

Minutes of a Regular Town Board Meeting held at the Town Hall, Riverhead, New York, on Tuesday, March 19, 1996, at 2:00 p.m.

**Present:**

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

**Also Present:**

Barbara Grattan,	Town Clerk
Robert Kozakiewicz, Esq.,	Town Attorney

Supervisor Stark called the meeting to order at 2:00 p.m.

Supervisor Stark: "I would at this time ask the editor of the News Review to lead us in the Pledge of Allegiance."

(The Pledge of Allegiance was recited.)

Supervisor Stark: "I'm going to start doing that every week, picking out a new person."

Is there a motion to approve the minutes of the Regular Town Board meeting of March 5th and the Special Town Board meeting of March 12th?"

Councilman Lull: "So moved."

Councilman Prusinowski: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Supervisor Stark: "Madam Clerk, Reports, please."

**REPORTS:**

Riverhead Tax Receiver	Tax collection report ending March 18, 1996. Total amount collected is \$26,666,306.50
Building Department	Monthly report for February, 1996 Building fees collected - \$13,176.75
Police Department	Police report for the month of October, 1995
H2M	Annual 1995 water supply statement
Open Bid Report	Wading River Creek Dredging Project which was opened on March 8, 1996, two bids were received 1. Terry Contracting & Materials 2. Riverhead Cement Block Co.
Open Bid Report	Playground Equipment for Stotsky Park which was opened on March 18, 1996. Two bids were received 1. Playground Environments, Inc. 2. American Recreation Products

**APPLICATIONS:**

Fireworks Permit	The Vineyard Caterers, Aquebogue for a private affair
American Diabetes Assoc.	Sent a copy of the site layout for Tour de Cure
Fireworks Permit	St. John the Evangelist Church for April 13, 1996, raindate 4/20/96 at the carnival at the corner of Mill Road and Route 58
Petition	Malcolm Pirnie - sent map and plan for Tanger Factory Outlet Centers, Inc. I and II and

Dries property connection to  
Riverhead Sewer District

CORRESPONDENCE:

Vicky Furey-Staciwo

Would like approval to attend the  
National Main St. Conference for  
B.I.D. 4/28 through 5/6 of '96

Town of Southampton

Resolutions #344, 345 and 374

Supervisor Stark: "Thank you. There are no scheduled Public Hearings for today. I would recognize anybody in the audience who would like to speak to the Board on any given topic. Yes, ma'am."

Alfreda Norman: "Mr. Stark and gentlemen. I'm Alfreda Norman from the Riverhead Council Nutrition Center and Senior Council. Now we understand that you don't want us to have a-- one of our monthly -- what do we call it? Twilight dinners. Well because of some budget money. Well, I'm sorry, we-- the seniors here in Riverhead look forward to this. It's their one day out and they really enjoy it and if the budget is so tight one particular month we will be willing to pay for the music ourselves out of our own Council money. And we would like you to consider that we can continue to have it. We-- it's very important to the seniors, very important. Most of them don't do anything but sit behind a boob tube and they really enjoy going out there to our Twilight dinner."

Supervisor Stark: "I don't know that we've cancelled any Twilight dinners. There may be some discussion as to how to curb maybe overtime or something like that, but I'll certainly look into it tomorrow for you."

Alfreda Norman: "I wish you would because it's only from two to five so there shouldn't be-- and there's no pressure in the morning so a lot of the drivers will not be needed so I don't see why we can't have it."

Supervisor Stark: "Okay, no problem. We'll look into it tomorrow then for you."

Alfreda Norman: "I would appreciate it very much. And while

I'm here, I would like to know, is there really going to be a building on Stotsky Park for us? I hear this all the time but I never see anything happening."

Supervisor Stark: "I believe that there has been a grant that was written for that we keep renewing. Some day I hope to see a complete community center that will encompass not only senior citizens but our youth activities and a lot of our activities in town. Whether that's going to come to pass in your day or my day, I don't know. I cannot promise you that."

Alfreda Norman: "Okay. Thank you."

Supervisor Stark: "All I can do is be honest with you. Is there anybody else? Steve? Let's get you out of the way."

Steve Haizlip: "My name is Steven O. Haizlip and I want to say right now, the "O" doesn't stand for outcast which it has been taken many times in the town and a lot of federal agencies. So with that, I'll move on."

When the Town Board was sworn in on January the 1st-- "

Supervisor Stark: "We don't believe you've been an outcast."

Steve Haizlip: "Well, I had to-- I've-- "

Supervisor Stark: "I think you've been pretty well accepted around here as being a good watchdog for us out in the community."

Steve Haizlip: "Well, I've been an outcast several times. Right, so-- "

Supervisor Stark: "Now maybe Bill."

Steve Haizlip: "Now, when you had the Supervisor's Councils and all these people sworn in January the 1st, Monsignor Fagan came up with a prayer that sort of coincides with the military establishment, the academy. Duty, honor and country. Going back to that, we have a Town Board here of a Supervisor and four Councilmen that would be duty, honor and town. Now, at the last meeting, I spoke to you about was the prerequisites or prearrangements with Montauk Bus. You

said no. So now with that, to keep the integrity and the honesty of this town and they have not complied with what they put in here if they are going to do. You got any plans to see if a site change is going to be requested."

Councilman Prusinowski: "Steve, we're going-- we have-- the town attorney and the code enforcement officer are reviewing the site plan resolution and we are going to bring him into compliance."

Steve Haizlip: "All right."

Councilman Prusinowski: "Okay. Let me just say one thing. I don't know-- you keep saying this. There was no pre-deal or something under the table here that you are intimating on Montauk Bus. If the guy is not complying with his site plan, we're certainly going to go after him and make him comply. Period. We have a lot of people who come into the town and violate the site plan resolutions and we have to go after them and enforce them to comply. So, you know, these are all also filed in the County Clerk's Office, so they have some legal weight."

Steve Haizlip: "Well, I'd like to make two comments more. I wanted to be sure they have (inaudible) why action was slow, so this is what the reason I (inaudible) that."

Councilman Prusinowski: "Okay."

Steve Haizlip: "Now, as taking a page from Mr. Kasperovich's book-- "

Councilman Prusinowski: "He's writing a book?"

Steve Haizlip: "Yes, he's got a book of-- and it's a matter of a saying. So taking a page from his book is what he has put into here, we don't want to get (inaudible). And he said people come into the town and they hoodwink us, so we don't want to be hoodwinked."

Now, my second part here is, will be concerning the town attorney. I read in the paper where Mr.-- maybe I'm not pronouncing his name right, but I'll try the best I can-- "

Supervisor Stark: "Kozakiewicz."

Steve Haizlip: "No, I mean the gentleman that I'm going to make reference to."

Supervisor Stark: "Because his name is just as tough to pronounce."

Steve Haizlip: "Well, like I said before, Polack names are hard to pronounce. I couldn't even pronounce my wife's name until I married her and she became a Haizlip. Then I could pronounce it."

Now, a Mr.-- "

Supervisor Stark: "Let the record show that is not a statement of derogatory comment."

Councilman Prusinowski: "Mr. Naso?"

Steve Haizlip: "It's not derogatory, it's just a joking comment. Mr. Nasco (phonetic), I read in the paper where he was fined \$10,000 for violations of buildings. But then he was let go because failure to identify in the write up which I believe the town attorney would be the one to present it, that he was placed-- I'll put the word placed-- in the indictment or the violation as either being the owner or being the overseer of the property. It wasn't called out. So my question now in this is, is there a plan to appeal this or is it just going to be let go and it's over with and mark it up to experience?"

Councilman Prusinowski: "We haven't decided yet."

Steve Haizlip: "You haven't decided yet?"

Councilman Prusinowski: "No."

Steve Haizlip: "You know it's a shame that we got beat out of \$750,000 once up where the famous motel got torn down, or motel or whatever. And now this comes along. So, I'm glad to hear that. Thank you very much."

Supervisor Stark: "Thank you, Steve. Is there anybody else? Yes, Bill? Why don't you start wandering, Bill, come up. Well,

you don't have too many to get through tonight."

Bill Roberts: "Bill Roberts, Baiting Hollow. I'd like to comment or make observations about traffic in the town of Riverhead. It seems like it took a long time and maybe we'll see soon, Jim, and the members of the Board, those cones on Main Street. I think I started to talk about that back about three years ago. Maybe we'll-- "

Supervisor Stark: "There is legislation which has passed the Senate allowing Riverhead and Port Jefferson to control the traffic on the state highway. It is in the Assembly right now. It is being held up by Assemblyman Englebright-- "

Bill Roberts: "From?"

Supervisor Stark: "He's up around the Huntington section-- somewhere in that area. I was in Albany last week with Senator LaValle, Assemblywoman Acampora, and I certainly expect that my cones will come back Memorial Day. If they arrest me, I like chocolate chip cookies. But those cones work. They slow traffic down, they allow children, adults, especially our senior citizens, to cross the roads at a safer pace. So whether I get thrown in jail or they keep stealing them on me, as long as we don't run out of budget line, I'm going to keep putting cones out there."

Bill Roberts: "And I'll bring out the chocolate chip cookies."

Supervisor Stark: "Big ones, with walnuts."

Councilman Prusinowski: "We'll give him free cablevision, too."

Bill Roberts: "Second item, it took us a long time but we finally had installed on 25 the stop signal at Tanger Mall Drive. That involved the DEC and everybody else. But in amazement, I saw how quickly that stop signal up on Route 58 where K-Mart and BJ's are, that seemed like-- well, that's a very hazardous place-- but that went up like-- "

Councilman Lull: "It's a difference in speed between the county and state."

Bill Roberts: "Yes."

Councilman Prusinowski: "Actually one part is true, except that the reason why it took twice as long for Tanger is because it's in the Scenic Rivers and Wildlife Act and they had-- in addition they had a whole another review process they had to go through. Because remember, we're in that-- that road that goes into Tanger has not been designed by the Town Board or approved by the Town Board. That's a DEC all the way. And that's why they had to get involved. And Jim is right when it comes to the county. And also everybody should know that the developers pay for these lights, not the taxpayers."

Bill Roberts: "And one other thing. The intersection of 25A and Sound Avenue, again, that's going to be state versus the town so it's going to take us at least two years to get that intersection straightened out."

One item. There was a-- "

Supervisor Stark: "I think you're very conservative when you say that."

Bill Roberts: "Okay, maybe three years. Maybe I won't live long enough to see it. There was a service station-- it used to be Scott's, they pulled out all the tanks, they put in new ones, installed Ocean pumps. They opened up for a day or two and then they closed down. And I wonder if that had something to do with the Scenic River and whatever or why did that open and close?"

Councilman Prusinowski: "On Main Street?"

Supervisor Stark: "That's on West Main Street?"

Bill Roberts: "Yeah."

Supervisor Stark: "He's in violation of town code."

Bill Roberts: "And this has taken all this time to comply?"

Supervisor Stark: "He hasn't complied yet."

Bill Roberts: "I'd say he's losing money."

Supervisor Stark: "Wait a minute. Maybe Bobby has something more."

Robert Kozakiewicz: "Is this the property just west of the post office annex?"

Bill Roberts: "Right, yes."

Robert Kozakiewicz: "Yes, the property owner has come in, I believe there was a final inspection that was done by the Building Department. The (inaudible) equipment tested fine. There was an electrical inspection-- a final electrical inspection done. I think the only thing that he is awaiting at this time is to have the site plan work that was done at the site compared with what he was approved for in his site plan approval and he should be ready to go. So."

Bill Roberts: "Thank you."

Supervisor Stark: "Thank you. Is there anybody else? Yes."

Rolph Kestling: "Rolph Kestling, Wading River. A fast question. I heard the Town has a height limitation of 32 or 37'?"

Councilman Prusinowski: "Thirty-five."

Rolph Kestling: "Thirty-five feet."

Councilman Prusinowski: "Except downtown Riverhead."

Rolph Kestling: "Oh, that's only downtown Riverhead. It's not the whole-- "

Councilman Prusinowski: "No. I said except downtown Riverhead."

Rolph Kestling: "Oh, okay. The reason I'm asking you is I see Splish Splash has got an 82 foot tower there. How come?"

Councilman Prusinowski: "That tower is-- is similar to the Tanger tower-- is not habitable."

Rolph Kestling: "Oh, in other words if I were to put a flagpole

which I'm considering more than 37 feet, I'd be all right?"

Councilman Prusinowski: "A flagpole is fine."

Rolph Kestling: "Okay. Thank you."

Supervisor Stark: "Thank you. Is there anybody else? If not, let us take up the resolutions."

Steve Haizlip: "Just one afterthought. It's very important."

Supervisor Stark: "I was going for a record here today, Steve."

Steve Haizlip: "Well, since there's so few speakers-- "

Supervisor Stark: "That doesn't preclude that we were going for a record here today."

Steve Haizlip: "Oh, is there a ballgame?"

Supervisor Stark: "No."

Steve Haizlip: "Jim and the other Board members. I noticed recently that the All Island Auto Parts Wrecking Yard is not in business anymore. Is it unethical or is it can be revealed or why did they leave? Why did they leave?"

Supervisor Stark: "Steve, I have no idea. Somebody asked me that the other day and I said I didn't know that they had closed."

Steve Haizlip: "Oh, okay."

Supervisor Stark: "Okay? If not, let us take up the Resolutions."

Resolution #185

Councilman Prusinowski: "We are authorizing the filing of an application for a state grant to fund our hazardous waste program in Riverhead and I do want to point out I want to thank the Town Board's executive assistant, Kim Lucas, who actually saw a publication notice in a magazine and is directly responsible for us putting in this grant. So moved."

Councilman Lull: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #186

Councilman Lull: "Reduces the performance bond of Tanger Properties Limited Partnership. So moved."

Councilman Prusinowski: "Seconded."

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

The Vote (Collective reponse): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #187

Councilman Kwasna: "Appoints account clerk typist in the Accounting Department. So moved."

Councilman Wittmeier: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #188

Councilman Wittmeier: "Authorizes Town Clerk to publish notice of Public Hearing regarding off premises directional signs. So moved."

Councilman Kwasna: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Oppsed? Motion carried."

Resolution #189

Councilman Prusinowski: "Declares lead agency and significance of action for Suffolk Farm Apartments change of zone. So moved."

Councilman Lull: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #190

Councilman Lull: "Approves the application of Barbara Bocklet for a fireworks permit for June 15th. So moved."

Councilman Prusinowski: "Seconded."

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

The Vote (Collective reponse): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #191

Councilman Kwasna: "Extends contract for office supplies, furniture and equipment. So moved."

Councilman Wittmeier: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #192

Councilman Wittmeier: "Appoints Richard K. Zuckerman as special counsel in a matter concerning a Town of Riverhead employee. So moved."

Councilman Kwasna: "And seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #193

Councilman Prusinowski: "Releases maintenance bond of V.P. Cor Limited. So moved."

Councilman Lull: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #194

Councilman Lull: "Accepts the bonds of Eastern Crest Corp. that's the Meadowcrest Section 2 for road and drainage improvements

park and recreation fees. So moved."

Councilman Prusinowski: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #195

Councilman Kwasna: "Authorization to publish a bid for food for use in the nutrition center. So moved."

Councilman Wittmeier: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #196

Councilman Wittmeier: "Appoints account clerk typist in the police department, Marybeth Fisher, so moved."

Councilman Kwasna: "And seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #197

Councilman Prusinowski: "Determination of significance of

special permit site plan petition of Thurms Mobile Home Estates.  
So moved."

Councilman Lull: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #198

Councilman Lull: "Authorizes the Supervisor to execute  
service agreements between the Town of Riverhead and AT&T. So moved."

Councilman Prusinowski: "Seconded."

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

The Vote (Collective reponse): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #199

Councilman Kwasna: "Authorizes the Town Clerk to publish and  
post Public Notice to bidders for snack vendors. So moved."

Councilman Wittmeier: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #200

Councilman Wittmeir: "Authorizes the Town Board to republish and rebid request for proposals for improvements to the Hallockville Museum Farm. So moved."

Councilman Kwasna: "And seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #201

Councilman Prusinowski: "Releases the performance bond of Calverton Links. So moved."

Councilman Lull: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #202

Councilman Lull: "Order calling a Public Hearing for the increase and improvement to the Riverhead Water District, the installation and construction of filtration system on well #3. So moved."

Councilman Prusinowski: "And seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #203

Councilman Kwasna: "Releases 5% bond of Toys "R" Us for warehouse. So moved."

Councilman Wittmeier: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #204

Councilman Wittmeier: "'96 ambulance acquisition, budget adoption. So moved."

Councilman Kwasna: "Seconded."

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

The Vote (Collective reponse): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #205

Councilman Prusinowski: "Corwin-Benjamin house acquisition capital project budget adoption. So moved."

Councilman Lull: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #206

Councilman Lull: "General fund budget adjustment. So moved."

Councilman Prusinowski: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #207

Councilman Kwasna: "Establishes salaries for Board of Assessment Review. So moved."

Councilman Wittmeier: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #208

Councilman Wittmeier: "Approves application of American Diabetes Association. So moved."

Councilman Kwasna: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #209

Councilman Prusinowski: "Approves application of St. John the Evangelist School. So moved."

Councilman Lull: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #210

Councilman Lull: "Approves application of St. John the Evangelist R.C. School for fireworks permit for April 13th. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? Spring is here; we're talking fireworks. All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #211

Councilman Kwasna: "Appoints members to Industrial Development Agency. New members are Bob Dick, Edgar Goodale, Monique Gablenz, Jean Costello, Fred Reeve, Tina Van Allen, and Philip Swotkewicz. So moved."

Councilman Wittmeier: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #212

Supervisor Stark: "I would also to also mention that is a volunteer position in the Town of Riverhead. It's a very fruitful and a very strong vehicle in which this Town can use to attract good industry to our Town that will be compatible with our rural character. Yes, Barbara, I'm sorry."

Barbara Grattan: "That's okay."

Resolution #212

Councilman Wittmeier: "Resolution amending prior Resolution awarding bid for deepening of well no. 1, Riverhead Water District. So moved."

Councilman Kwasna: "And seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Supervisor Stark: "Is there a motion to pay the bills?"

Councilman Prusinowski: "So moved."

Councilman Lull: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #214

Councilman Prusinowski: "Authorizes the Supervisor to sign grant agreement. So moved."

Councilman Lull: "Second."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Supervisor Stark: "Could I call from the floor 215. Do you have a copy of this?"

Councilman Prusinowski: "I move Resolution 215 which releases a -- which approves the site plan of Maidstone Landing Condominiums. So moved."

Councilman Kwasna: "And seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Supervisor Stark: "If not being any further business, I adjourn and call this meeting adjourned."

Meeting adjourned: 2:35 p.m.

*Barbara Mattan  
Town Clerk*