

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, March 19, 1991 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
Denise Civiletti, Councilwoman
Victor Prusinowski, Councilman
James Stark, Councilman

Also Present: Irene J. Pendzick, Town Clerk
Patricia Moore, Town Attorney

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

Supervisor Janoski: "The time has come again time for us to recognize an employee who through their outstanding contribution to the business of the Town is recognized by her peers as the Employee of the Quarter. In this quarter past we have a special individual who is chosen who works in the Department of the Assessors. Now LeRoy tells me that he can't function without her."

LeRoy Barnes, Chairman of the Board of Assessors: (from audience) "That's right."

Supervisor Janoski: "That's right and LeRoy said that he really doesn't really want to say anything more tonight than that's right. But I'm pleased as well as the Members of the Town Board to recognize Victoria Martin as Employee of the Quarter. Let me read this proclamation.

WHEREAS, it is both fitting and proper that the Town of Riverhead recognizes outstanding service of its employees, and

WHEREAS, in order to provide the mechanism to recognize said employees and at the recommendation of the Labor Management Committee the employee of the quarter program has been established, and

WHEREAS, Victoria Martin has dedicated herself to the service of this government and its citizens, and

WHEREAS, her service has exemplified the highest ideals in this expression of public duty.

NOW THEREFORE, I Joseph Janoski, Supervisor of the Town of Riverhead do proclaim March 19th, 1991, Victoria Martin Day in recognition of being named Employee of the Quarter and I call upon my fellow citizens to join with me in recognition of her accomplished service, and

IN WITNESS WHEREOF, I hereunto the set my hand and cause the great seal of the Town of Riverhead to be affixed this 19th day of March in the year of Our Lord 1991."

I would ask the Members of the Labor Management Committee who might be present to join us as we make this presentation to Victoria. And we award a savings bond to each recognition and I am told that a dinner is on its way. We don't have the gift certificate yet. LeRoy did you want to say anything?"

Victoria Martin: "We have number one, number two boss here. They are marvelous to work for and I feel that I would like to say that."

Supervisor Janoski: "Thank you Victoria. Employee of the Quarter Vicky Martin. (applause)"

The Town Board Member of the Labor Management Board would like to be recognized to just give a little history and explanation of this program and also let me point out that Madelyn Regula was also an Assessor in the Town of Riverhead is not here this evening because she is at school. Otherwise she would be here to recognize Vicky along with the other Assessors. That's right isn't it LeRoy?"

Assessor LeRoy Barnes: "Yes, that's right."

Councilwoman Civiletti: "I thought that since it has been a little over a year that we established the Labor Management Committee in the Town and since this quarter's award marks our first anniversary of the Employee of the Quarter Program that went into effect a year ago in January 1990 that it would be fitting to explain to people who may not be aware of what this program is. It is a program that a lot of private companies have. It is a program that the State of New York is encouraging localities to adopt. It is designed to increase employee morale. It is designed to facilitate communication between management and labor particularly in the wake of difficult contract negotiations which we suffered through in recent years. Our committee is comprised of four members of Management and four members of Labor. We have been working really well together. The union side pays for half of the cost of all the committees activities including half of the cost of getting the plaques engraved. Buying a savings bond and procuring gift certificates for dinner for the people who are honored in this program. And I just thought that is a good achievement for the Town management and its employees and should be recognized at this time. Thank you."

Supervisor Janoski: "Thank you. Let's have the reports."

REPORTS:

TAX RECEIVER Collections as of March 8, 1991
\$21,447,367.00

TOWN HISTORIAN Annual Report, 1990

SEWER DISTRICT Discharge Monitoring Report

OPEN BID REPORT - SOFT BODY ARMOR VESTS/POLICE DEPT.
Bid Date: 3-11-91

NAME: Charles Greenblatt, Inc.

ADDRESS: Hauppauge, NY

BID: \$415.00 per unit

NAME: Connecticut Police Supply Co.

ADDRESS: Newington, CT.

BID: \$424.00 per unit

APPLICATIONS:

- SPECIAL PERMIT 2X4 Restaurant for directional sign
- SITE PLAN Vail Leavitt Music Hall for west facade
- SITE PLAN 7-11 for temporary curb cut
- PETITION Sixteen residents in support of public water in Wading River
- PARADE PERMIT First Congregational Church for 4/14/91

CORRESPONDENCE:

- GEORGE SCHMELZER Observations on school district presentation for bond issue and condition of school buildings
- ALLEN M. SMITH Expressing alarm on reports that Riverhead may support the National Estuary Program and is opposed
- WESTWOOD ACRES Requesting status of obtaining public water for their area
- PHILIP KENTER Voicing concern that equipment purchase was made from a N.Y.C. vendor without opportunity for local business to bid

- PHILIP KENTER Listing 7 reasons why he has filed an objection for regarding the Business Improvement District
- NORTH FORK ENVIRONMENTAL COUNCIL Requesting that Town support Peconic Estuary to be included in National Estuary Program
- DR. ANTHONY GIAMBALVO Requests that Town encourage the establishment of Catholic Charities residence in Aquebogue
- NEW SUFFOLK CIVIC ASSOCIATION Urging support for Peconic Bays to be included in National Estuary Program

Supervisor Janoski: "Thank you. I skipped over the agenda and I would accept at this time a motion to approve the minutes of a regular Board Meeting held on February 19th."

Councilwoman Civiletti: "So moved."

Councilman Prusinowski: "Second."

Supervisor Janoski: "Moved and seconded."

The Vote: Prusinowski, yes; Stark, yes; Civiletti, yes; Janoski, yes. 4 YES

Supervisor Janoski: "The time has come for the first public hearing. Let the record show that the hour of 7:43 P.M. has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:40 PM

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:40 P.M. on Tuesday, March 19th, 1991 to hear all interested persons who wish to be heard regarding: AN AMENDMENT TO SECTION 108-97B 14C REGARDING MAJOR SUBDIVISIONS."

Town Attorney, Patricia Moore: "What we are doing through this proposed amendment is to make clear in the our code that the two thousand per lot subdivision fee which has been opposed for several years now. That when the fee is bonded that the bond which is typically a two year period can be extended by the Board if it believes it is in the best interest to do so. And it is that language change which is being added to the code."

Supervisor Janoski: "Thank you. Is there anyone present who wishes to address or make comment on this proposal? That being

the case and without objection I declare the hearing to be closed at the hour of 7:44 PM. We have a couple of seconds before the second scheduled public hearing. You cannot open them before the scheduled time, but you can afterwards. It looks like it is 7:45 PM to me. Let the record show that that hour has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:45 PM

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:45 PM on Tuesday, March 19th, 1991 to hear all interested persons who wish to be heard regarding: AMENDMENTS TO VARIOUS SECTIONS OF CHAPTER 41 OF THE TOWN CODE."

Town Attorney, Patricia Moore: "Through the efforts of both the Police Committee and the very diligent efforts of Chief Grattan is instrumental, with the assistance of Lt. Grattan and Capt. Robinson. The proposed change would be just cleaning up the code and clarifying that criminal summonses or a warrant are issued under the Traffic Violations Bureau and there are minor changes throughout the code that are --(does this also include the ---are we at the point where we are doing the different traffic sections or is that a separate---"

Councilman Jim Stark: "No. We are just doing this right now. Traffic sections will come up in the next one."

Town Attorney, Patricia Moore: "Just this one, okay. This one is merely criminal summons and a warrant is added to the code. Justices of the Town of Riverhead are ----just minor language changes."

Councilman Stark: "Basically we no longer have Justices of the Peace. We now have Town Justices and they are cleaning up the language in the code to reflect that change in the process of which we are under now."

Supervisor Janoski: "Is there anyone present wishing to address the Town Board on this proposal to make that change in the language in the code to eliminate Justice of the Peace and to replace that with Town Justice. That being the case and without objection I declare the hearing to be closed at 7:47 PM. I would recognize anyone who wishes to be heard on any subject at this time. Alice."

Alice Graff, Riverhead: "In reference to #197. If my memory serves me correctly, I recall that there was a release in the Building Inspector position as a cost saving factor. I see there is a replacement in this position and I'm curious as to why and at what increase in salary?"

Supervisor Janoski: "The position of Site Plan Reviewer was vacated through a resignation would be the best word the fellow got another job in another community. During the budget process we did eliminate what was called a Building Inspector, actually didn't eliminate it we transferred that individual to doing Water District Extensions for the construction that is going on their. We also have a Computer Graphics Operation, but discovered that we have in that individual a person who fits the qualifications for a Principal Building Inspector who can review plans, make inspections, issue permits, issue C.O.'s etc. So what we are doing is actually consolidating. Computer Graphics individual will undertake also this work that needs to be done. We are not going to fill the vacancy of Computer Graphics. That machinery and equipment will come up to the Building Department along with the individual and he will be performing both jobs."

Alice Graff: "Two jobs as opposed to the one. Does he get an increase in salary?"

Supervisor Janoski: "The salary increase is \$6,000.00."

Alice Graff: "Oh, that's nice."

Supervisor Janoski: "The salary increase is quite frankly a different position, but he is replacing someone who was making \$32,000.00, I believe."

Alice Graff: "And what will his salary be now, may I ask?"

Supervisor Janoski: "\$36,0000.00 I think that is right."

Alice Graff: "Thank you."

Supervisor Janoski: "Your welcome."

Warren McKnight, Wading River: "I have here a resolution from November of 1989 by our Town Board requesting the State of New York conduct a speed limit study by down by the deli by the crossroads in that area there in Calverton. I was going to ask the Town Board, I'll give this resolution. When I got a copy of the resolution they didn't put the number in. But, I would like to see what has happened since then. I think it is pertinent and I understand that you are flooded with so many hundreds of different things to do. I was wondering if somebody on the Town Board could follow up on this with the State and they could get back to me because I think this is very pertinent."

Councilman Vic Prusinowski: "Warren, they did a study and they determined that the speed limit is to remain the same. That question was asked by somebody else. I can double check it for you. I have correspondence somewhere in the building from the State Department of Transportation. Generally when those resolutions are passed I have to say the Town Clerk immediately forwards them to the Department of Transportation and generally

within a few weeks we do get a response right back from the Transportation Department. They put it on their schedule to do an investigation for the speed limits. So they do follow up on it."

Warren McKnight: "Did they give any particular reasons?"

Councilman Prusinowski: "I would have to check the paperwork on it."

Warren McKnight: "Should I check with the Town Clerk?"

Town Clerk, Irene J. Pendzick: "Yes."

Supervisor Janoski: "Let the record show that the hour of 7:52 PM has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:50 PM

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:50 PM on Tuesday, March 19th, 1991 to hear all interested persons who wish to be heard regarding: AMENDMENTS TO VARIOUS SECTIONS OF CHAPTER 100 OF THE TOWN CODE."

Town Attorney, Patricia Moore: "Because of the number of changes throughout the code. The entire traffic regulations article was reviewed and corrected in many cases to reflect what is actually out on the road. Whether it is Stop Signs, No Parking Signs, etc. The best way to review this obviously was to go to the Town Clerk's Office and go through each item individually."

If you have any questions as to a particular intersection I'd be happy to discuss it."

Councilman James Stark: "I don't think you have the right one."

Town Attorney, Patricia Moore: "That's what I have."

Councilman Vic Prusinowski: "It's vehicles, junks and abandonment."

Councilman James Stark: "It's basically again cleaning up the language of the Justice of the Peace which we had in the Town of years ago of which we now have Town Justices. It is a reference to the removal of abandoned vehicles or vehicles that should be removed after a reasonable period of time. It is very simple. Cleaning up of old language that has been in the books for a long, long time."

Supervisor Janoski: "Thank you Jim. Is there anyone wishing to address the Town Board on this proposal change? Yes, sir."

Gordon Hygam, Baiting Hollow: "Are you referring to vehicles that are left on a person's personal property without licenses on them. Are they to be removed or are these just ones parked along side of the road with For Sale signs on them?"

Councilman Prusinowski: "Yes."

Councilman Stark: "Basically these are vehicles that, I believe if Chief Grattan will step forward, that are left on public highways, public property that are unlicensed vehicles and create a safety or have been left there for a period of time."

Gordon Hygam: "Then this doesn't address anything left on personal property?"

Councilman Stark: "I think another ordinance addresses unmovable vehicles if that is what you are talking about, or unlicensed vehicles on property. That's a whole another different ballpark."

Gordon Hygam: "Do you know what amendment that is? Section that would be?"

Councilman Stark: "Not off hand."

Supervisor Janoski: "The Chief is behind you sir. Why don't you give the Chief an opportunity to give an explanation of the proposal?"

Police Chief, Lawrence Grattan: "If I remember correctly the major change in this section [this section has been in for quite awhile] was the change just in the matter of wording from "towing" to "removing" that the fees are in place regardless of how the Police Department removes the vehicle. Whether they use the police wrecker or whether they use another wrecker or they make other provisions to remove the vehicle. The fees remain in place. We were challenged on the fact we did not actually tow one vehicle. So the main wording change is instead of "towing" it's the "removal of the vehicle."

Supervisor Janoski: "Thank you. Yes sir."

Bill Kasperovich, Wading River: "This is the last topic in the world that I thought I would be talking on. But to me over the many decades of concern with vehicles that have been on public property the question of what is the definition of abandoned vehicle has come to light time and time again. What is abandoned seems to be depending on who is on the site as his choice of taking position. Now if we are going to go to this extent of correcting the printed word in our ordinances certainly this should be more explicit. Now if I get into a wreck and they haul me off to a hospital and I'm laying unconscious or what have you, is a lot different than somebody stealing a vehicle and leaving it in some remote area where it stays before somebody

pays attention to it. So how you care for our people that live here comes to light once again by your definition of abandonment. Whether the Town abandons the vehicle that has to be left on public property as to opposed to people with criminal intentions or disregard for Town ordinances. Thank you."

Supervisor Janoski: "Your welcome. Let me take this opportunity because no one else seems to want to be able to do this to tell you exactly what is being changed in this ordinance. First of all the words "Justice of the Peace" is being removed and substituted with "Town Justice". The words "of the Town of Riverhead" are being added. And it deals with the removal of a vehicle and strikes the words "by a person engaged in towing business within the Town of Riverhead". It also adds the words, as far as enforcement, "the Ordinance Inspector as an enforcement arm of the Town of Riverhead in addition to the Police Department". So that's what this hearing is all about and I will welcome any additional comments if any are desired. That being the case and without objection I declare the hearing to be closed.

Let the record show that the hour of 7:59 PM has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:55 P.M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:55 PM on Tuesday, March 19, 1991 to hear all interested persons who wish to be heard regarding: AMENDMENTS TO VARIOUS SECTIONS OF CHAPTER 101 OF THE TOWN CODE."

Supervisor Janoski: "This is a change in the Town Clerk Code referring to parks and playgrounds. Words being added are---no I've got the wrong one.

Parking. Different subject parking. We are putting in place Stop and Yield intersections at Promenade Drive. That is a correction of a street name. We are striking "Ostrander Avenue, Pulaski Street" and substituting "Mill Road, East Bound Ramp of Pulaski Street." "County Road Route 58, Twomey Avenue" is being stricken and a number of other streets and railroad crossings are being added to or deleted. This is once again an opportunity which the Town Board has to clean up references in the code which cease to make any sense in 1991. Is there anyone present who wishes to address the Town Board on these changes? That being the case and without objection I declare to be closed. Let the record show that the hour of 8:02 PM has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 8:00 P.M.

Town Clerk, Irene J. Pendzick: I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 8:00 PM on Tuesday, March 19,

1991 to hear all interested persons who wish to be heard regarding: THE SPECIAL PERMIT APPLICATION OF CLIFFORD KITZ OF THE REESTABLISHMENT OF A HOME HEATING OIL STORAGE AND SALE DISTRIBUTION FACILITY FROM EXISTING TANKS AND GAS STATION."

Supervisor Janoski: "Mr. Sullivan are you representing the applicant?"

Jerem O'Sullivan, Esq.: "Good evening. With me are Clifford Kitz and Charles Kitz proprietors of C. K. Auto Repair in Wading River. The application is in the nature of a special permit to resume a prior nonconforming use at an existing service station located in Residential "A" zone. This service station has been operating continuously for at least 30 years. Town records would indicate that possibly in 1961 a permit was issued to establish two Home Heating Oil Storage Tanks. Each possessing the capability of 25,000 gallons. Both tanks being above ground and located in a containment vessel. Located behind the concrete structure of the premises of the service station.

Approximately 1981 when there was a change of ownership. The preceding owner of the property ceased using the tank for that purpose i.e. the storage of oil or the sale of it. We wish to resume that use. I would point out to the Board that the application to you is being made for special permit we fully recognize our obligation to comply with the Fire Marshal's regulations, the Health Department regulations. We have had conversations with both and feel confident that we will be able to meet their requirements. For example the Health Department has pointed out to us that the containment vessel which presently exists needs to be improved upon. The containment vessel according to Health Department regulations has to be able to retain spillage of 110% of any one tank. As it presently exists it can contain about 100% and it will require an additional installation of one concrete block level around the tank. Furthermore they require to put in a high warning level alarm which we certainly are willing to do. And any other requirement that they may come up with we recognize that your approval will be subject to. They have both indicated to us that an application to them would be premature without the special permit.

I would like to speak for just a moment about what the impact would be on the community. As you know we are talking about an operating service station at the present time. We are talking about existing structures which are already there. And we are talking about the delivery to the service station of home heating oil and we are talking about subsequent distribution of it to the retail market. We anticipate that 50 thousand gallons will be consumed roughly once every one to two months and would require one delivery once every one to two months. We further anticipate that the retail distribution of it would require a single truck to come once or maybe twice a day. It is further our understanding that a customer in the market for pickup and deliveries be made first thing in the morning. There is no need for parking. The access to the premises is without curbs and there will be no interruption of traffic problem. I further point

out that since trucks already exist the aesthetic impact will be nonexistent. There is no smell. There is no noise. There is no new construction taking place. I finally would remind the Board that although hardship isn't a necessary ingredient for a special permit that service stations have been taking it on the chin lately for some well founded reasons. Environmental reasons. And it is becoming more and more difficult to sustain that type of a business in this community. This is an attempt by long standing residents to maximize their existing use of the premises to do the same. If we can help with any of your questions, certainly ask us."

Councilwoman Civiletti: "Is this use going to be a sale of home heating oil on a wholesale basis to distributors?"

(Unknown person): "Wholesale."

Councilwoman Civiletti: "Who are going to pickup and then deliver."

(Unknown person): "Basically it's going to be one distributor."

Supervisor Janoski: "Jerem do you know the answer to that question?"

Jerem O'Sullivan: "We will be storing it. A distributor, retail distributor will come and get it from us and distribute it in the community. We will not be distributing it."

Councilwoman Civiletti: "Thank you. That answers my question."

Supervisor Janoski: "Thank you Jerem. Is there anyone present wishing to address the members of the Board on this application for a special permit to reopen a home heating oil facility in Wading River. Cathy Casey."

Cathy Casey, Wading River: "I just want to say that I have done business with these gentlemen. I find them quite honorable and trustworthy. I am sure that if there are requirements or whatever the requirements on the part of the Health Department, the D.E.C. or the Town, I have every confidence that they will see to it that they do what you request of them. Since it is a business currently and in talking to some of the residents myself that I know personally that live nearby, they don't seem to have any objections. And to my knowledge the tanks are safe, relatively safe with these additional steps being taken and they are in the rear of the building so it does not appear that it would have any kind of an impact, serious impact, to deteriorate the nearby area. I would see no reason why, unless you can give me something that the Town should not approve the request."

Supervisor Janoski: "Thank you Cathy. And now Bill now it's your turn."

Bill Schultz, Wading River: "I was under the impression that when they were given permission to open that garage that they were only supposed to have one business. Now they are creating another business. The tanks were originally put there for Mr. Lieberts personal consumption. Nobody was supposed to get oil out of there but us. Now they come along and they want to start another business. I don't see why the Town should give them a permit to start another business when their property was supposed to be zoned for only one business."

Supervisor Janoski: "Bill there is one thing that you said there. Nobody was supposed to get oil from there, but us. Who is us?"

Bill Schultz: "Mr. Liebert and myself. I worked for Mr. Liebert when those tanks were installed. We took oil of those tanks for our own business. We didn't sell it to anybody. We didn't have anybody picking any oil up. It was only used for his personal business."

Supervisor Janoski: "So you had an oil distribution business?"

Bill Schultz: "He had an oil distribution business as well as the garage. The tanks are under violation of the Suffolk County Health Department and they are also under violation of the Fire Coordinator as I understand it."

Supervisor Janoski: "Suffolk County Health Department will play a major role in the issuance of any permit. They have permits from Suffolk County besides from the Town. Our business is the operation of a business. The zoning provides and I'm not familiar with the zoning that's there, Jerem can answer that question, but most business zoning provides two uses and I will ask Jerem what the zoning is. It's Residence "A". Well that's a different thing."

Bill Schultz: "It was only supposed to be one business at that time."

Supervisor Janoski: "Well I will just say to Bill that Suffolk County Article----- What Article comes in 7 or 12? is very stringent about oil or petroleum storage tanks and they won't allow anything that has been sited to be operated and we will certainly make sure that those----- (Supervisor interrupted)"

Bill Schultz: "That's right because I only live right next door."

Supervisor Janoski: "Oh I know where you live Bill."

Bill Schultz: "If those tanks get a leak in it I'm in trouble."

Supervisor Janoski: "One of the requirements of the County now is what has been described as a containment. They must be able to hold outside the tank in a circle around 110% of the volume of the tank. So that would be contained right there on site. I know this. The requirements are very stringent and we have no say in that at all. The Town government. Thank you Bill. Yes sir."

Bill Gerona, Wading River: "I am opposing the special permit of these tanks for the following reasons. The first reason is the evaluation of the local property in changing this into a tank and storage area. It's my understanding that these tanks were preexisting prior to zoning. What we're really asking for now is a change of zoning to put a storage facility in a residential area. If you really take a close look at the area that we are talking about down there with the road area. For tankers to come in here to continuously fill and pump with transfer pumps fuel into storage tanks you're going to have in a residential area a very noisy type operation, possibly a noisy operation. Second of all, once a permit is issued of this nature what is to stop the facility from increasing tank size from 50,000 gallon tanks to 150,000 gallon tanks. Once we have a use established. These are some of the reasons why I am personally opposed for this here operation. This operation did not exist as a legitimate business. As far as what is being applied for now and I see two determinations trying to be made here. One is a change in zoning and one is a special permit. Therefore I am opposed to it."

Supervisor Janoski: "Bill, just let me clear up one thing. This is not a change of zone that is being requested here. It is a preexisting use."

Bill Gerona: "That may be a clarification on that point."

Supervisor Janoski: "There is something that goes before that a nonconforming preexisting use. Thank you Bill."

Laddy Decker, Wading River: "I live on Leonard Street in Wading River. I happen to be the second closest resident to the tanks in question. I'm 166 feet to the west side. I am in the rear of the gas station so as in contrast to what the lady said before, the tanks are in the rear of the gas station so they will not have an environmental impact. I really have to say that for me they have the most serious environmental impact. And I would like to speak to this issue this evening if you will bear with me."

First of all before I read a letter which I have copies that I would like to present to Members of the Town Board and other people. I would like to state that I am friendly with Cliff and Chuck Kitz since they moved into the gas station. I found of the

four proprietors of the gas station in the 23 1/2 years that I've lived behind the gas station that they have been the most responsible and good businessmen. So I do appreciate their approach to business. So I have no ax to grind with them personally before I make any statements that I'm making. If you will bear with me I would like to read the contents of my letter to you and then present you with the copy.

To the Riverhead Town Board
Riverhead, NY

Dear Sirs:

I have been informed of the Riverhead Town Board's receipt of a petition for a special permit for the reestablishment of a home heating oil storage and sales distribution from existing tanks [and that's in quotes] of the C. K. Auto Repair Service Station on Wading River Manor Road in Wading River. As the neighbor abutting the C. K. Auto Repair business directly to the west I feel that it is imperative to express my concerns on this issue. I have a vested interest in the safety and well being of my family as well as a genuine financial interest in the maintenance of my property value. These interests have been and continue to be long term. On this site I've seen during the course of the last 23 1/2 years with previous owners a proliferation of business ventures which have been illegal and which Riverhead Town has fortunately controlled by careful monitoring of the property.

I'm appreciative and thankful that again at this time the Town is taking the time to review and review carefully all considerations regarding this business in a residential, quote nonconforming use situation. I trust all legal issues and abiding concerns for both short term and long term environmental issues, conformity with the Town Master Plan and goals and protection of the neighboring residents will all be top priorities.

I have found C. K. Auto the current operators in the few years of their business to be good neighbors. However, I've owned my property since October 1967, well before they took ownership of the business. During the course of this time I've lived through several instances where previous owners of the gas station have seriously violated the zoning ordinances. Again the gas station is a non ---THE GAS STATION is a nonconforming use in a strictly residential area. For this reason it has been imperative for the Town to maintain vigilance in enforcing all zoning laws pertinent to that property.

With regard to the current issue before the Town Board and the Town Planning Commission it appears that the Town Laws have been specifically written to protect residential areas against just such intrusion by business ventures. As I understand the law it states that no nonconforming use may be reestablished where such nonconforming use has been discontinued for a period of one year. These tanks have not been use for many, many years and have no right to be filled and used now.

And I would like to amend this or just make a statement about something that was said before. About 1981 the tanks were used up to that point. I'll point out that they were used by two

separate businesses entities. One was Liebert Fuel Oil and the other was Manor Road Service Station, River Road Service Station. It was not the enterprise of one and at time the question of legality was also in effect at that point. In addition to the purely legal aspect I have other more personal concerns with this situation which I would appreciate your understanding and considering.

1. The proposed reestablishment of the oil business involves storage of hazardous material. I live right next door to the proposed storage tanks. These storage tanks are extremely old. Do they meet current Town, County, State and Federal guide lines? Will these guidelines be monitored regularly to guarantee my family's safety?

2. Lots 59, 60 and 61 Terminal Park Map and I have a sketch of the map attached are owned by C. K. Auto and have been declared vacant residential land. These are the three lots directly next to the oil tanks. Under no circumstances should any the land be utilized in any part for any business purpose whatsoever including fuel oil storage, fuel oil sale and distribution and or access to the said business.

3. Is there a proper and adequate containment to control any leakage from these old tanks? You've mentioned that.

4. Will the fire department inspect the tanks regularly? Is there a fire safety plan in place to prevent a disaster?

5. What regulations are there regarding the hours of operation? Can tankers and trucks unload at the terminal in the middle of the night? Who will monitor and enforce the laws pertaining to this?

We lived through this before when we had a trailer truck business in operation illegally at the site in 1979 and that truck was in there at all hours of the night.

To the space for automobiles under repair and other vehicles is currently very, very tight on the C. K. Auto property. In fact it currently encroaches onto Charles Street which is a Riverhead Town paid for street and onto the aforementioned residential property behind the gas station. If the fuel oil business becomes operational will the storage of autos then be pushed further onto these unauthorized places? To illustrate the reasons for my continued vigilance and concern I've taken the liberty of attaching to this letter copies of documents from 1969 and 1979 regarding the use of the gas station property. The November 6, 1969 Zoning Board of Appeals hearing clearly defined what could and what could not be done on that land. In no way do I want to deny the right of C. K. Auto to make a living from their business property. I reiterate that I am on good neighbor terms with Cliff and Chuck since they purchased the gas station. However, I do request that whatever business venture they pursue on their property be such that it conforms strictly to the Town and other laws so that my rights and my safety as a neighbor are not infringed upon. I respectfully request that the Riverhead Town Board, the Riverhead Town Planning Commission, the Riverhead Town Building Department and the Riverhead Town Zoning Board of Appeals to study the issue very carefully. When you do you will recognize the correct determination will be to deny the special

permit for this business on this site.

I would like to thank you for your consideration and I welcome the opportunity to explain further any of the content of this letter. And I would like to present copies of the letter for individuals on the Board."

Supervisor Janoski: "Thank you Mr. Decker if you will give a copy to the Clerk and you have copies for each of us also."

Jerem O'Sullivan: "Two observations if I may. To the very best of my knowledge these tanks are not in violation of any Suffolk County Health Department Act at the present time. Secondly we share their concerns that this be a nice community and we share their concerns about the intrusion of traffic and things of that nature and we offer our cooperation to the Board in restricting traffic to appropriate hours of the day and making such a special permit subject to those kinds of restrictions which would take into account their concerns."

Supervisor Janoski: "Thank you Mr. O'Sullivan. Way in the back there. Yes, you."

Eileen Siebertson, Leonard St. Wading River: "I'm a neighbor of the property as well. To all of the things that Mr. Decker addressed, I wanted to add one further. At present when their deliveries of fuel occur now, there is a slight traffic problem and it is right opposite the school and I think that that has something to do with allowing more traffic there. Holding up the school children, the crossings and so forth there. Along with the other points that were raised. Thank you."

Supervisor Janoski: "Thank you. Is anyone else present wishing to address the Town Board on this question?"

Clifford Kitz, Owner C. K. Auto: "Basically to Mrs. Siebertson's comment. We are renovating the front of the building as far as putting in new tanks. The only reason why the tanker comes that particular way at this time is because of the tank position and they are being moved over to the other side so that the tanker will not be on Wading River Manor Road anymore whatsoever as far as dropping gas for us. Thank you."

Supervisor Janoski: "You are referring to gasoline deliveries."

Clifford Kitz: "Right, right."

Supervisor Janoski: "Thank you."

Clifford Kitz: "And as far as the oil that would be on our property. That would be back. The tanker would pull straight in and drop the oil in the back. It would be no traffic blocking whatsoever. Thank you."

Supervisor Janoski: "Thank you Cliff. Any other question, comment or observation? That being the case and without objection I declare the hearing to be closed at 8:25 P.M. The Members of the Board have requested that we take a short recess. I think we have an idea of how long the next hearing will take so we will reconvene at twenty minutes of nine."

R E C E S S

Supervisor Janoski: "I would like to return to order and call the meeting into session. Ladies and gentlemen I would like to call the meeting back to order. If you would please take your seats. Thank you. Let the record show that the hour of 8:42 P.M. has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 8:05 P.M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall at 8:05 PM on Tuesday, March 19, 1991 to hear all interested persons who wish to be heard regarding: **THE PROPOSAL OF CATHOLIC CHARITIES TO ESTABLISH AND OPERATE A COMMUNITY RESIDENTIAL FACILITY FOR RETARDED ADULTS AT 4 HILTON COURT, AQUEBOGUE.**"

Supervisor Janoski: "Father Gilmartin are you representing Catholic Charities?"

Father Gilmartin: (from audience) "Yes, I am."

Supervisor Janoski: "Would you like to be recognized first?"

Father Gilmartin: "Thank you. We would like to have three very brief presentations to you from myself, Sister Gerry and one of the residents from Riverhead Dorothy Pierzchanowski. And we would ask you also for the record to read a letter from Bishop Wcela that he sent to you so that we might have that as part of our presentation.

Mr. Supervisor, Members of the Town Board and all present. I am John Gilmartin, the Diocesan Director of Catholic Charities.

Catholic Charities, in service to all the people on Long Island regardless of race, creed or color, has been meeting expressed needs in both Nassau and Suffolk counties since 1957.

Due to the specific needs of the people on eastern Long Island, Catholic Charities opened its Riverhead office thirty-four years ago and has been present to this community since that time. We have responded to your call for mental health counseling services, alcoholism treatment and counseling, marriage counseling, summer respite and camp programs, women's support groups, financial aid to families, migration issues, outreach

services and over thirty educational forums.

Two years ago, our Food and Nutrition Program opened its doors here in Riverhead to offer food and nutritional services to women with children under six years of age. In the month of February, 1991, 597 people in Riverhead were recipients of services provided by the Food and Nutrition Program. This number climbs monthly.

Catholic Charities is proud of its history of service in Riverhead and, as you know, plans on extending its service by opening a community residence for 9 to 11 developmentally disabled persons. The call for this service has come from the families in the towns and villages of Long Island. We would not be true to our mission if we ignored the plea of the handicapped and their families.

We ask Sister Gerry Bowes to explain our Residential Services Program to you.

Thank you."

Supervisor Janoski: "Thank you Father."

Sister Geraldine Bowes: "Good evening Mr. Janoski and Board Members. Since 1969, Catholic Charities has been involved in providing residential services for vulnerable people who require assistance and support.

We have operated a Residence for Pregnant Teenagers since 1967, a Residence for 12 homeless, mentally ill persons, and six Community Residences for the developmentally disabled, a Residence for the deaf mentally retarded and one which serves blind and deaf persons as well. Currently, our Residential Services Program serves 85 men and women. All of our Residences are professionally staffed and supervised twenty-four hours a day. The residents of the proposed home in Aquebogue all are developmentally disabled, over 55 years of age, and are from Suffolk County.

Long Island is currently in need of 2,000 placements for the mentally retarded and developmentally disabled population. Catholic Charities, again in response to the cries of societal pain and expressed need, comes before your community to say WE CARE - WE ARE HERE- WE WILL SERVE. WE ASK FOR YOUR SUPPORT.

Thus, in accordance with the PADAVAN LAW, we have proposed a Community Residence for 9-11 persons at a site in Aquebogue on Hilton Court.

Available to all of you is a copy of the SITE/SELECTION FACT SHEET which explains the reasons for selecting the Hilton Court site, as well as a paper which explains the Catholic Charities Community Residence Program. If there are any other questions you may have, please know that we will be happy to answer them.

On behalf of all the people who are waiting to be served, I thank you for the opportunity to share their needs with you.

I'd like to introduce you to Dorothy Pierzchanowski a native of Riverhead who would like to share her story with you."

Dorothy Pierzchanowski, Riverhead: "My name is Dorothy Pierzchanowski and I have a brother in a Catholic Charities

Community Residence.

My brother, Joseph, who is 64 today, is mentally handicapped. He lives at Msgr. Fagan's Residence in Elmont which is about 1 1/2 hours from here.

Joe had lived with our Mom in Riverhead until she passed away in 1988. After her death my two brothers and I tried to care for Joe. Because we all worked he went from one house to the other. Whoever had the day off - that's where Joe stayed. This arrangement was taking its toll on him. What Joe needed the most was the stability of one home to live in which we were unable to provide him with.

After many prayers and the help of a few individuals, we were led to this beautiful adult home run by Catholic Charities. Our prayers were answered. Joe would now have that one stable home to live in.

Today my brother is very happy and well cared for by dedicated people. He and the other residents are supervised 24 hours of the day. They are never left alone. Aside from the fact that this is a residence for Joe, he has had many learning experiences which have broadened his horizons.

Two weeks ago when I went to pick up Joe for a weekend, I stopped to talk to a woman who lived across the street from the residence. Neither one of us knew the other. I asked her how she felt about this home so close to hers and if there was ever any problems with the residents. She told me in the two years the home has been opened there has never been even one incident or problem. She did say however, that some people objected at first, but have since changed their minds after seeing the good results it produced in these special people.

I tell you all this in hope it will ease some of the doubts and fears some of you may be having concerning this home Catholic Charities hopes to open for those who cannot help themselves. Let us help to give them a better chance in life.

And let us search our hearts and remember the words Jesus spoke, "Whatsoever you do for the least of my people, you will have done it for me.

Thank you and God bless you."

Supervisor Janoski: "Thank you Dorothy. Father did you want to read the letter now?"

Father Gilmartin: "Would you read the letter?"

Supervisor Janoski: "Yes I can do that. Father has presented a letter from Bishop Wcela. It is addressed to myself.

Dear Mr. Janoski,

I am informed that Catholic Charities has resubmitted its application to establish and operate a community residential facility for moderately retarded adults on Hilton Court in Aquebogue. I wish to support this application.

I believe that the need for such a facility was fully established during the previous discussion, especially since the facility will most likely serve a number of people whose families

reside in this area.

One concern expressed at the last information session was the imagined adverse effect that the facility will have on the quality of life in the area. I am greatly concerned about the quality of life. One line of my family has lived in central and eastern Long Island since 1855. My mother was born in Riverhead and part of the family made its home and had a business here until the last member of that branch died a few years ago. I believe that I could count twenty to twenty-five close relatives who live in central and eastern Suffolk in their own homes. Quality of life is therefore not an abstract issue for me.

However, quality of life must include how we treat the more needful members of our society. Responsible provision for the care of these moderately retarded seniors could only improve the quality of life in the best and noblest meaning of the word.

Further, I live adjacent to a group home in Riverhead. I know a number of the residents. I meet them in church and on the street. They are good neighbors. I am sure that the residents of this proposed facility will also be good neighbors as they live their senior years in caring and comfortable surroundings.

I express my strong support for this application and urge you and the Town Board to give it your cooperation and support also.

Thank you for your consideration of my remarks.

Sincerely,
Emil A. Wcela

Thank you. It is now time to recognize anyone who wishes to address the Town Board on this matter. Yes sir."

David Klaum on behalf of his parents who live on the north shore Arthur and Catherine Klaum: "My sister Mary Kay is 27 years old and lives in the Rhine Residence in the Town of Babylon. It is a family of eight kids and my parents. For over twenty years we watched Mary Kay grow up, but in the last five years we watched May Kay mature in the home. The home has done far more for Mary Kay than we could have ever done for her.

I have a lot of empathy for the residents around this home about what they expect, of what is going to happen. I ask them to read the letters from the neighbors of the homes that are currently in operation to get an understanding of what is to be there. These are not bad people and you won't be sorry."

Supervisor Janoski: "Thank you. I think that I should take a moment to explain to those who might not be aware that this is not an application which we are holding a public hearing on which is before the Town Board. This is something quite different. It is a provision of New York State Law which is known as the Padavan Law which has been referenced here in one of the presentations. The Padavan Law provides that the municipality, in this case the Town, may hold a public hearing on a proposed residential facility such as Catholic Charities is suggesting. The Town has no yes or no decision to make here. The options are quite clearly spelled out in the law in that the Town government

may suggest alternate locations or object on the basis of over saturation in the community. That is clearly the provisions of the Padavan Law. So this is not a special permit application such as we had with the oil tank facilities where the Town Board considers the testimony and then makes a decision whether to grant or deny. We do not have that authority in this case. I will recognize anyone who wishes to be heard. Alice."

Alice Graff, Riverhead: "I'm curious. It seems to me that I've heard that they have been circumventing the laws, different little laws as they applied for permits and before they got permits and they have done things. It seems to me that's vague in my mind. But hasn't there been some situations in that category?"

Supervisor Janoski: "I am not particularly aware of any. I would point out to you Alice that local zoning does not apply here. It is State Law."

Alice Graff: "Oh. Okay. But even like-----"

Supervisor Janoski: "They must adhere to the State Laws."

Alice Graff: "Only the State Laws."

Supervisor Janoski: "Well they are our laws too. We enforce the New York State Fire Code here in the Town."

Alice Graff: "It just that it seems to me that I've heard some chatter about different things."

Supervisor Janoski: "I'm not aware of any construction that has taken place. Maybe there has been some and certainly if we can get an answer to that question if need be. Is there anyone else present who wishes to address the Board? Yes sir. Otto."

Otto Wittmeir, Aquebogue: "I would like to thank our Town Attorney, Pat Moore, Supervisor Janoski and the Board for and anyone else that I might have missed to get us back to the 40 day period. Because I don't know if-----I think a lot of people were here at the last meeting which was almost out of control with Catholic Charities where we were almost on our knees begging Father Gilmartin to give us back the 40 day period. And I'm just overwhelmed by his generosity this evening to come forth here and to speak to us. That night you didn't have any generosity."

The other request that I would like to make is that the minutes from the previous meetings that we held on this subject, on the group home with the Town and also with Catholic Charities, be incorporated into the minutes of this Town meeting. Because if we had to go over all the points that we discussed at previous meetings. We'll be here awhile."

Supervisor Janoski: "That record exists and is there any legal problem with incorporating that? We will have it done that way."

Otto Wittmeir, Aquebogue: "Now that we have the 40 days back the law that Catholic Charities was speaking about the Padavan Law, the New York Site Selection Law is very specific as far as what happens. And Supervisor Janoski also pointed out the process. I would just like to go over it a bit. The sponsoring agency being Catholic Charities informs the chief executive officer of the municipality that it has a specific address for a proposed group home site, which they have done with the Hilton Court address.

Now as a community we have the following options: The municipality then has 40 days to make a decision. Public hearings may be held, but the community loses its say if no action is taken by the deadline. There are three options. (1) That the site is approved by the municipality. (2) That alternatives are suggested. (3) Objections are made to the site on the grounds that the neighborhood is already saturated with such sites and a new one would alter the character and nature of our community. Without really going back I would like to dwell on the last point. I don't think anyone in this room that is here from Hilton Court or from Westwood Boulevard is against the idea of placing retarded people in community homes in nice communities. I guess we would like to say that they could have done a little bit more work as far as the site selection. This is a site that is out in the boonies. It's remote. You can't tell me that when you take a community that right now has probably 45 to 50 homes. Most of them are made up with young families with children and you drop in a group home that has 9 to 11 retarded people over 55 years of age that that won't change the community. I don't where the continuity is with those two groups.

There are so many things this lady had asked about the laws. I have called so many people at the State level, at the County level trying to figure out how these things work. It's quite an education. The more calls you make the more upset you get being that you are a taxpayer. The Town really has very little say in this. I don't know if the people in this room know that most of these cases that have had hearings such as this and have gone to trial the charity has always won. So I don't know what the taxpayer----I mean we're the taxpayers; they are using our money to support this home. They bought a home in a depressed market and they paid the full asking price. I mean if I was giving to that charity I'd question the management of those monies and I'm really confused as far as the taxpayer goes. I thought that we have some rights and I hate to be ringing this bell again, but the more I find again about this stuff, we have very little rights. And we have to count on the Town Board, the Supervisor and the people who represent us that we are heard, that we are treated fairly, just as the retarded people. We have a point that we are trying to make also. We are afraid about our home values. We have a family that lives within 300 yards of this proposed site that moved from another part of town where there was a group home because they had several instances where there was exposure. Males exposing themselves. They had young children. They were concerned. They sold their home. They moved here. Now 300 yards away there is a new proposed group home. I don't know. Maybe that

makes me a bad person, because I talk like this. I don't know. But those are fears.

In closing I object to this site on the saturation issue. And I ask that the Town take the position that this group home should not be established here. I'm prepared tonight to submit 10 alternate sites. And I would think that the generosity and charity that was exhibited by Father Gilmartin tonight would also be present when he and his group reviews these alternate homes. Thank you."

Supervisor Janoski: "Otto are you going to make that part of the record?"

Otto Wittmeir: "Yes."

Supervisor Janoski: "The list of sites, if you would, give that to the clerk."

Otto Wittmeir: Thank you very much."

Supervisor Janoski: Thank you. I started to see a hand there before. In the red shirt. Yes."

Beth Russell: "I am on the Board of the Long Island Task Force on Aging Out. Also for a period of about five years I was the Brookhaven Town Site Selection chairman of the Site Selections Committee of Brookhaven Town. I am speaking for myself, but I am also here to read a letter from Barbara Townsend who is executive director of FRE. That's Family Residences and Essential Services. It's another agency dealing with the handicapped. As a member of the L. I. Task Force on Aging Out; what that means is, people with handicaps, developmental disabilities, who have aged out of the educational system and are over 21 or are in the public service section.

To Whom it May Concern:

During the past 15 years, I have known and worked with Catholic Charities extensively. In 1976 Catholic Charities, as a pioneer in the field of services to the developmentally disabled, opened one of the first group homes on Long Island in Valley Stream. Since that time, they have responded time and again to the pleas of the developmentally disabled and their families. They have developed homes and support groups throughout Nassau and Suffolk Counties.

This organization seeks to come into your community to again extend its hand to provide for the needs of our less able brothers and sisters. You as a community are, I'm sure, understanding and compassionate toward the handicapped. You are fortunate to have an organization such as Catholic Charities join with you in seeking to provide what will be an exemplary program for persons who are disabled and in need of a community residence. May you be successful in together joining hands to reach out to your fellow citizens and offering them the support and care that they need.

Sincerely,
Barbara L. Townsend, Executive Director"

Supervisor Janoski: "Thank you. Do you want to make that letter part of the record?"

Beth Russell: "Yes, I do."

Supervisor Janoski: "Would you please give it to the Clerk. Thank you."

Linda Barnett, Aquebogue: "I live within 300 feet of the proposed site. First of all I would like to thank the Board. I'm really pleased to see that you are here and that you will listen to us and hear our opinions tonight.

Although many of you, if you have been reading the paper for the last few months, I think have a good feeling for how the residents in the community feel. Because if you backtrack through the local papers you'll see that we are opposed to it. I happen to be a real estate broker. I've been in the business for twelve years. I'm very familiar with the value. I'm not saying that we should oppose this just because of our property values going down, but I do oppose hearing other people who are not in the business saying that the property value will not go down. If this group home does go in and I take a client down to see some houses and they are aware that a group home is there it can easily not only drop the value, but I can lose a sale because of that. I would like to know from the Town Board tonight----we did at one point have a public hearing, what did happen to those alternate sites if any of them were considered by Catholic Charities?"

Supervisor Janoski: "I wouldn't call what we had a public hearing. I would say it was an information meeting. Those sites are still ----the information is still there concerning them. After this public hearing we will decide as a Board what to do and perhaps that may be the recommendation of the sites that we had identified previously plus whatever new sites have been added to the record."

Linda Barnett: "Thank you. I would like to mention that I object because saturation. That's one of the reasons that I object. Currently I have another group home of this type within walking distance, two blocks, from this home. So I will have within walking distance two homes for the mentally retarded that I can easily walk to. Now Aquebogue is not a very big town. The street that this home is proposed to go on has only four houses on it with a little cul-de-sac. That's about it. So to me that definitely sounds to me like over saturation when you are taking such a little home and put in two of these homes within walking distance to me. I just basically would like to mention that the site is not suitable. I ask the Town Board to please consider the alternates and please listen to us. And I thank you again."

Councilwoman Civiletti: "Linda, just for the record if you wouldn't mind telling us the location of the other facility."

Linda Barnett: "Across from the Aquebogue Post Office on Route 25. You go up West Lane, make a left and it's right on your right."

Councilwoman Civiletti: "Just so that it's on the record."

Supervisor Janoski: "Warren."

Warren McKnight, Wading River: "Basically what I would like to speak about tonight is the individuals involved and I work with educationally and economically disadvantaged people and try to get them educated. I also work with people who are very old and can't get out. The biggest thing here is these persons ---I'm saying why aren't they in a downtown area. The reason why in downtown there is so much going on. And activity is a secret for an antidepressant. It's an uplifting thing. It makes people healthier mentally and physically and there is a lot happening downtown. There are sidewalks. We have the parks. We have the library. We have various stores. It would be a great place. One incident I remember I was watching an outdoor play at the library several summers ago, and there was a group of young people who appeared to be retarded and they approached us and they said we want to get our ride to come here. It was very easy to get their ride because it was just a few blocks around the corner and somebody from the library was able to contact them. So this is what I'm concerned about. Are there sidewalks around? And what is best for the individuals. Also what would be a wonderful thing, especially since they are senior citizens, if they could become part of the Senior Citizen Nutrition Program, but if we can obtain money to pay for that from an outside source. That would be wonderful too. So I think if these individuals could look forward to either having lunch sent in to them or to go out and meet other people. This is the prime criteria that should be involved here, I think. When everybody considers everything, the bottom line is what's best for the individuals, and how much activity they will have. Thank you."

Supervisor Janoski: "Thank you Warren. Pink sweater in the back there."

Linda Moran, Riverhead: "I'm a Riverhead Town resident for 8 1/2 years. My husband and I are also live-in residential group home house parents with a different agency. On the issue of children being affected by these clients, I just want to say that in the eight years that we have been houseparents, we have had three children the oldest is seven. We have a three year old and a two year old. They live in the home with us and with our clients. They attend dances. They attend the Special Olympics with us and I have never, ever had any problems. My staff brings their children with them and it has never been an issue."

The other point that I just want to make is that within the

past 9 months we have had three unannounced State Audit inspections of our group home and this, I think, just goes to show that the houses have to be kept up. We had a group come from Albany, Quality Assurance. The clients have to be taken care of and the State keeps up on these things. These houses are not going to be run down. There is not going to be any danger to the clients, or to the neighbors and the houses actually do look better than some of the other houses in the area. They are kept up really well. Thank you."

Supervisor Janoski: "Thank you. Linda. Could you just tell me what the location of that home is?"

Linda Moran: (from audience) "Roanoke Avenue, Riverhead."

Supervisor Janoski: "Roanoke Avenue in Riverhead."

Alison Pressler, Aqueboque: "I read the packet of papers that Catholic Charities just handed out and it said in there that they picked this site because of how the house looks and they are obviously going to change the structure of the house so they can house nine to eleven people. So automatically they are going to change the appearance of the home and enlarge it. I think if they are going to enlarge the house and change the appearance the alternative sites should be looked at if they are larger homes. Because this home appealed to them, but then they are going to change it. Also, it is over saturated and why should they have another home with older people. There's is no way to get around. There are no sidewalks. All of us have to get to shopping, to the post office, to the gas station and anywhere by car. No one takes a stroll around. If alternate sites are closer to Town so there are more places and things for these people to do, it would keep their spirits up. Instead of hiding them back in the woods where there is nothing for them to do. Thank you."

Supervisor Janoski: "Thank you. Yes sir."

William Hyer, South Jamesport: "I'm a former driving instructor. I want to point out to everyone who is present here that as a society we tend to shy away from people who are different from ourselves. This is something, a practice that we should get away from. Being a former driving instructor, the fact of the matter is, about one out of every seven drivers that are registered on the road each year die in an automobile accident. A much greater number then that become mentally disabled due to head trauma and other injuries. What do we do with these people? These people are your parents, they are your aunts, your uncles, your brothers, sisters and kin. Something that, I think really strikes home, if it was someone that you knew and if any consideration is to be given to these people going to this home I would at least like us to consider them as being human beings before we make any kind of rash decisions. Thank you."

Supervisor Janoski: "Thank you. Yes sir."

Dennis Kavenaugh, Aquebogue: "I'm a resident of Hilton Court. My home is directly located across the street from the proposed site. Before I get into a little detail here I would like to thank the Town Board in their efforts for the Federal Lawsuit that we proposed and actually won. That is the reason why we are here tonight to get our forty day period back. Also would like to thank Mr. Whittmeir and his efforts and time and the other members of our community for the effort and the work he has been doing in his opposition to this site.

My home is directly located across the street from this proposed site. I do believe that the people must be housed someplace. Before I forget I would like to thank Catholic Charities for coming back out here to hear us. I do feel these people have to be housed someplace. I do feel that in order to have these people have a better place to live I just wish Catholic Charities would actively look at these proposed sites that were offered by our residents and if they can determine a better site I would ask them to please accept another site and hopefully these people will be more happier than living across the street from us in a small community that we live in. Thank you."

Supervisor Janoski: "Thank you. Mary Beth."

Mary Beth Andresen, Church Lane, Aquebogue: "I'm here this evening to speak against this proposal and to urge this Board to seek alternatives in site plans. As many of you know I'm a Registered Nurse and I have a degree in Community Health and I also have a brother-in-law who lives in Aquebogue very close to this site who is handicapped and has some mental deficiencies. This is a very poor location at best for all of the reasons that people have given you and coming from somebody who has a person in their own family like this, I know the difficulties that arise there. My brother-in-law happens to be a very high functioning person and at one time did hold a drivers license and still does, but doesn't have a car. But he is able to motivate by himself on the bus situation. However, when he goes up to the deli to get a soda or a sandwich he's almost unable to cross the road. The traffic on Route 25 in that situation is deplorable at best. He has very little ability in comprehending who's coming faster and who's slowing up and who's parking their car. Years ago when I went to nursing school, I went to nursing school in the 1960's when most of these persons were institutionalized and then through the efforts of Ted Kennedy and a great public outcry the deinstitutionalization of these individuals took place. And these people wound up in communities with very poor restrictions or rules as to where they were going and I do applaud the fact that people and the State have taken a much more inventive idea as far as placing these people in communities. However, the community that Catholic Charities has chosen to me cannot fulfill these handicapped individuals ideas other than once again incarcerating them within a home situation. We like them to become more part of

society. We like them to sensitize the people in the community. And yes they will sensitize us. I mean most everybody has seen the individuals who reside in Roanoke Avenue Group Home. And those people are able to walk downtown. They are able to cross with the crossing light. They can go to Papa Nicks and get their soda, which many of them do. They do cross the street and get the bus in front of what used to be Karl Ehmers. They really even can go and get their haircut. For my brother-in-law to do all these things it necessitates him taking a bus from Aquebogue by himself and then when he gets dropped off in the evening on the wrong side of the road, navigating that road in the dark and it's a poor situation. In addition the traffic on West Lane during the peak hours of ingress and egress from Photocircuits is very, very heavy. Also the speed limits are sometimes higher than the 40 MPH speed limit that's posted and I'm aware of that because I'm the one that invented that 40 MPH speed limit many years ago.

I feel that a community where in an area of downtown, whether it be in Polish Town or downtown Riverhead where these people have more things to do to create their more independence. That's what you want for these people. You want them to feel good about themselves. You want them to become a part of a community. You want to sensitize all. You want to be able to see them at Monday Night Concerts at Pulaski Street School. You want to be able to see them at Riverhead Free Concerts. You want to be able to have them partake of all these things. Possibly go to the Vail Leavitt. They certainly can hardly ill afford most of them to even eat at the Snack Bar which is the closest place to them. Because most of them are on fixed incomes or SSI which is really their major type of monies other than the ones that are helped by their families.

So in all of these things I urge you to deny this application on the basis that it is an inappropriate area and to find a more appropriate area with sidewalks and with things that these people can partake of. There is really nothing for them to do in Aquebogue. I mean I would sort of like it in a way, because it would give my brother-in-law a place to go visit, but for that that's a very personal thing. But on all things, I don't really think it is good. I don't think it is appropriate for him. And if he hadn't lived there with his mother he wouldn't be there today. Thank you."

Supervisor Janoski: "Is there anyone else present wishing to address the Town Board on the matter of this proposed residential home?"

Mickey Pilketon: "I have a letter that was dropped off by Dr. and Mrs. Eloy Caracuel from Smugglers Path, Riverhead. They couldn't stay to the end of the meeting. May I read it to you?"

Dear Mr. Janoski:

We should like to express our opinion concerning the question of the housing for the developmentally disabled adult home in Aquebogue. We believe it would be an excellent site for

such a residence.

Catholic Charities will be responsible for transportation, so the need of being on a bus line is eliminated. This area provides a beautiful setting for these adults. They can enjoy the beauty and privacy of a good home.

We have found that group homes make good neighbors. The property is kept up and there is responsible supervision.

We have enclosed the reading from today's Lenten booklet. It expresses our feelings perfectly.

THE HEART HAS ITS REASONS is a touching documentary on the work of Jean Vanier in building L'Arche, a home for handicapped persons. The mentally disabled often experience rejection and are exiled from home to live isolated by fear and loss of confidence., L'Arche is a Christian home where the presence of Christ is practiced by committed Christians who live as friends to these fragile human beings.

Henri Nouwen tells of a discovery he made while participating in a party at L'Arche:

Sitting there among all those handicapped and nonhandicapped 'nuts,' jumping up and down, singing, laughing, clapping hands, and praying, it suddenly struck me that the poor had gathered the rich around them from all over the world and revealed to them the true love of God. Thus, the distinctions between handicapped and normal, poor and rich, inefficient and efficient were dissolved, and the basic unity of all who live in the house of God was made visible. "Irrelevant" lives had acquired a divine relevance, the relevance of a God who is revealed to us in the weakness of a small child, an itinerant preacher, and a crucified outcast.

We believe that it is the responsibility of us who are privileged to have professions and homes to provide for those who cannot provide for themselves.

Sincerely,

Dr. & Mrs. Eloy Caracuel"

Supervisor Janoski: "Thank you if you would submit that to the Clerk. I see a hand. Yes."

Mary Raffle, Aquebogue: "I don't know much about the law. I don't know from Padavan Law. I don't know from site selection. I can only speak from a very personal point of view. My son Steven was born 21 years ago in Central Suffolk Hospital. He lived at home with us until he was fourteen and the local BOCES no longer had the proper programs for him. He is currently at the Nassau Center in Woodbury for the Autistic and Retarded. He has aged out this month. He is home every weekend with us. He does live in Aquebogue. He does go to the McDonalds. He does do things with our help and he is on every wedding list on earth. There are not enough places for these people. And the places that we look are saturated with older people. We have a home for eight people and that home is filled up with eight people. Those people are there until they die a normal life span. That's why there is so little turn over. I don't know if this site is the best or another site is the best, but I realize that's the point of the hearing. No

one is against the retarded. I understand that. But if more homes aren't built somewhere near here our sons or daughters, children from Aquebogue, Riverhead and Laurel are going to be placed upstate where their parents can't visit them. Their parents can't help them and that is a very tragic situation. Thank you."

Supervisor Janoski: "Thank you. Is there anyone present wishing to address the Board? I will caution you Mr. Schmelzer I'm not going to tolerate any jokes. This is a very serious hearing."

George Schmelzer, Calverton: "You don't have to caution me at all. That's uncalled for what you said. Unless I've said something out of order, then you can caution me. Now don't caution me unless I've said anything. You are entirely out of order and you d---n well know it."

Supervisor Janoski: "I've listened to your comments for years-----"

George Schmelzer: "Yeh. That was before, not now."

Supervisor Janoski: "I want you to understand-----"

George Schmelzer: "That's enough. I want you to understand also."

Supervisor Janoski: "Mr. Schmelzer-----"

George Schmelzer: "Yeh, Mr. Janoski."

Supervisor Janoski: "I'm just trying to say this is a serious hearing and no time for jokes."

George Schmelzer: "Who said it wasn't?"

Supervisor Janoski: "Thank you and continue."

George Schmelzer: "I just want to compare. When a State agency does something or when a private organization does something. Now in Calverton under this Padavan Law, I believe it is, they bought a house on South River Road near the Forge Dam for the retarded, some people call them nitwits. Nobody had a word to say about them. The community had nothing to say. They weren't listened to. So it was entirely brushed aside. Even dangerous. One kid almost fell into the water. Now if that was a private organization that tried to put a house there like that they would have been turned down. I know for sure. But when the State does it that's different.

I just wanted to compare the differences between private people and government. When government does something that's okay. When the private people do something, a private organization they can get harassed from all sides. See I wished to point out that difference. I don't know anything about this

proposal and I'm not going to get into that. It's none of my business. That's all I want to say."

Supervisor Janoski: "Thank you George. Way in the back I see an arm."

Sister Teracita Donack, Riverhead: "I've been asked to come before you. My experience has not been with living next to group homes, but in dealing with people who have had great opposition to living next to people with group homes. I work in Farmingville in a new parish that is developing and in doing some research on what's happening here had asked some folks who live next to a group home their feeling and senses as this whole process was going on for them. They would have liked to have been here tonight, but had to work and so I come as their kind of witness as to folks who have hated and despised the idea. Went around petitioning and were faithful members of our parish. Have since been informed and became involved with working with the group home. Some of them have even become Board Members. There was a fear that was not answered for them at the beginning and I guess that's what some of what I hear this evening. People don't know what is going to happen and these folks shared with me the fact that as they became more and more aware of the things that they questioned or feared they were able to come to reconciliation with this and actually work with the homes. And just to share that. I think that things that we don't know we fear."

I just have three other comments that I wasn't going to make because for me it's a little frightening being up here. But I just heard this whole sense of 'they are older people'. It scares me to think that the American society has placed older people out of the picture. And I heard a lot of that this evening. That's just a personal reflection. And I could be mistaken, but that's what I heard. Another thing that I heard and it was fine. These people need homes as long as they are not near me. And the third thing is it sounded like they were really at Montauk Point, because all I heard that they could not get to anything. I was hoping that the home would at least have a van for transportation to get them to different things and hope that they would be involved. These are just some of the things that I heard and would just like to say that I'm in favor of this site and helping these folks."

Supervisor Janoski: "Thank you sister."

Cindy Jeski, Riverhead: "I'm teacher and have been a resident of Riverhead for 33 years and I come here for the second time in support of the home. Personally growing up a friend of the family has two retarded children that I grew up with. I always knew that they were different, but I always wondered why they were happier than most people. So that was kind of the way I grew up and my perception of these people. My friend has an uncle who's in his sixties or approaching that and he is currently in a home and it sounds like that the home that he is in sort of like a situation like Aquebogue, it's not right in a town. They always

have transportation. They are transported to the places they are going. They are supervised and they are transported back. Now possibly people were referring to Roanoke where the residents walk around. I taught at Roanoke and also had the joy of seeing these people. Watching them being self-sufficient. Getting their checks cashed and taking care of their business hand in hand in that way. But that's probably because they are within walking distance. The homes that I've known about that are further away have had transportation.

I understand peoples fears and concerns. I share them too when I'm exposed to something different; that I'm not used to. Sometimes it's a little scary, but I think taking a little risk of facing something that we are a little afraid of is worth it, because I think we all know that we have to learn to live together in a good way and try to see how we are more alike then how we are different. So I thank you for the opportunity for me sharing and voicing my American opinion."

Supervisor Janoski: "Thank you. Is there anyone else present wishing to address the Board? Yes."

Del Herzog, Riverhead: "I was a family care provider for over two years for a 32 year old woman from Pilgrim when I first got her. I found that there were so many big changes in my house when this woman came. We had to have fire extinguishers, smoke detectors. She was provided with legal service twice a year. We always had our house with the white glove inspection. I think really and truly what I'm hearing tonight is I don't want it in my back yard. And that is something that we all have to get away from because now we are going to have people coming up that are going to have aids, we have a severe drug problem. We need more rehabs. What are we going to do with all of these people that none of us want. It doesn't make sense. As far as having these people around young children: these people love everybody. They are going to be like having other grandmothers and grandfathers. They are not going to be any threat to their children. As far as having people expose themselves in the street. I had that happen to me on the subway when I was thirteen years old. This man I don't think was retarded. I think he just wanted to show me how well he was equipped. Really and truly I think these people rather than worry about their property values and stuff like that ought to take a little bit of Christian concern and say 'God forbid that would be me'. I thank you for your time."

Supervisor Janoski: "Thank you."

Karen Pierzchanowski, Riverhead: "Del took the words right out of my mouth. I'm a resident of Riverhead and my uncle is Joseph Goroleski. My mom talked to you about him right at the beginning of the hearing tonight. And from listening to the hearing I wasn't at the first one so I am not aware of the other sites that were selected. But it seems to me that the location of the sites is not the problem or even the question. I think the question here is the fear. The fear that the residents in the

Aquebogue proposed site area have, because and I think it's only for the lack of exposure to mentally or developmentally disabled people. And I think they haven't been exposed to it. They don't understand and so immediately it creates fears. I wonder how many of these people in this area actually have someone in their family who is disabled or know of people and they would understand. Growing up all my life with my uncle he was a joy and a pleasure and he is so young at heart, happy and wouldn't hurt a soul. Just as Del said, the person that said the exposure. It could happen anywhere. This community of residential who knows eventually it could be strange characters coming into the community, friends whatever of the children. You never know. It doesn't have to be because I person is mentally retarded that they are going to expose themselves. Lots of things could happen. I think the important thing is to realize that these people, yes I agree wholeheartedly they need homes and to just think about anyone of us here tonight, we could have an accident, illness and we could become disabled and we would need a place to stay. I'm sure that all of us at that point would just hope to God that there would be somebody out there who would care enough about us to say hey it's okay. We'll take care of you. Thank you."

Supervisor Janoski: "Is there anyone else wishing to speak? Linda you have already spoken. Anyone who has not spoken? Steve."

Steve Haizlip, Calverton: "I think what some of these people are worrying about is the type of people that are going to be there. In other words are they going to be prescreened by a psychiatrist or a psychologist. That they won't be any danger to the community. They can be trusted. They can be left alone. The only supervision they need is maybe a housemaid in there, because if this isn't done you don't know what caliber of mentally you may get. So I think what some of these people are worrying about and that's why I want to speak and address that. In other words would it be a psychologist or do they visit once in awhile to look after these people and see if they can fit into the community and they won't be destructive and they won't cause any problems. Thank you very much."

Supervisor Janoski: "Thank you Steve. Is there anyone who has not yet spoken and who wishes to address the Board?"

Paul Demchuk, Hilton Court, Aquebogue: "I hate to be repetitious. I know that a lot of people have spoken tonight. I apologize for that, but I'm going to read what I wrote down anyway."

Three years ago my wife and I decided that we wanted to pursue the so called Great American Dream; building and owning our own home. We came upon Hilton Court which was nothing but a tiny little cul-de-sac with nine acres attached to it. It was quiet. It was private. It seemed like a nice place to start. We were given covenants and restrictions by the person we bought the property from. Pages and pages long of things that we had to do,

things that we couldn't do. It just went on and on and on. We thought basically that our investment would be 100% protected. We worked day and night and applied every nickel that we had towards our dream, our investment in our future. We've seen four other young couples follow. Children have been born and Hilton Court has grown with pride, with sweat and developed into one of the nicest areas in Riverhead town. Heavy taxes, huge mortgage payments and many sacrificing moments by us all just didn't seem to matter because we were all a part of something special. Then came word that the speculation home right next to many of our homes, right across the street from our homes, was going to be housed by retiring nuns. And I remember saying to my neighbor Mike, gee I hope they keep the music down. We thought that our area was further being blessed. And now we are faced with the proposition of this home for nine to eleven mentally retarded people. Only a third of a mile down the road there already exists one of these homes. So I feel that our area is doing its part. Catholic Charities is also prepared to pay, I believe as Mr. Whittmeir mentioned, \$225,000.00 for this home that is so perfect for their needs. Well it is also going to need many thousands of dollars more to renovate it. I just thought the State was in such financial difficulty and that Riverhead town had been burdened by enough taxes which we will all be paying for this home. I've spoken to three different real estates and the very best news that I've heard from them was that the immediate surrounding homes in the area would be suffering at least a 10% reduction in property value. I know it has been a big issue and talked about a lot tonight. Ten percent of the values of our homes is \$25,000.00 so it's a lot of money and so it's a big concern for us all. And that's only if this home is run to perfection. That figure could go increasingly higher. The recession has taken a big bite out of us all and another 10% or better decrement and our property values would just about deliver a knockout punch to the people of Hilton Court. The Padavan site selection law states that if a home threatened to change the character of a neighborhood then the home must be rejected. This home is going to be in our area and is going to be one of five homes that are currently built. The other homes are young couples like myself. Many have young children and it just seems to me like it's oil and water type of thing. A home for these type of people just isn't going to blend in with what we have started right now. We currently have three other couples who have been waiting since last spring, since this thing first arose, that are waiting to build their homes and join Hilton Court to make it continue to grow and needless to say they haven't cast a stick, because of all the controversies. It was mentioned before that there are no stores, no beaches, no parks for these people to walk to. It just seems like an inappropriate spot. I don't feel that it should be put into an isolated area where they are certainly not wanted. Many people have voiced that opinion.

It's also been mentioned about Additive Products where the traffic is fast and never ending. They have three different shifts and it's just like rush hour on that street. You really have to be careful when you are pulling out of Hilton Court with

the traffic problems.

Another concern I have is where will all these people who will be visiting these eleven people. Where will they park? There is one small driveway leading up to the house and then we have a cul-de-sac. There are no parking areas for these people. Our covenants and restrictions stated that you couldn't leave a vehicle on the cul-de-sac. You just could not do that.

Another thing. It just seems that the area is a beautiful area and it seems to me like if you have eleven people involved in this home there is going to be a great deal of garbage, refuse, whatever and they will have to have a dumpster. Now to get access to this dumpster where will this dumpster be. In front of the house. Naturally where it has access. That's another thing that I thought would degrade the area. I think that I've just about covered everything. I'm sorry I was repetitious.

I would like to thank the Town Board for their efforts and hope that they will continue to do everything in their power to keep Hilton Court the way it is and find a better place for these people to live. Thank you."

Linda Barnett, Aquebogue: "I just wanted to refer to one of the comments that I heard tonight which was 'not in my back yard'. I will say that I feel the site will alter my backyard, the character. Just like Paul said and I do feel that if this home went into another site it wouldn't necessarily alter it. So that's one point about 'not in my back yard'. Yes, it will alter my backyard, but if my backyard was in another area with other types of homes it wouldn't alter it. It wouldn't have such an effect.

Number two. I don't think that the people here should be on the defense in terms of their goodness or their badness. And I don't think most of the people here have fears about the retarded. That's not what I seem to hear from my neighbors. Prior to now I've never mentioned it, but throughout high school in my free time what I spent doing awhile other kids in their free time were going off to lunch and hanging out outside the school whatever. I worked with the mentally retarded teenagers and the emotionally disabled teenagers in my school. And I taught them reading and I taught them spelling and I worked with their math. I just personally feel that we shouldn't be saying that it is not that the people here are just objecting to it because of fear. I don't have any fear of mentally retarded. I don't have any fear of emotionally disabled. But I do think that it is an inappropriate site and it will change the character of the neighborhood. Thank you."

Supervisor Janoski: "Is there anyone remaining who wishes to address the Town Board on the matter of this proposal? Father Gilmartin the records of the last meeting that we had for an information meeting, they were taken down by a stenographer. Would you make those records available to us?"

Father Gilmartin: (from audience) "We did not have a stenographer."

Supervisor Janoski: "Who did?"

Patricia Moore, Town Attorney: "Did the State have a stenographer?"

(Could not hear answer.)

Patricia Moore, Town Attorney: "Nobody had a stenographer."

Supervisor Janoski: "Alright thank you. Without objection I declare this hearing closed at the hour of 9:51 P.M. I will take a recess for a few minutes so that all those wishing to leave may do so." (See Minutes 4/3/91 Pages 133-140 previous Meeting)

R E C E S S

Supervisor Janoski: "If you wish to leave you may, but you are certainly invited to stay. All conversation should be taking place out in the corridor, because we have to stay for awhile longer. Thank you all very much. The hour at hand is 9:59 PM and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 8:05 P.M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 8:05 P.M. on Tuesday, March 19, 1991 to hear all interested persons who wish to be heard regarding: **AN AMENDMENT TO THE TOWN'S B87 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.**"

Supervisor Janoski: "Thank you. Andrea Lohneiss representing the Community Development Office."

Andrea Lohneiss, Director of Community Development: "This hearing is for the purpose of accepting comments from Riverhead residents regarding an amendment to the Town's 1987 Community Development Grant. Proposed as a reallocation of Community Development funds from the acquisition of property adjacent to Stotsky Park for the site of a community center. Although funds for construction of the facility are still being sought and alternate sites being considered the C. D. funds must be reallocated for expenditure by September, 1991. The Grangebelle Park improvement project has also been a priority of the Town community groups concerned with the quality of life in Riverhead. The Town's acquisition of the parcel referred to as the Riberio property and demolition of the structure located thereon with HUD funds has paved the way for greater improvements to the park at large. The Town now proposes to expend \$25,000.00 in 1989 C.D. funds and \$55,000. in 1987 C.D. funds for site improvements within the park. These improvements will include lighting, sidewalks and curbing along Peconic Avenue. Walkways, lighting, fencing and seeding and railways within the park. And repair of an unsafe footbridge. Also proposed is the removal and repair of

bulkheading. Riverhead Townscape is committed to the project and will be providing shrubs, trees, groundcover and flower beds. The goal is to revitalize the park and to encourage its use by the Town residents and the business community."

Supervisor Janoski: "Thank you. Is there anyone present wishing to address the Town Board in this proposal? Mr. Schmelzer."

George Schmelzer: "Is there any thought of opening that restroom building? If not the whole park will be a restroom. You've got to be careful where you step."

Supervisor Janoski: "See that's why I said what I said before. You never know what you are going to say."

George Schmelzer: "That's what the hearing is for isn't it? If everybody knew ahead of time there would be no sense of having a hearing. It would be a waste of time."

Supervisor Janoski: "George the rest facility, there has been no discussion of opening that up recently."

George Schmelzer: "Well you should if you are going to improve the park. I never saw a big park that didn't have it. Unless they had a good patch of woods nearby."

Supervisor Janoski: "Perhaps when the improvements take place."

George Schmelzer: "If you don't want to open it up, plant a patch of woods there. One side he and one side she. That would be green all year. Nobody could see it, then you wouldn't have to open a restroom maybe. Just a thought. Okay. Thank you."

Supervisor Janoski: "Thank you George. Alice."

Alice Graff, Riverhead: "Is there any possibility if some of these funds could be used to purchase some property in Polish Town for parking."

Supervisor Janoski: "No."

Alice Graff: "No. Can't do that."

Supervisor Janoski: "It is not an endeavor that is-----I don't even know if it is allowable. Andrea I know it is not highly rated."

Alice Graff: "It's community improvement. The need parking there."

Supervisor Janoski: "Are you saying it's not an allowable project?"

Andrea Lohneiss: "It wouldn't provide the same comparable benefit as the Community Center which was a public facility project providing benefit to townwide residents."

Supervisor Janoski: "So its rating would not be a very high one."

Andrea Lohneiss: "It wouldn't be considered to be comparable by HUD."

Supervisor Janoski: "Thank you."

Alice Graff: "That couldn't be stretched a little bit."

Steve Haizlip: "I just want to go along with George there, what he said. I'm retired. I can drive down there if I want to and sit on a bench, mosey around. Then when it comes time for natures call so where to go. That's all."

Warren McKnight, Wading River: "You couldn't get the matching funds for a Community Center right? That's why you are using these monies."

Supervisor Janoski: "The application was not successful that we had submitted a year or two ago."

Andrea Lohneiss: "The application for funding for the Community Center was to the State of New York. I think it was submitted at least two times. It has not been successful as of yet. It was for the EQBA Funds."

Supervisor Janoski: "But it has been resubmitted."

Andrea Lohneiss: "We are continuing to pursue funding for the Community Center."

Warren McKnight: "What are the particular obstacles that we should know about?"

Andrea Lohneiss: "With regard to the HUD funds?"

Warren McKnight: "In other words why can't we use the \$55,000.00 for a community center or to start it?"

Andrea Lohneiss: "The \$55,000.00 was to purchase the site for the community center. It was approved in 1987 and the funds were not expended and in the meantime the price of the property increased about 200% and it was determined that possibly that was not the best site for the center. In the meantime HUD is saying either spend the money or we want it back."

Supervisor Janoski: "The site specifically, Warren, was property owned by the Knights of Columbus on Columbus Avenue. That was the property that the Town Board at that time had

identified for acquisition and that it was adjacent to Stotsky Park. Everything that Andrea says is true. What we had believed was a fair price for that property, \$55,000.00 has now escalated tremendously and we find ourselves in a dilemma that we must use the money now."

Warren McKnight: "There's a problem with the park itself. If an individual wishes to use the park, there are a number of persons around the park at the various entrances. Mostly anywhere from five to seven days a week. Also it's the weather. A lot of these people are normal people. But some of the people might be desperate or questionable and for a person to walk through the park they might be taking a chance at being mugged or attacked. This is a fact. If you are street smart you just don't do this. Until this type of matter is corrected I don't think the park will get its ultimate use and this is something----Jim do you have something to say on that?"

Councilman Stark: "I've been in the park several times in the last two or three months and I see no indication of what you are making reference to. I walked through that park for 55 years and I had no problem down there."

Warren McKnight: "Well there have been a number of incidents in the park."

Councilman Stark: "Maybe I'm a little more courageous than you."

Warren McKnight: "I went through the park too, but if look in the police report and as a matter of public record there have been incidences in the park, in and around the park."

Supervisor Janoski: "Warren one of the things you are doing here is counterproductive to what we are after. We believe as a Town Board and I think previous Town Boards have believed that if we could get people, you and I and people to use the park that those individuals that you refer to would disappear. In the absence of use, what should I call them the average citizens, seems that we've abandoned it. The park has been abandoned to a large extent although in driving by I see people down there walking around having lunch, playing and that's what we want to promote in lighting the park. By improving its appearance. And we think that that will have a positive effect on all of downtown."

Warren McKnight: "And the restrooms like George and Steve said?"

Supervisor Janoski: "The restrooms were closed many years ago, I believe it was certainly in my first term of office. At that time we were paying someone about \$12,000.00 a year to sit there all day long because of the penchant of people to destroy public property. That individual would probably be making \$30,000.00 today. That is why it was closed down. It's a shame. Because I agree with Steve that it should be open."

Warren McKnight: "That would be a problem."

Supervisor Janoski: "Absolutely. I don't know what to do with people who seem to want to rip sinks out of walls or whatever they want to rip out of the floor and it's a sad commentary that we can't have a facility such as that open to public use. It's there. It works, but as a protective measure we close it. And maybe that can be corrected too."

Warren McKnight: "I'm trying to be factual here. Because of the liquor store there, there are certain amount of people that do, when they drink liquor and wait for the bus, do go back in the park there too. These things have to be corrected. I'm trying to be smart or anything else. I'm just trying to be honest in what I see. These are the things that we have to look at and address here in this matter."

Supervisor Janoski: "Warren we are making an effort /in that direction also. As a matter of fact one day last week I drove through there and there were two police cars in the park. So the effort is being made and I think that this is a physical improvement that will go a long way toward solving the problem that you identified."

Warren McKnight: "Thank you."

Supervisor Janoski: "Thank you. Yes."

Gwen Branch, Riverhead: "I know the proposal is to add an additional \$55,000.00 to Grangebels Park. And I applaud the efforts of the Town and Townscape and various other groups who have improved the Town. I certainly don't object to any of that. I understand that the last time we were here, meaning the Riverhead-Southampton Community Center, that part of the reason that the Community Center was not placed in the budget was because it wasn't documentation. So I have that documentation and the reason that I'm bringing this together is that it's my understanding that part of Community Development fundings comes from the fact that we have low and moderate income people in the Town and we are able to substantiate that there is a need to improve certain services in the Town, certain housing and different types of things that would be related. I don't know if that is altogether correct. So what I would like to propose is that at least part of that money be expended to help the Community Center. There's an article that appeared in as recently as Saturday's paper that a survey that was done on Brookhaven and Riverhead people in terms the article was called 'Going Hungry in Suffolk' and they specifically surveyed Brookhaven and Riverhead. They found in that survey there were 361 low income families with children under 12 in Suffolk that 24% of the children regularly go to bed hungry and that 64% are at a risk of hunger according to the study released. Now out of these families surveyed 68% percent of those families were white, 17% percent were black, 11% hispanic and 6 others. Now many of the people that are able to

get food stamps and the like are not going to those services for one reason or another. With the increasing economic problems in the community nationwide there are people that are being helped through the center, I know that there is probably a concern that people have been helped that are fitting a stereo-typical example, but the center does provide. I would just like to read something short and I have copies of this for you.

The Riverhead-Southampton Community Center has provided services to the East End for the disadvantaged and those in crises for the past 22 years. Those serviced included the following: An emergency food pantry, daily noon feeding for the homeless, assistance in obtaining reduced services, utility service, Lilco, fuel oil, cablevision, advocacy in seeking benefits through Social Security, SSI, Social Service, assistance with family budgeting an afternoon elementary tutorial program, summer enrichment program and a meeting place for support groups such as NAAA and Apple. The center was funded and supported by Federal Block Grant monies through E.O.C. of Suffolk until March 31, 1991. The decision to end the funding was never seriously challenged by those in power and therefore Riverhead and the southfork lost their share of these community block grant monies. Through the efforts of Legislator Fred Theil, the center received funding from Suffolk County that will allow the center to operate through June 1990. With small donations from several sources, though grossly inadequate, the center has continued to provide services to those in need. The director and the community advocate have continued to work for the past six months on a nearly full-time basis without pay. The Board of Directors is grateful for their dedication, but are well aware that these women cannot afford to continue to donate time much longer. The center has received no additional government funding, but did receive approximately \$7,500.00 from the Town of Southampton in February 1991 which allowed six months, \$6,000.00 in back rent plus a partial payment of overdue utility bills to be paid. This money had been previously promised as reimbursement expenses for 1987 Summer Enrichment Program. The Board of Directors continues to seek funds to support this most worthy and needed program. We are working on several fund-raising projects, but we need your help. Please strongly consider providing funds to help support our budget. Attached is a copy of the 1990-91 proposed budget and some statistics from the soup kitchen and the emergency food pantry plus in the soup kitchen 46.44 per cent of the people are Riverhead residents, 50.9 are Southampton and 2.7 are others. Under emergency food pantry which is people picking up food that supplement their regular groceries which are rice and canned vegetables and stuff, Riverhead residents are 50.1%, Southampton residents are 38.9, and other towns are 11.0%. Thank you."

Supervisor Janoski: "Thank you Gwen. Is there any other comment on this proposed amendment to the Community Block Grant Program? Warren."

Warren McKnight: "Just quickly, some statistics from the Department of Labor in Riverhead. There are one thousand more

people applying for unemployment this year in that center than last year. Also there were at least 40 persons that received emergency food from the who were on strike from the Telephone Company from that particular area down there and there are approximately a thousand children that take the lunch program in Riverhead. It shows that Riverhead is a poor Town. We have 2,200 people in the township of Riverhead that get food stamps. So Riverhead is a lot of working poor. There are a lot of people right now who are going off of unemployment and waiting unfortunately to have to apply for public assistance. So this is an area ---this is a last area there. So if there is any money involved and I have a resolution here that was passed by the Town Board, #823 in December 1989 with Denise Civiletti supporting the Riverhead Southampton Community Center. I'll give that again if you could just resubmit it to the prospective people, George Hockbrueckner, Suffolk County Executive Halpin. If you can just remind them again, we would really appreciate it."

Supervisor Janoski: "Thank you. Any further comment? That being the case and without objection I declare the hearing to be closed at 10:16 P.M. Let us take up the resolutions. Yes, Mr. Kasperovich."

William Kasperovich: "People ask why I have this tape recorder. It's mainly so that I know exactly what I said the following morning. Since I can no longer get the minutes of the meetings to record exactly what I say.

I'll start by backing up Mr. Knight and his comment about the park. If you had no, and I address this to Mr. Stark, if you had no critical cautions and bad comments about that park, it's because you walk through it with your eyes closed."

Councilman Stark: "I don't believe so."

William Kasperovich: "I lived in that park when I----
(interrupted)

Councilman Stark: "I don't believe so Mr. Kasperovich."

William Kasperovich: "Well I'm saying so."

Councilman Stark: "Well I think you're making the wrong statement."

William Kasperovich: "You don't know what the h__l goes on over there because you don't see."

Councilman Stark: "I know a lot more that goes on down there than you do."

William Kasperovich: "Well good for you then."

Councilman Stark: "I think so."

William Kasperovich: "Why don't you do something about it?"

Councilman Stark: "Well then don't make false statements about me."

William Kasperovich: "That's not a false statement."

Councilman Stark: "Yes it is."

William Kasperovich: "You said that it is perfectly safe to walk through that park and I wouldn't dare walk through there alone and under certain conditions."

Councilman Stark: "I'm glad."

William Kasperovich: "Which exist continually. Resolution 189 authorizing the Town to buy traffic paint. I have on several occasions been up here to say that this traffic paint that we buy other than the center line do not hold up in our traffic."

Supervisor Janoski: "You are absolutely right George it is because of state---(interrupted)"

William Kasperovich: "My name is Kasperovich."

Supervisor Janoski: "I'm sorry. Oh my goodness, Bill. The State requires that we use water based paint. It is their regulation and you are absolutely right. It doesn't hold up." (interrupted)

William Kasperovich: "Well then why does the County use different types of paint and why does the State itself use different kinds of paint?"

Supervisor Janoski: "The State is using water based paint."

William Kasperovich: "There are many cities in this State that use other than water based paint. I'm talking about-----"

Supervisor Janoski: "I don't even know why I'm going to try to answer this? But it is a State regulation to use water based paint and don't tell me other communities in the State don't use it, because they do. And that's it, pure and simple. Thank you."

William Kasperovich: "For stop demarcations. For Stop Signs. The County and the State use a hot paint to this day. So whatever the law says the County and the State itself are not abiding by it and if I don't know what I see in front of my own eyes then I don't know what the score is."

Councilman Stark: "I might agree with that."

William Kasperovich: "Well coming from you it's to be expected."

Councilman Stark: "I know. Coming from you it's expected too."

William Kasperovich: "A man who sits on the podium should conduct himself in a better manner."

Councilman Stark: "A man that stands at the podium should do the same."

William Kasperovich: "Alright I have here. Now you see with that kind of conduct you had me removed from this podium. When a man sits alongside you and does the same kind of thing that's quite alright isn't it Mr. Janoski?"

Supervisor Janoski: "I can't do anything about him, but I can do something about you."

William Kasperovich: "Alright well then I hope you would pay a lot more attention in how that chair is filled. Let the Good Lord vacate it. Resolution #197. You reassigned a man to a position whose title never existed. I never heard in Riverhead of a Principal Building Inspector."

Supervisor Janoski: "You're right."

William Kasperovich: "And since this Town and the many people on this Board like to refer to themselves as equal opportunity employers I wish to make issue that this motion is not in accord with equal opportunity employment. This job was neither fully published, was not fully opened to Civil Service. It was not opened to anybody. Consequently you are not an equal opportunity employer when you assigned a man to a position of a title that never existed without opportunity to other people."

Supervisor Janoski: "Thank you. Betty Brown."

Betty Brown, President of NFEC: "The Northfork Environmental Council supports the designation of the Peconic Bay Estuary into the National Estuary Program. I feel somewhat certain that the Riverhead Town Board does understand the significance of the Peconic as a vital resource to the East End. The economic, the recreational, and the aesthetic value cannot be underestimated. The unique and diverse species in the Peconics as well as the endangered species contribute to its national significance. The proposed Peconic Estuary Study Program focuses directly on problems facing our estuary which have not been addressed in other programs. This program offers an opportunity to evaluate and manage our waters by us. The East End towns and Riverhead to be sure, do not have the funds to attempt this evaluation and on a town by town basis or collectively."

We have survived the browntide crisis, we hope. We are all aware of pollution and all sorts of point and nonpoint sources of pollution that are degrading our water quality. More information is necessary. We must be prepared to manage our waters or they

will not survive. How can town officials responsibly look after the best interest of the residents without all information available to them. All East End towns are depending on the funding that will be made available by this program to better understand, to work together, to support conferences, to educate and to learn how we must better manage the Peconic for generations to come. The National Estuary designation is supported by all East End Town Boards except Riverhead Town. The Suffolk Department of Health Services, the Department of State, The Department of Environmental Conservation support this program. Civic groups and all environmental groups. The Riverhead Conservation Advisory Council has been active for three years attending all meetings to this end. They are in full support.

I urge the Board to understand that the national program is not about mandates. This program is about five East End town officials sitting down together to identify priorities and to solve problems through consensus. This program is about keeping our salt waters clean and clear. It's about swimming, fishing and tourism. We have a great chance to be selected. It makes sense that we'd have a better chance if all towns got behind this. Southampton, Easthampton, Southold and Shelter Island are looking forward to Riverhead Towns support. I represent one thousand families on the northfork. On their behalf I ask you to support the nomination of the Peconic Estuary into the National Program.

Before I close I would just like to ask if it would be possible to have a meeting with the Town Board, perhaps at a work session as soon as possible and everyone sit down together, Vito Minay would like to be here, members of Save the Days and the Peconic Bay Task Force and other officials from different levels would like to come and air out any concerns you might have. Obviously you have concerns and they obviously are important."

Councilman Vic Prusinowski: "Betty, we have already met with Vito Minay and Joe Bare from the Office of Ecology. Yesterday we forwarded several pages of concerns that the Board had about the nomination document. Today we just received their response to us about our concerns. There was some appendices that we wanted to see about the nomination document. So we are going to review all that. I do want to point out to you that we agree with the goal of the National Estuary Program. I think everybody wants to have more fishing and clean water and everything else, however, I do and by the way, you sent a letter to us today and I responded to the North Fork Environmental Council and gave you a copy of those concerns. However, though, some of the things you say in your statement there do not coincide with the written report I got from Vito Minay today. One of the things that we are concerned about is that regulations that do not make sense could be generated from this report without our real input and those are some of the questions that we are mulling over in our minds right now. The outcome of this report will be recommendations; could be more mandates from the State and Federal government. Now what they are will be determined by the study group. So we will be more than happy to meet with you though."

Betty Brown: "Well, I just think that if we are not on our way to ironing out these difficulties and coming to some kind of conclusion here it really makes good sense for everyone involved to sit down and give it one last crack."

Councilman Prusinowski: "I think we are. I will say they were very pleased with at least our comments at our meeting because unlike some of the other towns who just voted for this thing like that without reading the document probably. At least the Board Members here have a really good understanding of the nomination document and what we are trying to achieve. So we will be happy to meet with you to discuss our concerns."

Betty Brown: "Okay, I'll call you. Thank you."

Supervisor Janoski: "Steve did you have your hand up."

Steve Haizlip: "Again I want to address the Highway Committee people. The entrance to Caldor has been repaired. Whether they did it on their own or if you got the word to them, it is done. The next problem that I would like to bring up concerns the parking lot at Newmark and Lewis. There's parking spaces out from Dunkin Doughnuts, Pearle Vision, Unisex Hair and Newmark. Those stores are north and south. When they resurfaced that there is a drain. Since they have resurfaced it there has apparently been a lot of silt that's going in and stopped up the pores and it is not draining when there is a heavy rain. You come up there and there is anywhere from 3 1/2 to 4 inches of water that has accumulated. When the other spots get filled up you get some of these women come there and they want to get their hair done, eyeglasses or doughnuts or what have you and with their fancy shoes and stockings they have to step in this water. I guess it has to be a word to the owner of the place. I don't contact these people so I have to leave it up to the Highway Committee."

Supervisor Janoski: "I'll give you his number."

Steve Haizlip: "If I knew the fellow, Joe, and I had his number don't think that I wouldn't be in touch with him."

Supervisor Janoski: "I'll have to make sure you have his number, because talking with Mr. Segal is an experience I want you to have."

Steve Haizlip: "Well I'll do it. I was speaking with one of the gentlemen here tonight. You have that right and you have the opportunity to go to these people. We let Town Board Members here and they carry more pressure and to tell them they want it done and it's their duty to do something about it, because they are getting good rent out of those buildings and they are providing those spaces there for the public to come up there and spend their money."

The next item that I want to mention is the Waldbaum parking

lot. The roads that go east and west just as you come in off of Route 58. There are heavy white lines. I think we had a subject awhile ago that this paint doesn't hold up. Well that is a case where the paint hasn't held up. It's gone. There is a stop sign off to the side. Sometimes people go and they don't see the crossbar so the crossbar needs replacing. As far as that drain that we talked about down there, Edwards Avenue by the tracks I think somebody has been down there and looked at it because I see yellow paint on it and I guess they agree and there is a real pond there. And my last comment is this one fellow spoke up about the troubles that he has with State agencies. You talk to them on the phone and you can't get any results from them. Things in this State work backwards. They have agencies. The Attorney General, the Office of Labor, the Insurance Department, commissioners, superintendents, everybody that is supposed to help you, they put there to help you and solve your problems. They don't do anything for you. You've got to get a lawyer and go to court to make State Agencies and laws work for you. Thank you very much gentlemen."

Supervisor Janoski: "Thank you. George it's now your turn."

George Schmelzer: "I congratulate the Board on being wary of this Esturary nonsense. That is what I call it. Keep up the good work. By the way I see a sign on the next patch of woods here that would be good for a parking lot that's for sale. Do you know how much they want for it? The Town should buy it."

Supervisor Janoski: "We have discussed that possibility with the owner and his price is a little more than we are willing to pay."

George Schmelzer: "What's he asking for it?"

Supervisor Janoski: "\$100,000.00."

George Schmelzer: "Well maybe if the sign stays there for a year then maybe they will come down and you will ask them again."

Supervisor Janoski: "It is entirely possible."

George Schmelzer: "Speaking of that park again. I'll tell you a true incident that happened to me when I was -----that's why I brought up that restroom business. When I was going to high school I went down there at noon time, many times. This one particular time I stepped on something and I went up to the sidewalk and I thought what's that stink and I looked down on my cuff and shoe and there it was and I tried my best to get rid of it. I couldn't. What should I do? Go home or not. I hadn't been absent for years. I was never absent from the fifth grade on. So I said no I had better go to school and people looked at me. They didn't think it was in my cuff they thought it was the upper part of my pants, but I couldn't say anything. That's why I'm wary of going through that park, because of that incident."

Supervisor Janoski: "Thank you for that story George. I'm sure that your teachers were happy to see you everyday for all those years. Thank you George. Let us take up the resolutions. Before we take up the resolutions. I have a tabled Resolution #771.

Councilman Prusinowski: "Moved to take off the table."

Councilman Stark: "Second."

Supervisor Janoski: "Moved and seconded."

Town Clerk, Irene J. Pendzick: "Moved and seconded off the table.

The Vote: Prusinowski, yes; Stark, yes; Civiletti, yes; Janoski, yes. 4 YES OFF THE TABLE"

Supervisor Janoski: "On the question?"

Councilman Prusinowski: "I move Resolution #771." (ORDER ESTABLISHING EXTENSION 21A TO THE RIVERHEAD WATER DISTRICT OSBORN MEADOWS)

Councilman Stark: "Second."

Supervisor Janoski: "Seconded on the resolution."

Town Clerk, Irene J. Pendzick: "On the resolution. The Vote: Prusinowski, yes; Stark, yes; Civiletti, yes; Janoski, yes. 4 YES ON THE RESOLUTION

Councilman Stark: Introduced Resolution #197 - "REASSIGNS MARK HEPPNER TO THE POSITION OF PRINCIPAL BUILDING INSPECTOR - so moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Prusinowski, yes; Stark, yes; Civiletti-----

Councilwoman Civiletti directed question to Supervisor Janoski, "Shouldn't it say provisional?"

Supervisor Janoski: "Yes."

Councilwoman Civiletti: "Should we amend it to say that?"

Supervisor Janoski: "Mine says provisional."

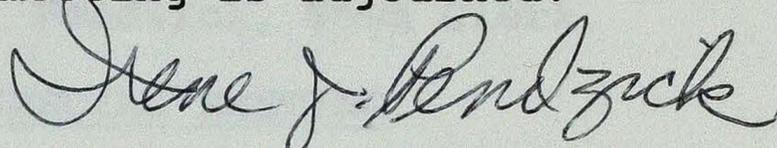
Councilwoman Civiletti: "Oh. Make sure ours does."

Town Clerk, Irene J. Pendzick: "Mine doesn't."

Councilwoman Civiletti: "There should be a word added in there to reflect that it is provisional."

The Vote: Janoski, yes; Stark, yes; Civiletti, yes;
Janoski, yes. **4 YES**

Supervisor Janoski: "Let the record show that the hour is 10:45 P.M. and without objection this meeting is adjourned."



Irene J. Pendzick
Town Clerk

IJP:ch