitnued

Site Plan - Suffolk County National Bank (drive-in window, 2nd Street). Filed.

Supervisor Janoski: "There are a number of public hearings tonight at 8:00 Code Amendments, Chapter 48, Section 5, 8:10 Special Permit, Jerome Gersh, 8:20 Code Amendments, Chapter 46, Sections 1 & 2."

COMMUNICATIONS

H2M Corp., 7-15/80 - Re: Osborn Avenue, Drainage, Tide Woods Drainage & vouchers. Filed.

Gregory Blass, 7/15/80 - copy of letter to Mr. Caputo re: chargeback system. Filed.

Mardythe DiPirro, 7/16/80 - expressing appreciation for Town's cooperation. Filed.

Environmental Quality Review Board, 7/17/80 - copy of letter to Ang-Arn, Inc., advising that land must be subdivided before consideration given. Filed.

Environmental Quality Review Board, 7/17/80 - recommendation that application of Marion & Anna Plucinski is a Type II action. Filed.

H2M Corp., 7/18/80 - copy of letter to NYS DEC re: Scavenger waste study, and Re: Tide Woods drainage and Manor Land South drainage. Filed.

H2M Corp., 7/21/80 - Re: Manor Lane North drainage & Peconic River Marina. Filed.

H2M Corp., 7/22/80 - re: Scavenger Waste Study. Filed.

Warren Anderson, 7/24/80 - advising of receipt of correspondence in support of calling a Constitutional Convention to draft human life amendment and reservations regarding same. Filed.

COMMUNICATIONS - continued

Southampton Town, 7/24/80 - Notice of Adoption of Code Amendments. Filed.

Assoc. of Marine Ind., 7/25/80 - inviting Board members to meeting on 8/04/80 at Lighthouse Marina regarding Coastal Zone Management Program. Filed.

Brookhaven Conservation Advisory Council, 7/25/80 - copy of letter to Peter Cohalan supporting inclusion of Peconic River in County capital budget, and urging home rule resolution for acquisition of lands. Filed.

George Wines, 7/28/80 - complaint regarding beach erosion at Jamesport. Filed.

County Department of Planning, 7/28/80 re: Southampton's adoption of amendment to zoning ordinance, Section 69-6F, 7C & 8D, and if no objections received by 8/14/80 it will be assumed there are none. Filed.

H2M Corp., 7/28/80 - copy of letter to A Curreri re: work on Ostrander Avenue. Filed.

Conservation Advisory Council, 7/31/80 - copy of letter to G. Schueler that Council concurs with DEC's approval. Filed.

Frank Lescenski, 7/31/80 - re: accepts Gregory Place for dedication as town road. Filed.

Frank Smith, 7/30/80 - re: status of Joyce Drive and questions re: its use. Filed.

H2M Corp., 8/04/80 - certifying completion of Burglar & Fire Alarm Contract. Filed.

UNFINISHED BUSINESS

Special Permit of River Center Associates (family recreation center)

UNFINISHED BUSINESS - continued
Special Permit of Brasby's (additional parking)

Special Permit of Jerome Gersh (non-nuisance industry, Edwards Avenue)

Site Plan of Onatier Construction (drive-in retail dairy, Route 25A, Wading River)

Supervisor Janoski: "Under unfinished business, we have a special permit of River Center Associates for a family recreation center that is still pending before the Town Board.

The special permit application for Brasby's for additional parking that is pending further information from the Planning Board. The special permit of Jerome Gersh for a non-nuisance industry, Edwards Avenue that is the subject of one of the public hearings this evening.

The site plan of Onatier Corp. for a drive-in retail dairy on Route 25A, Wading River will be addressed in a resolution tonight.

I would at this time, open the meeting to anyone who wishes to be heard. Mr. Smith."

Harold Smith, Chairman of the Vail-Leavitt Music Hall; "I think before you, you have copies of a document which was put out by a colleague of ours who belongs to the League of Historic American Theaters of which our theater is a proud member and this document is one which they use for their proposal, the formal proposal. As you can see, it's quite elaborate in its descriptions of the theater and ours is not that elaborate. But the idea is the same. And Mr. Scheiner of our Office of Community Development thought it would be a good idea if I were to come here and call this to your attention and call your notice to the credit in the front which they said it was put out by the Memphis Office of Planning and Development which is roughly equivalent to our set up here. So that you might consider it for our theater. And if you should, I think you will find it a very valuable tool in raising the necessary funding we're going to have to get for this project. Thank you."

Supervisor Janoski: "Thank you Mr. Smith."

Councilman Prusinowski: "Harold to be clear so the other Board Members would understand you would like the Town to authorize the Community Development to have this published, your final proposal published so you can go around as a selling tool to get money for the project?"

PERSONAL APPEARANCES - continued

Harold Smith: "That's right Mr. Prusinowski. Thank you."

Councilman Prusinowski: "Thank you."

Supervisor Janoski: "Is there anyone else present wishing to be heard?"

William Kasperovich, 15th Street, Wading River; "Thank you for the privilege of speaking here. I don't represent anybody. I have no personal gain or profit in what I'm speaking about. But this is nothing new. It's just that it's come to a point where I felt I should get up in public and speak. I was told I have two alternatives. One by Mr. Wiwczar that if I don't like what they do in the Building Department, I should talk to the Town Board almost quote.

Mrs. Tormey tells me that if I don't agree with her verdict, I could go and I quote her you have thirty days to bring suit in Court. Well when I looked in an empty wallet, I found I couldn't. So I am here today.

I'm addressing the Town Board so that it's in the Town record that the following act and action of Mr. Wiwczar, the Building Department, Mr. DeLucca of Building/Zoning Administration, Mrs. Tormey, Chairman — Chairperson of the Zoning Board of Appeals, Mr. Lombardi, A Councilman, Mr. Janoski, your eminence. I charge that these people knowingly allowed the construction of a road hazard and the infringement onto a public right-of-way as defined by Riverhead by the issuance of a certificate of occupancy to Lot 13, Section 052, Block No. 1, District 0600. This lot is on 16th Street, in the area known as Wildwood Acres of Wading River, some two hundred feet east of Hulse Avenue. By the nature of the structure erected having a garage in the cellar well below the road, and the retaining wall that is part of the cellar foundation.

It is my contention that the front yard of such a structure is part of the building permits and variance permits and these permits in themselves considering public safety and the public interest should not have been issued. And to me when you allow a contractor, building a house for sale to conduct himself this way, when he's advised well in advance, not after the fact, that this requires attention by the Town.

Now, on July the 22nd, I came to the Town Hall after seeing a public notice in the paper to ask to see what I could read in the file as prior to the hearing. The girl tells me I have to call Mrs. Tormey at home. So I call Mrs. Tormey. She calls the office. I go back to the girl, the girl says all right you can see the file. Now when I have to call somebody up at home to ask them or plead with them to see public information, I say no. No.

PERSONAL APPEARANCES - continuedWilliam Kasperovich continues:

At the public hearing there was no opening for an interested party in the audience. I say No. Conclusions arrived at, papers closed, and people ready to go. You're left sitting there. No — So I approached the Board of Appeals, tell them who I am and immediately there's not going to be any record of this. When I make reference to a case that a conclusion was drawn on, said can't talk about that. When I make reference to a case that's already been settled and constructed and year past, no you can't talk about, that's all finished and gone. So I say, well let me see the files and then I'll be able to come up with information and give specifics. No we won't permit you to get to the files. There again, apparently these people don't know about the public information act or maybe they're just treating me that way.

Now what was I going to say to these people. I was going to tell them that there appears a coming action that's going to be a repetition of previous blunders. And I use the world blunders just that way. I make reference to building permits and application to permits and application for variances, they're practically blank. No elementary information. The only thing they have, besides the name and place is horizontal dimensions from property lines."

Supervisor Janoski: "Mr. Kasperovich, I hate to interrupt you, I wish that you would make your point because you have reached the end of your five-minute period."

William Kasperovich: "I see, I didn't know that I was limited to five minutes. Well I charge that Mrs. Tormey, Chairperson, Mr. Thurm, Mr. Welles, Mr. Kobylenski, and Mr. Cardinale with misconduct in office, denial of public information and I request their removal from office if they continue to act this way.

Also, if these appointed people, if they cannot understand a simple term as verticle dimension, that they should be immediately disqualified from the Board. They should have no business sitting there issuing variances. Thank you."

Supervisor Janoski: "I would recognize anyone else wishing to be heard at this time?"

William Nohejl from audience was inaudible.

Supervisor Janoski: "Mr. Nohejl, we do have a forum. Come on up here."

PERSONAL APPEARANCES - continued

William Nohejl, Wading River; "In the resolution opposes request of Lilco for rate increase, is this in reference to the hearings that are going on now?"

Supervisor Janoski: "Yes."

William Nohejl: "Okay, thank you."

Supervisor Janoski: "Thank you. Is there anyone else who wishes to be heard at this time? Yes ma'am."

Maureen Perella, 420 East Main Street, Riverhead; "I have a question for the Board. Is there a problem that's going on at the dog pound that we don't know about? I went by there on a couple of occasions looking for a stray that was lost and I see that there is a cement block fence that's recently been built up half way and I'm wondering is there a problem there? Or has there been . . ."

Councilman Menendez: "Yes Maureen, that cement block fence was built deliberately to prevent the stealing of dogs. People have been coming in with bolt clippers and cutting the wire, swiping the dog they want and taking off and the rest of the dogs get out. So putting this thing up prevents that from happening."

Maureen Perella: "Okay. Thank you very much."

Supervisor Janoski: "Is there anyone else present who wishes to be heard at this time?"

No one else wished to be heard at this time.

RESOLUTIONS

#401

TRANSFER OF FUNDS - RECEIVER OF TAXES

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

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

RESOLUTIONS - continued

A1330.400 Receiver of Taxes Contractual Expenses \$75.00
 TO
 A1330.200 Receiver of Taxes Equipment \$75.00

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#402 INCREASES ALLOWABLE INCOME FOR SENIOR CITIZEN EXEMPTION
 Councilman Menendez offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the State Legislature has enacted certain legislation permitting the Town of Riverhead to increase the income limit for homeowners over 65 years of age,

NOW, THEREFORE, be it

RESOVLED, that the Town Board of the Town of Riverhead does hereby increase the allowable income for senior citizen exemptions to the sum of Nine Thousand Two Hundred Dollars (\$9,200.00) per annum, in accord and as prescribed by the applicable State enabling legislation.

The vote, Prusinowski, Yes, Regula, Yes, Menendez, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "I would ask that the news reporters present that they take special note of this. Senior Citizens who qualify for this exemption have until September the 1st to apply for this exemption and I would ask you to help us get the word out."

#403 AUTHORIZES SUPERVISOR TO PURCHASE LAND ADJACENT TO TOWN HALL

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

WHEREAS, the Town Board feels it is in the best interest of the Town of Riverhead to acquire the vacant parcels of land owned by John Zlatniski and Kenneth Demchak for future expansion of the Town Hall, and

WHEREAS, the Town Attorney had been authorized to negotiate with said owners concerning the above described parcels, and

WHEREAS, an agreement has been reached,

RESOLUTIONS - continuedNOW, THEREFORE, be it

RESOLVED, that the Supervisor be and is hereby authorized to purchase said parcels at the agreed upon price, subject to a permissive referendum, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish and post this resolution.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#404 AUTHORIZES ROBERT SCHEINER TO CONTINUE NEGOTIATIONS REGARDING DOCTOR'S PATH HOUSING PROJECT

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

WHEREAS, the Town Board feels that the Doctor's Path Housing Project is a worthwhile endeavor, and

WHEREAS, the Town has already entered into particular discussions with individuals to bring about this project, and

WHEREAS, Robert Scheiner has acted at the focal point and has begun negotiations with several groups,

NOW, THEREFORE, be it

RESOLVED, that Robert Scheiner is hereby authorized to continue such negotiations; however, any agreement will not be binding upon the Town unless accepted by this Board.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#405 OPPOSES REQUEST OF LILCO FOR RATE INCREASE

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

WHEREAS, the Long Island Lighting Company has proposed an increase of 17.9% for its electrical customers, and

WHEREAS, the new rates would increase electrical revenues by \$228 million annually,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Riverhead does hereby oppose the proposed increase in electrical rates by the Long Island Lighting Company, and that a copy of this resolution be forwarded to the New York State Public Service Commission.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#406 AUTHORIZE PUBLICATION OF NOTICE FOR BIDS - POLICE UNIFORMS

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following notice for bids for Police Uniforms, to be opened at the Town Clerk's Office at 11:00 A.M. on Monday, September 8, 1980.

NOTICE TO BIDDERS

SEALED BIDS for Police Uniforms for use of the Riverhead Town Police Department will be received by the Town Clerk, 200 Howell Avenue, Riverhead, New York, until 11:00 A.M. on Monday, September 8, 1980, at which time and place they will be opened and read.

Bid forms and Specifications may be obtained at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York. Bids shall be on the form as prepared by the Town of Riverhead.

The Town Board of the Town of Riverhead reserves the right to reject any and all bids or to waive any informalities. It also reserves the right to hold any and all bids open for a period of thirty (30) days from the date of opening. All bids must be in a sealed envelope bearing the designation, "Bid on Police Uniforms."

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#407 AUTHORIZES TOWN JUSTICES TO ATTEND SEMINAR

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

RESOLVED, that the Town Justices of the Town of Riverhead be, and are hereby authorized to attend the Magistrate's Seminar scheduled to be held on September 14 to 18, 1980, and that all related expenses be charged to the Town Justice account.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#408 GRANTS PERMISSION TO BOY SCOUTS TO USE PARKING AREA & BOAT RAMP

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

WHEREAS, the Boy Scouts of America have informed this Board that as part of the Suffolk County Council, a Peconic Bay Leisure Sports Festival is planned for Sunday, September 14, 1980, and

WHEREAS, a competitive canoe derby to begin and end at the town docks is included in the plans of the festival,

NOW, THEREFORE, be it RESOLVED, that permission is hereby granted to the Boy Scouts of America to use the Peconic River Marina

and Parking area for the purpose of a Sports Festival, to be held on Sunday, September 14th, 1980, and that a certificate of insurance be submitted to the Town Clerk.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#409 RESOLUTION AUTHORIZING NOTICE OF PUBLIC HEARING FOR
CODE AMENDMENT

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the following Public Notice.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 19th day of August, 1980 at 8:00 o'clock P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons concerning the following amendment to section 108-3 of the Town Code:

§108-3. Lot.

A portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or a group of buildings that are united by a common interest or use, and the customary accessories and open spaces belonging to the same. Adjoining "lots" which are now or which come to be held in common ownership shall be deemed merged and treated for all purposes as a single "lot", regardless of whether or not such merger is recorded upon any tax map or other official record.

Alternate A. Except of adjoining "lots" which are recorded on an approved, filed, major or minor subdivision map which conform to the "Zoning District Use Schedule" in effect at the time the lots are to be conveyed.

Alternate B. Adjoining "lots" which are recorded on an approved, filed, major or minor subdivision map may be subdivided without approval of the Planning Board of the Town of Riverhead and shall not be deemed merged so long as the adjoining "lots" conform to the "Zoning District Use Schedule" in effect at the time the lots are to be conveyed.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of posting and publishing of a public notice for a public hearing to be held at Town Hall on Tuesday, August 5, 1980 at 8:00 P.M. to hear all interested persons regarding the proposed amendment to the Town Code, Chapter 48, Section 5 designating the speed in town-owned/leased parking fields or parks not to exceed 10 miles per hour.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Patricia Kaczmarek, 7/24/80 - suggest that speed bumps would solve problem and is easily enforceable. Filed.

Supervisor Janoski: "Mr. Duffy, would you please?"

Kevin Duffy, Town Attorney: "There's not very much to explain. What we're doing is reducing the speed limit from twenty to ten miles an hour in town owned and parking lots, leased parking fields or in public beaches."

Supervisor Janoski: "Thank you Mr. Duffy. Is there anyone present who wishes to address themselves to this issue?"

Bill Nohejl, Wading River; "I'm concerned about the bumps for one purpose. Some of these sports cars are built so low that no matter what bump you go over, they scrape the bottom. I agree with bumps, to a certain extent. But how high can they be without doing damage to a person's car even though they do observe the nine to ten mile an hour."

Supervisor Janoski: "Bill, the proposal in the code change does not include bumps. It's for a reduction of a speed limit. The bumps are a suggestion that we received in a letter as an alternative to reducing the speed limit."

Bill Nohejl: "Suppose that choice is used."

Supervisor Janoski: "Well certainly it's one of the . . ."

Bill Nohejl: "It must be consideration as I say some of the sport cars are very very low and I've seen . . ."

PUBLIC HEARING - continued

Supervisor Janoski: "Do you own one of those?"

Bill Nohejl: "I intend to get one."

Supervisor Janoski: "Do you?"

Bill Nohejl: "Yes some day."

Supervisor Janoski: "When you retire."

Bill Nohejl: "With a Ferrari name on it."

Supervisor Janoski: "Thank you Bill. I see a hand way back there."

Cathy Goodale, Newton Avenue, Riverhead; "I happen to be a sister of the lady who wrote the letter Patty Kaczmarek and when she refers to the speed bumps, it was only for Stotsky Park and only to prevent the drag strip in Stotsky Park. She's not talking about any place else. But there is drag racing and lowering the speed limit from twenty to ten isn't going to stop drag racing. That's just what I want to say. That's what she's referring to down the straight-a-way at Stotsky Park."

Supervisor Janoski: "Okay, thank you. Is there anyone else who wishes to address themselves to this issue?"

No one else wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:04 P.M.

RESOLUTIONS

#410 AUTHORIZES PUBLICATION OF NOTICE OF AUCTION - ABANDONED CARS

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

RESOLVED, that the Town Clerk be, and is hereby authorized to post a Notice of Public Auction, to be held at the Town Impound Area, Route 58, Riverhead on Saturday, September 6, 1980 at 10:00 A.M.

RESOLUTIONS - continuedNOTICE
RIVERHEAD POLICE DEPARTMENT AUCTION

Abandoned Vehicles to be sold a Public Auction on September 6, 1980, pursuant to Section 1224 Vehicle and Traffic Law, State of New York.

AV-01	1969	Oldsmobile	Gray	384699M381675
AV-02	1974	Mercury	Blue	4K30T569063
AV-03	1971	Plymouth	Brown	VL29G18129755
AV-05	1968	Buick	Green	452698Y164874
AV-06	1967	Ford	White	7T101T152842
AV-07	1970	Ford	Green	0B31F168941
AV-09	1970	Volkswagon	Red	3602142442
AV-11	1967	Volkswagon	Yellow	367082824
	1970	Ford Pick-up		F26YEJ32111
		ALSO TO BE AUCTIONED		
AV-12	1977	Ford LTD Police Car		7B63A209142
AV-13	1977	Ford LTD Police Car		7B63A209143
AV-14	1977	Ford LTD Police Car		7B63A209144
AV-15	1978	Ford LTD Police Car		8B63C154526
AV-16	1978	Ford LTD Police Car		8B6363C154529

Auction will be held on Saturday, September 6, 1980 at 10:00 A.M. at the Town Impound Area, Route 58, Riverhead, N.Y. Vehicles will be open to inspection on Friday, September 5, 1980 from 10:00 A.M. to 3:00 P.M. All items sold as is. All sales Cash only. Vehicles must be removed from the sales premises no later than 4:00 P.M. on the date of the auction.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#411 RESOLUTION & CONSENT RE: GREGORY PLACE
Councilman Prusinowski offered the following resolution which was seconded by Councilman Regula.

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-----X
In the Matter of the X
X
Laying Out of a Certain Town Highway X
known as Gregory Place in the Town of X
Riverhead, County of Suffolk, and State X
of New York. X
-----X

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WHEREAS, JOHN and HELEN SHUMEDJA have caused to have filed in the Office of the Clerk of the County of Suffolk a certain map entitled, "Map of Gregory Place", and

WHEREAS, JOHN and HELEN SHUMEDJA did submit plans for the construction of various improvements to a certain road known and designated as Gregory Place on said map to the Planning Board of the Town of Riverhead, and

WHEREAS, the Town Board of the Town of Riverhead did approve said performance bond as to form, sufficiency, manner of execution and surety, and

WHEREAS, said road, drainage systems, sumps, and other improvements have been completed in accordance with the plans and specifications of the Riverhead Town Planning Board, and

WHEREAS, the construction of said road, drainage systems, and sumps have met with the approval of the Superintendent of Highways of the Town of Riverhead, and

WHEREAS, a copy of the letter from the Superintendent of Highways indicating his consent is followed hereto and made a part hereof as Appendix A, and

WHEREAS, Special Search Street Dedication from the Chicago Title Insurance Company, title No. 8008-02070-06, has been filed with the Town Clerk of the Town of Riverhead together with a deed of dedication and release affecting said roads.

NOW, THEREFORE, be it

RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead made an order laying out a certain road known as Gregory Place with proper drainage facilities, the said town road to consist of the land described in the deed of dedication and release dated November 13, 1979, and to extend as delineated therein; and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead be and she hereby is directed to forthwith cause such deed of dedication and release to be recorded in the Office of the Clerk of the County of Suffolk and, upon its return, to place in this file; and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

RESOLUTIONS - continued

In accordance with section 171 of the Highway Law, the Superintendent of Highways hereby informs the Town Board of the Town of Riverhead that the hereinabove described road is acceptable for dedication as a Town road. At this time the Superintendent of Highways stipulates that during the calendar year ending December 31, 1980, the Highway Department will only be able to do emergency repairs because of budget restraints. I have inspected the hereinabove described road and find that its drainage system and present condition meets with my approval.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#412 RESOLUTION AUTHORIZING SUPERVISOR TO SIGN CONSENT ORDER AND FOR PIERRE LUNDBERG TO REPRESENT THE TOWN
RE: SPDES PERMIT

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

WHEREAS, the Town of Riverhead is being required by the New York State Department of Environmental Conservation to sign a consent order for the Riverhead Sewer District, and

WHEREAS, Pierre Lundberg has acted as Special Town Attorney for the Water and Sewer District, and

WHEREAS, the Town Engineers, H2M Corporation, has reviewed this order for engineering aspects, and

WHEREAS, the consent order was reviewed by Wilkie, Farr & Gallagher, Esqs., bond counsel,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to sign the consent order and be it

FURTHER RESOLVED, that Pierre Lundberg is authorized to represent the Town in connection with the SPDES Permit for the Sewer District.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#413 ACCEPTS BID OF TOCE BROS. FOR TIRES FOR "OFF THE ROAD" HEAVY EQUIPMENT

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

WHEREAS, the Town Clerk was authorized to post for bids for tires for 'Off the Road' heavy equipment, and

WHEREAS, on July 21, 1980, at 11:00 A.M., three bids were received,

NOW, THEREFORE, be it

RESOLVED, That the Town Board accepts the bid of Toce

RESOLUTIONS - continued

Bros., 137-147 East Main Street, Torrington, CT 06790, for \$2,800 for item number 1 and \$2,400 for item number 2 as the lowest responsible bidder.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#414 AUTHORIZES PUBLICATION OF PUBLIC HEARING RE:
SMALL CITIES

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

WHEREAS, the Town of Riverhead has identified certain necessary changes to the Year III Community Development Program, and

WHEREAS, a public hearing for proposals is required before such changes can be made,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Riverhead authorizes the Town Clerk to publish in a newspaper of local circulation both a public notice and a display advertisement stating the time and date of such public hearing.

PUBLIC NOTICE
OF
PUBLIC HEARING

On Tuesday, August 19, 1980, the Town Board of the Town of Riverhead will hold a public hearing to obtain proposals from the citizens of the Town of Riverhead relevant to an apparent amendment which will be made to the Town of Riverhead's Community Development Program. This hearing is prompted by the fact that there exists a need to modify the Community Development Year III program budget by more than 10% of the total program funds specified in the application submitted to the U.S. Department of Housing and Urban Development.

The hearing will begin at 8:15 p.m. and will be held at:

Riverhead Town Hall
200 Howell Avenue
Riverhead, New York 11901

Further information relevant to the subject of this hearing can be obtained at the:

Town of Riverhead
Community Development Office
200 Howell Avenue
Riverhead, New York 11901 (516) 727-3200 Ext. 238

RESOLUTIONS - continued

The Community Development Office urges the citizens of the Town of Riverhead and all other interested parties to participate in this important hearing.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:10 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Town Hall on Tuesday, August 5, 1980 at 8:10 P.M. to hear all interested persons regarding the special permit application of Jerome Gersh to operate a non-nuisance industry, (overhauling used automobile parts) at premises located at 407 Edwards Avenue, Calverton, New York.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Planning Board, 8/08/80 - recommendation that application be granted with the following conditions:

1. That there be no outside storage of materials.
2. All waste oil and cleaning agents be disposed of in accordance with all County, State & Town ordinances.

Filed.

Environmental Quality Review Board, 7/03/80 - recommendation that application is a Type II Action which will not have a significant impact upon the environment. Filed.

County Department of Planning, 6/18/80 - considers that matter is subject for local determination. Filed.

Supervisor Janoski: "Is there anyone present representing Mr. Gersh? Is Mr. Gersh present? Is there anyone present who wishes to address the Board on this matter?"

No one wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:12 P.M.

Supervisor Janoski recessed the meeting until 8:20 P.M. after which the next public hearing was called.

PUBLIC HEARING - 8:20 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Town Hall on Tuesday, August 5, 1980 at 8:20 P.M. to hear all interested persons regarding the proposed code amendments to Chapter 46, Section 46-1, and Chapter 46, Section 46-2, regarding consumption of alcoholic beverages at town owned/leased parks or beaches.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Patricia Kaczmarek, 7/24/80 - stating objection to changes in the code and that enforcement of existing laws would help solve the problem as much as new laws, also that additional lighting is not necessary. She suggests that lights be left on all fields until all games are over and people have gone to their cars. Filed.

Kevin Duffy, Town Attorney; "What we're doing is that in order for someone to consume alcoholic beverages in Stotsky Park or on town beaches, they must have a special permit issued by the Town Board. Additionally we're increasing the fine for violation of this section from \$50.00 to \$250.00."

Supervisor Janoski: "Thank you Mr. Duffy. Is there anyone present wishing to address themselves to this issue? Pat."

Pat Perella, Riverhead; "The point I want to ask here, on this ordinance, first of all, you mention Stotsky Park. Doesn't it also cover the other parks?"

Supervisor Janoski: "It would cover, as I understand, other Town parks."

Pat Perella: "Okay, right now there is a sign in Grangebél Park there's a sign that says 'No alcoholic beverages, \$50.00 fine'. Another sign that says 'No littering' and yet I think just about any time of the day you can go down there and find people drinking and if you want to brave into there at night, you'll find them drinking there at night. What I'm

PUBLIC HEARING - continued

getting at is that you've already got some sort of law that says \$50.00 fine for drinking, evidentially. I've written to the Police asking them to enforce it and nothing's been done as far as I know. I don't see the point, really."

Supervisor Janoski: "There was no ordinance in effect."

Pat Perella: "The sign was empty then. It had nothing to back it up."

Supervisor Janoski: "Stotsky was the exception and the beaches in the previous ordinance."

Pat Perella: "So the previous ordinance did cover the other parks. If the Police do not feel that they want to enforce this regulation, why should they enforce it if it's a \$250.00 fine?"

Supervisor Janoski: "It is our intention that this ordinance will be enforced strictly, should it be adopted by the Town Board. The Town Board has taken some action down in the Grangebél Park area that you may or may not be aware of and I really don't want to get into it, okay. Thank you Pat. Bill?"

Bill Nohejl, Wading River; "I'd like to have a little clarification. That means, of the Town Attorney, if I wish to go to the beach and I wish to take a six pack along with me to enjoy myself, I must get a permit?"

Kevin Duffy: "Yes."

Bill Nohejl: "I say it stinks. Because if I can't — that's an old American Tradition, to be able to go and relax and have a six pack at the beach. I say it's wrong."

Supervisor Janoski: "That's a better way to phrase it. I wish that you wouldn't have said, it stinks."

PUBLIC HEARING - continued

Bill Nohejl: "Well it stinks, too, but at a certain — where I say there is a considerable amount of children, like Stotsky Park, I agree whole-heartedly. And maybe at Grangebel Park. But at the Town Beach where I wish to go after a day's work or a week's work and relax and have a six pack of beer. I am no way going to get a permit. If I'm going to sneak it in, like guns, if you have to have a permit, there's going to be more guns on the side and the same with beer. As long as it's controlled, and kept to a decent way, I say No. Thank you."

Supervisor Janoski: "Thank you Bill. Is there any other comment?"

No one else wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:28 P.M.

RESOLUTIONS

#415 SUSPENDS POLICE OFFICER FOR TEN (10) DAYS
Councilman Prusinowski offered the following resolution which was seconded by Councilman Regula.

RESOLVED, That Police Officer James Pleickhardt is hereby suspended from duty, without pay, commencing at 0100 hours on August 9, 1980 to 2400 hours on August 24, 1980, to include the following working days: August 11, 12, 13, 14, & 15, 1980 and August 19, 20, 21, 22, and 24, 1980, and that Police Officer James Pleickhardt will work ten extra eight hour tours of duty, at no additional compensation. These ten days to be scheduled at the convenience and need of the Riverhead Police Department.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#416 AUTHORIZES COMMUNITY DEVELOPMENT OFFICE TO CONTRACT FOR FINANCIAL ADVICE

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

WHEREAS, the Town has entered into the Section 8 Housing Program, and

WHEREAS, Robert Scheiner, the Community Development Supervisor, feels it is in the best interest of this program to secure financial advice for the participants in said program, and

WHEREAS, Robert Scheiner has entered into negotiations with Eastern Suffolk Rural Development Corp., located at 650

RESOLUTIONS - continued

East Main Street, Riverhead, New York, for such counseling,
NOW, THEREFORE, be it

RESOLVED, that the Community Development Office is authorized to contract for financial counseling up to \$5,000 out of Community Development funds for Section 8 tenants.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#417 APPOINTS SECRETARY TO TOWN BOARD

Councilman Menendez offered the following resolution which was seconded by Councilman lombardi.

WHEREAS, the position of Secretary to Town Board is vacant, and

WHEREAS, this Town Board finds that it is beneficial and necessary to have this position filled, and

WHEREAS, the necessary posting and notice has been duly accomplished, and all applicants duly interviewed,

NOW, THEREFORE, be it

RESOLVED, that Carol Ackley is hereby appointed to the position of Secretary to the Town Board, at a salary of \$10,238.17, for a probationary period of six months, at which time the salary would be increased by \$500 to \$10,738.17 commencing August 25, 1980, as per salary scheduled.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#418 APPOINTS TEMPORARY SENIOR STENOGRAPHER

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

WHEREAS, This Town Board had submitted a position of Secretary to the Highway Superintendent to the Suffolk County Department of Civil Service, and

WHEREAS, the Suffolk County Department of Civil Service had temporarily granted the position of Secretary to the Highway Superintendent as an exempt position and Dorothy Bilek was approved to this said position, and

WHEREAS, all exempt positions must be approved by the New York State Department of Civil Service, and this state department has disapproved the exempt status for this position, and

WHEREAS, the Suffolk County Department of Civil Service has reclassified this position to Senior Stenographer,

NOW, THEREFORE, be it

RESOLVED, that the position of Secretary to the Highway Superintendent be abolished and that Dorothy Bilek is appointed as a thirty day temporary in this position as Senior Stenographer at no change in compensation.

RESOLUTIONS - continued

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#419 APPROVES SITE PLAN APPLICATION OF SUFFOLK COUNTY NATIONAL BANK

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

WHEREAS, the Code of the Town of Riverhead requires that all site plans for commercially development property in the Town of Riverhead shall be subject to the review of the Town Board of the Town of Riverhead, and

WHEREAS, the Suffolk County National Bank has submitted to the Town Board, a site plan for the improvement of its office at the intersection of Roanoke Avenue and Second Street, as shown on a map prepared for Suffolk County National Bank, last dated July 2, 1980, by Donald A. Denis, and

WHEREAS, the proposed plan conforms with previously approved applications,

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby approve the site plan prepared for the Suffolk County National Bank, last dated July 2, 1980, as submitted.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#420 APPROVES SITE PLAN OF ONATIER CONSTRUCTION.

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

WHEREAS, Onatier Construction has applied to this Town Board for a site plan review on July 9, 1980, in accordance with Section 108-38 of the Code of the Town of Riverhead,

NOW, THEREFORE, be it

RESOLVED, that the Site Plan of Onatier Construction, Box 478, RR #2, Wading River, New York 11792 is hereby approved, subject to any restrictions, requirements, and/or limitations as detailed in the Code of the Town of Riverhead.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#421 FAVORS PHASE II APPRAISAL PROCESS

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

WHEREAS, Phase II of the Farmland Preservation Program

RESOLUTIONS - continued

is in the process of being initiated by the Select Committee on Farmland Preservation and the Suffolk County Legislation, and

WHEREAS, this Phase includes appraisals of properties that are scheduled in Phase II to have development rights purchased, and

WHEREAS, the select Farmland Committee has asked this Town Board for approval to proceed with the appraisal process only,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Riverhead go on record favoring the Phase II appraisal process and to keep Riverhead Farmland in the Farmland Program Inventory and empowers the Town Representative to select Committee Councilman Victor Prusinowski to communicate this position, with one condition.

That the Town Board will have the final approval of any land purchased in Phase II of the Farmland Preservation Program.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "Before we adjourn, is there anyone wishing to address the Board?"

Jessie Tomlinson, Wading River; "First, I'd like to ask a question on the site plan approval for Onatier. Was that the dairy center?"

Supervisor Janoski: "Yes it is."

Jessie Tomlinson: "Isn't that project in question? Don't they have to come before the Planning Board for a subdivision? I have gotten information on that with my latest packet for this weeks meeting. There's a question on the legality of that parcel of land because I don't know whether it's properly subdivided yet. Are we talking about the same thing."

Supervisor Janoski: "If we're talking about the drive-in dairy one?"

Jessie Tomlinson: "Yes."

PERSONAL APPEARANCES - continued

Supervisor Janoski: "We are. Well then we will await the action of the Planning Board."

Jessie Tomlinson: "Well you know I think maybe it would be a good idea if you checked — I just got this information the other day so that's why I was surprised. What I wanted to mention, just in the form of a statement I read in the News-Review that the merchants on Main Street are complaining about the island in the back in the parking lot and they said that it's going to take away seventy-two parking spaces. Well I don't know whether that's true or not and I know I've never had any trouble parking because there never seems to be too many people shopping in Town. I am familiar with the merchants on Main Street as a shopper and as a former member of the Town Board. And while I don't mean to criticize all of them, I have found them to be cry babies, very uncooperative, and have never given the Town any credit for the work that's been done on Main Street. I'd like to tell you a couple of experiences I've had, just for the record so that maybe the merchants will get their act together and attract businesses to Town.

First of all, I think statistics prove that more than 50% of the women work today. And most jobs end at 5:00 p.m. Now if you're going to shut the door in customers faces at 5:15 p.m. and 5:20 p.m., and not give women a chance to shop before they get home from work, you're not going to attract them again. I've had an experience where I shopped in one of the nicest stores on Main Street and I was trying clothing on in the back and I didn't know that it was a little after 5:00 p.m. and they started turning the lights on and off. So I figured they were trying to tell me something and I quickly made a decision and I was going to buy a pair of jeans for \$35.00 which is pretty expensive. Anyway I got the whole thing together, ran out there and they wouldn't take my money. They were all waiting. They just would not take my money and when I complained to the owner, a week or two later, he just sort of fluffed it off and said the women are interested in getting home.

I'd also like to say that there's never any attempt to bring in any clothing that is different from any place else. If you want a dress or a place or whatever that's a little unusual, you have to go to Southampton or further west past the Mall even. So the merchants on Main Street are their own worst enemies. If they would put in the products and the stock and the selection, they wouldn't have to worry about the seventy-two parking spaces. They'd have plenty of business and perhaps maybe they'd be happier in the long run. Thank you."

Supervisor Janoski: "Thank you Jessie."

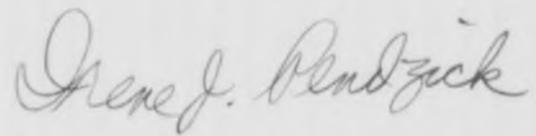
Councilman Prusinowski: "Jessie, they should hire you

PERSONAL APPEARANCES - continued
Councilman Prusinowski continues:
as a consultant."

Supervisor Janoski: "Is there anyone who wishes to have
the last word?"

No one else wished to be heard at this time.

There being no further business on motion and vote,
the meeting adjourned at 8:40 P.M.



Irene J. Pendzick, Town Clerk

IJP/vlv