

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, September 4, 1984, at 7:30 p.m.

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

Also Present: Richard Ehlers, Town Attorney

Absent: Joseph F. Janoski, Supervisor

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

BILLS

Bills submitted on abstract dated September 4, 1984 as follows:

General Town	\$183,459.39
Highway	28,705.41
ST & SL	1,232.33
CF	1,843.48
Small Cities	3,521.67

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

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

General Town	\$183,459.39
Highway	28,705.41
ST & SL	1,232.33
CF	1,843.48
Small Cities	3,521.67

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

The resolution was thereupon duly declared adopted.

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

RESOLVED, that the Minutes of the Regular Board Meeting held on 8/21/84 and Special Board Meeting held on 8/27/84 are dispensed without objection and be approved.

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

The resolution was thereupon duly declared adopted.

Deputy Supervisor Boschetti, "Good evening everyone. Once again I am Councilman Lou Boschetti. I will be presiding at the meeting (this afternoon) this evening. Joe Janoski was in today and he spent a few hours. Of course he's not here this evening as you can see, but hopefully he will be working his way back a few hours each and every day so that he will be able to resume his normal duties shortly. Another good note that we received this morning was that the Reeves Park extension was finally connected. So that's good news. And hopefully he will be back with us next week or so and I sure you will be seeing him around Town Hall if you stop around any time during the day. As is usual, we have some of our department heads here. So if you have any questions of them, please feel free to ask. I guess we will now go onto Reports. Mrs. Pendzick."

#### REPORTS

Supervisor's Office-Financial Statement for June, 1984 and audited financial statement as of December 31, 1983. Filed.

Open Bid Report-Meter Horn Assemblies. (See Water Minutes) Filed.

Open Bid Report-Water Meters. (See Water Minutes) Filed.

Irene Pendzick, "That concludes Reports."

Deputy Supervisor Boschetti, "Thank you Mrs. Pendzick. Applications and Petitions."

#### APPLICATIONS AND PETITIONS

Draft Environmental Impact Statement-Seawatch Landing. Filed.

Site Plan-A&P Supermarket (New Facade) Filed.

Petition-18 Residents of Youngs Avenue, Calverton requesting speed limit. Filed.

Petition-10 Business/Professional people requesting sign stating "Village of Wading River" be placed at Route 25A and Wading River Road. Filed.

APPLICATIONS AND PETITIONS Continued

Site Plan-Oakland Ridge Home Park, Osborn Avenue. Filed.

Special Permit-William Dunkirk (Warehouse on West Side of Mill Road). Filed.

Petition-20 Residents of Ock-A-Bock Park requesting study re: Town Water. (See Water Minutes) Filed.

Site Plan (revised)-East Main Street Association (Four Office Buildings). Filed.

Petition-89 Residents in area of Meetinghouse Creek Rd. for Town water. (See Water Minutes) Filed.

Irene Pendzick, "That concludes Applications and Petitions."

Deputy Supervisor Boschetti, "Thank you. Will you please read the Correspondence to the Town Board."

Irene Pendzick, "Correspondence was very low this week."

CORRESPONDENCE

H2M Corp, 8/27/84-Punch list of work items re: Ext. #23 and list of work completed to date re: Ext. #20. Filed.

Irene Pendzick, "That is all we had in Correspondence."

Deputy Supervisor Boschetti, "Thank you. The only public hearing we have on this evening is scheduled for 7:45. That time has not yet arrived. I will now discard some of the Unfinished Business currently before us."

UNFINISHED BUSINESS

Old River Road Recreational Park-Change of Zone for Recreational use.

Robert Celic-Change of Zone and Special Permit for Nursery in Aquebogue.

Kimbrooke Enterprises-Special Permit for 190 Condominiums on Sound Avenue.

Broad Cove-Request for extension of permit.

Riverhead Motors-Revised Site Plan for Market-On-Circle.

Directional Sign-County Seat Plaza.

UNFINISHED BUSINESS Continued

Site Plan-Arthur Thurm (Oakland Ridge Mobile Home Park.)

Special Permit-Enka Enterprises (Gas Station at Route 25 and Washington Avenue, Jamesport).

Site Plan-George Nunnara (Storage of Gas/Welding Supplies at West Main Street, Riverhead.)

Special Permit-Joseph Trocchio (Temporary Mobile Home in Manorville.)

Change of Zone-Sullivan and Dzialakiewicz (Laundry on Mill Brook Lane).

Directional Sign-North Fork Sign Co., Wading River.

Site Plan-Joseph Zinna (Transmission Repair Shop, East Main Street).

Site Plan-Riverhead Land Associates (84 Development Corp) Lumber Storage Building.

Site Plan-Thomas Yasso (Professional Office Buildings, Route 58.

Site Plan-North Fork Plumbing Supplies (Warehouse, 1414 West Main Street).

Deputy Supervisor Boschetti, "Old River Road is still before the Town Board. We are still seeking to get Lead Agency status assigned to the D.E.C. on that particular application. Robert Celic, Kimbrooke, Broad Cove, Riverhead Motors, County Seat, Arthur Thurm, and Enka Enterprises are all still before the Town Board. The Broad Cove will be acted upon tonight. Some of which are still awaiting for additional information to come in and let's see... George Nunnara is still awaiting for additional information. Joseph Trocchio and the Sullivan and Dzialakiewicz is still before the Town Board. County Seat directional sign is still presently before the Town Board and is being redesigned. Joseph Zinna, we are awaiting a resubmission of that particular Site Plan. Riverhead Land Associates is the subject of a resolution tonight. Thomas Yasso is also required to bring in additional information so the Town Board can act on this application as is North Fork Plumbing.

At this particular time we have approximately almost 4 minutes left. I will recognize anybody who wishes to address the Town Board on any subject. Is there anyone who cares to do that? Bill."

Bill Nohejl, Wading River, "A question for the Town Attorney. What is the status of the Oak Park Traylor with the appeal?"

PERSONAL APPEARANCES Continued

Richard Ehlers, "Mr. Sullivans? We filed our papers that we will be taking the appeal. The record is being settled now as the appeal will be prosecuted. That is the direction the Town Board has given us."

Bill Nohejl, (INAUDIBLE) (UNDECIPHERABLE)

Richard Ehlers, "Basically we file a notice that we say we are going to appeal. Then the record is settled. We are in the process of settling the record at this time."

Bill Nohejl, "It's going to be appealed?"

Deputy Supervisor Boschetti, "Yes."

Bill Nohejl, "Ok. Good. Thank you."

Deputy Supervisor Boschetti, "You're welcome Bill. Approximately 2, 3 minutes left. Steve."

Steve Haizlip, Calverton, "I would like to inquire about these 18 residents on Youngs Avenue. What type of speed limit would they like? Because when you leave by the school and you have to stop and you have to start up again and get in gear and go down and first thing you know, you're going around a great big steep curve or "S" curve and then coming back the same way. So you can't make very much speed on that road anyway. Second part, we still haven't received (talking about speed limits on roads) there still haven't been anything come up on River Road yet. Has there? That's my two questions."

Councilman Artale, "They're looking to drop the speed limit to 25 on Youngs Avenue."

Steve Haizlip, "25? Alright."

Deputy Supervisor Boschetti, "Thank you Steve."

Councilman Artale, "25 and 30."

Deputy Supervisor Boschetti, "Approximately one minute remaining if anyone cares to use it. Yes sir."

Al Smith, 8 Bells Road, Riverhead, "I just want to say to the Board I was very pleased this morning when I looked out and saw fellows hooking up water valves, putting town water in our area. Thank you again."

Town Board, "Thank you. You're welcome."

Deputy Supervisor Boschetti, "Very well. Thank you. I don't think there is enough time left to have anybody else address the Board and we don't have enough time for resolutions so we'll just wait a few seconds for 7:45 to arrive for the first public hearing to take place. The only public hearing to take place. The time is now 7:45. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARINGPUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, September 4, 1984 at 7:45 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Application of East Main Street Associates for an amendment of the Buffer Requirements as regarded in a filed Site Plan dated August, 1984.

Deputy Supervisor Boschetti, "Is there anyone representing the applicant of this particular application. Ok. We will recognize Mr. Smith."

Allen Smith, Attorney, "The name is Allen Smith. The firm is Tooker and Smith. The hearing is under the provision of the code dealing with site plans and allows the Town Board to vary a particular part of the requirements of a 10 foot buffer. The site plan that you have before you shows a buffer of less than 10 feet on the easterly boundary of this property. Which for the audience, is the large home on the north side of East Main Street two doors down from the I.R.S. buildings. The applicants are the same people who have built the red brick office building complex which houses the I.R.S. They intend to build exactly the same types of buildings on the site. It's called Eastlawn for those that remember the house. The reason that we are here this evening and the reason that we will be before the Zoning Board of Appeals subsequently, is that the applicants wish to preserve Eastlawn as it currently exists. And to do so, it requires, (I don't want to call it a variance) I guess it's a waiver by this Board after a public hearing of that buffer. And that's the long and short of it."

Deputy Supervisor Boschetti, "Ok. Dick, do you want to add to that?"

Richard Ehlers, "Only that the house was offered to the Town Board since that was one of the integral parts of the negotiations."

Allen Smith, "As part of a historical perspective, since these gentlemen have been in the community for about 10 years or so, have a demonstrated track record of doing (if you will) the right thing. When they acquired the Eastlawn property, they discussed with the Town Board and others what would could and should happen to Eastlawn. It is a standing discussion that, if the Town Board or other agencies of the town would like these gentlemen to dedicate, gift or otherwise, the house it may be similar to what we did with the Corwin and Benjamin houses down street, they will do so. If it is not the desire of the Town Board or other agencies of the town to enter into that kind of relationship that exists between Northville Industries and the town on the Corwin and Benjamin houses, they will maintain Eastlawn for a use whatever it is. At the moment, it's a two-family residence."

PUBLIC HEARING Continued

Deputy Supervisor Boschetti, "Is there anyone present who cares to address the Town Board on this particular subject? Yes sir."

Henry Silverman, Sound Shore, Road, Rhd., "I am speaking for my mother, my sister and myself. We own part of the property in question here. We are for the project. Mainly it will preserve the Corwin house and my mother's house would also be preserved. So it's in our best interest if this project went through also. Thank you."

Deputy Supervisor Boschetti, "Did you want to make a comment regarding a buffer. That's particular what we're talking about here this evening."

Henry Silverman, "From the Main Street side, the property would still look the same. We have lived with the buffer that's been in existence a long time. It does not bother us. I feel it would be nice to see that Eastlawn property fixed up. We are for it. Thank you."

Deputy Supervisor Boschetti, "Thank you. Is there anyone else who cares to comment? Yes Bill."

William Kasperovich, Wading River, "Everytime I hear buffer zone of 10 feet, it annoys the h--- out of me. Now, if we're going to go..... We, at one time considered 25 feet a good buffer zone and then it worked it's way down by increasing value by many reasons. It worked it's way done. We started at 25 and then considered lesser amounts. Now it seems we have gotten down to 10 and we are considering lesser amounts. This 10 feet, in a certain unusual condition, is ok. In the most conditions and what we're trying to acheive in Riverhead, 10 feet is an absolute minimum. I wouldn't quivel if you wanted to go 9 foot and 11 inches or 9 foot and 10 inches. But 10 is small enough. If anything, we should try where we could have more than 10 foot. Unless we're going to go into the New York City type style where buildings are abutting buildings and nothing between it. So I say anything under 10 foot only under the severest of conditions then less than (20 feet) 10 feet be allowed. Thank you."

Deputy Supervisor Boschetti, "Thank you. Anyone else who cares to comment on this issue? Ok. In that case I declare this hearing closed."

THE 7:45 PUBLIC HEARING CLOSED AT 7:52

Deputy Supervisor Boschetti, "We will move onto resolutions."

PERSONAL APPEARANCES

William Kasperovich, "We have on the agenda anyone wishing to be heard before the resolutions. Please."

Deputy Supervisor Boschetti, "I believe we already had that Bill."

William Kasperovich, "It's only been filling time waiting for the public hearing."

Deputy Supervisor Boschetti, "Ok. You're right. We will not do resolutions now Mrs. Town Clerk. Thank you. We will open up to anyone who cares to be heard. Bill, you're recognized."

William Kasperovich, "Thank you. The subject is Main Street. I think all of you gentlemen.... I certainly can vouch for Brother Artale because I stood by his car and talked to him while surveying work was going on on Main Street. Last week the state spent a good piece of their budget money going out and doing fine grade surveying on Main Street. This is the flag that work is in positive motion. It's passed the talk stage. It's in the real doing stage and this is the point in time that we in the town should get to the state people and with the state people to get everything we should get on Main Street. Now, there's a thousand and one small details. Important although small that should be discussed with the state and resolved. Should be spelled out. And if we can't get anything done, the least we should accomplish is where their legal responsibility ceases and ours starts. Now they have forever used the argument that well, we can't do this, we can't do that because it's only a small job and we can't fit it in anyhow. Ok. Now they got a big job. They can fit it in. They have established the cross-walks. I say; in doing that, they have also established that they are shouldering the public liability of the safety of the public. They can't back away from curves. They can't back away from changing the style of a grading in a cross-walk. The can't back away from things. And if they wish to back away, well then they will have to stick out their necks and say that they are legally responsible. But this is the point in time that we should assert ourselves. And what is theirs, they should do. And since they can no longer say it's only a little job, we can include it in major works. Now, they also have to give us where our work starts, that they spell out and we agree on. The technical information that (as we progress with our improvements of side-walks) we can then work in conjunction and coordinate with what they have done or what they will do. Now, I could go on this for an hour but these are enough examples to indicate that we should make the initiative. We shouldn't sit still and wait for them to tell us they are ready to talk to us. Because by the time they do that, they always give themselves an edge to back away. We should get in on the first step on the first floor and pound the way on what we need on Main Street for a first class street and road. Thank you."

PERSONAL APPEARANCES Continued

Deputy Supervisor Boschetti, "Thank you Bill."

Councilman Artale, "Excuse me. Bill. I would like to say that when Bill and I did speak out on Main Street the other day, it was suggested at that time and I told him that I would bring it up to the Board members. I do apologize. I didn't get a chance to do that. It was his suggestion that we talk to the state people. Being that they are going to be doing a little of work on Main Street, that possibly we can get them to do the curbing too. I think that is what he's been trying to get at."

William Kasperovich, "Well, amongst other things. Because the curbing to Riverhead is a big cost item."

Councilman Artale, "That's right."

William Kasperovich, "If we could get them to shoulder all of it or some of it, we would be that much ahead."

Councilman Artale, "It's a good idea you had Bill."

William Kasperovich, "Thank you."

Deputy Supervisor Boschetti, "Thank you Bill. Is there anyone else who cares to address the Board on any subject? No. Ok. We'll now go on to resolutions."

RESOLUTIONS

#560 AUTHORIZES OVERTIME COMPENSATION - WATER DISTRICT.

(See Water District Minutes)

#561 AUTHORIZES TIME AND ONE HALF OVERTIME FOR SEWER DISTRICT EMPLOYEES.

(See Sewer District Minutes)

#562 ACCEPTS RESIGNATION OF TEMPORARY LABORER - HIGHWAY DEPT.

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

WHEREAS, Gregory Heppner did submit his resignation from his position of Laborer,

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Gregory Heppner be and is hereby accepted effective August 31, 1984.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#563 ACCEPTS RESIGNATION OF TEMPORARY LABORER - HIGHWAY DEPT.

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

WHEREAS, David Bogash did submit his resignation from his position of Laborer.

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of David Bogash be and is hereby accepted effective August 24, 1984.

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

The resolution was thereupon duly declared adopted.

#564 AUTHORIZES OVERTIME COMPENSATION FOR COMMUNITY BEAUTIFICATION PERSONNEL.

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

RESOLVED, that the Supervisor be and is hereby authorized to pay time and one-half compensation for overtime for pumping for a total of 39 hours in the amount of \$556.63, in accordance with personal services abstract submitted and filed in the Office of the Town Clerk.

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

The resolution was thereupon duly declared adopted.

#565 AUTHORIZES OVERTIME - HIGHWAY DEPARTMENT.

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

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for a total of 8 hours in the amount of \$111.47 in accordance with personal services abstract submitted and filed in the Office of the Town Clerk.

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

The resolution was thereupon duly declared adopted.

#566 AUTHORIZES SUPERVISOR TO EXECUTE EASEMENT, RE: ALICE MARTIN.

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

WHEREAS, in order to gain access to the Town of Riverhead park and playground located in the Nadel Drive area, it is necessary that the Town of Riverhead obtain an additional three (3) feet to allow trucks to enter the park area for maintenance and repair work, and

RESOLUTIONS Continued

WHEREAS, property of Alice Martin adjoins the entrance to the park area, and

WHEREAS, Alice Martin has agreed to enter into an agreement with the Town giving the Town an easement across her lands in order for the Town to gain access to the park area,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute the subject agreement with Alice Martin.

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

The resolution was thereupon duly declared adopted.

#567 AUTHORIZES OVERTIME COMPENSATION - RECREATION DEPARTMENT.

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

RESOLVED, that the following employees of Riverhead Highway Department be paid time and one half overtime compensation:

Stephen Punda, Sr.	5 hrs. X	\$14.6110 =	\$73.05
John Kalba	4.5 hrs. X	\$10.8815 =	\$48.96
Charles Leja	4.5 hrs. X	\$ 9.1904 =	\$41.35
		Total	\$163.36

FURTHER RESOLVED, that the explanatory report relating to aforesaid overtime submitted by the Superintendent of the Recreation Department, be filed in the Office of the Town Clerk and overtime compensation be taken from account H7180.3.

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

The resolution was thereupon duly declared adopted.

#568 AUTHORIZES SUPERVISOR TO EXECUTE AMENDMENT TO LEASE AGREEMENT, RE: EVERETT RAYNOR.

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

WHEREAS, in 1959, the Town of Riverhead entered into an agreement with Everett B. Raynor to lease certain premises owned by Mr. Raynor on Hallock Street for drainage purposes, and

WHEREAS, said agreement still remains in full force and effect, and

WHEREAS, pursuant to the terms of said agreement, the previous yearly rental was \$150, and

NOW, THEREFORE BE IT

RESOLUTIONS Continued

RESOLVED, that the Supervisor be and is hereby authorized to execute an amendment to the lease agreement with Everett B. Raynor increasing the yearly rental from \$150 to \$185, and be it further

RESOLVED, that the Accounting Department be and is hereby authorized, upon the execution of such amendment to the lease agreement, to forward to Mr. Raynor any and all monies due and owing pursuant to the terms of said agreement, and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to Mr. Everett Raynor as well as to the Accounting Department.

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

The resolution was thereupon duly declared adopted.

#569 AUTHORIZES LEROY BARNES AND HAROLD STAKEY, ASSESSORS TO ATTEND CONFERENCE ON ASSESSMENT ADMINISTRATION.

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

WHEREAS, the New York State Assessors' Association Inc. is holding a conference on assessment administration at Monticello New York from September 23, 1984, to September 26, 1984, and

WHEREAS, Leroy Barnes and Harold Stakey have expressed a desire to attend,

NOW, THEREFORE, BE IT

RESOLVED, that Leroy Barnes and Harold Stakey, Assessors be and are hereby authorized to attend the New York State Assessors' Association, Inc. Conference on Assessment Administration to be held at Kutsher's Monticello, New York, on Sunday, September 23, 1984, through Wednesday, September 26, 1984, and be it further

RESOLVED, that all expenses associated with said conference shall be paid from the Assessor's budget, and be it further

RESOLVED, that Leroy Barnes and Harold Stakey shall each receive a \$500 advance for said conference, which shall be receipted upon their return.

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

The resolution was thereupon duly declared adopted.

#570 BUDGET ADOPTION - PECONIC BAY BLVD. DRAINAGE PROJECT.

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

RESOLUTIONS Continued

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

	<u>FROM</u>	<u>TO</u>
H 5730.27 BAN Proceeds	100,000.00	
H 8540.271 Construction		60,000.00
H 8540.272 Engineering		15,000.00
H 8540.273 Contingency		25,000.00

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

The resolution was thereupon duly declared adopted.

#571 AUTHORIZES PUBLICATION OF HELP WANTED AD FOR ACCOUNT CLERK TYPIST.

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

WHEREAS, there is an available position in the Accounting Department for an Account Clerk-Typist,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be, and is hereby authorized to publish and post the below help wanted ad for a full-time Account Clerk-Typist in the September 6th issue of THE NEWS-REVIEW.

HELP WANTED

The Town of Riverhead is seeking a qualified individual to serve in a full-time position of Account Clerk Typist in the Accounting Department. Applicant must have two (2) years bookkeeping experience. Interested individuals must submit an application to the Town Supervisor's Office, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901, weekdays between 8:30 a.m. and 4:30 p.m. No applications for this position shall be accepted after September 28, 1984. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, religion, age and handicapped status in employment.

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

The resolution was thereupon duly declared adopted.

#572 APPROVES SITE PLAN OF A&P.

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

WHEREAS, a site plan was submitted by A&P for a building permit for a new facade on the existing A&P store located on Route 58, Riverhead, New York, and

RESOLUTIONS Continued

WHEREAS, this Town Board has reviewed the site plan submitted as prepared by Roy Rosenbaum Architect, most recently dated August 14, 1984

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by A&P for a building permit for a new facade as prepared by Roy Rosenbaum most recently dated August 14, 1984, be and is hereby approved subject to the following:

1. Any and all restrictions and/or limitations as outlined in the Riverhead Town Code as it may from time to time be amended.
2. That a covenant containing all the limitations and provisions of these approvals contain in this resolution in a form as attached shall be recorded by Net Realty, owners of the shopping center, with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective and no building permit shall be issued until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.
3. That the form design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.
4. That the entire parking area and exterior area of all buildings shall be maintained on a daily basis in a neat and orderly way free of litter and debris and if such maintenance is not adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.
5. Trash receptacles of a decorative design shall be maintained at the entrance of the building.
6. That the property shall be maintained on a weekly basis by the owner of the property. In the event that the property is not maintained on a weekly basis, the Town may, upon two days written notice, enter upon the property for the purpose of removing rubbish and debris and clean the property of noxious weeds, grasses and other growth, mow the property, trim the trees, and do all things necessary to restore the property to a neat appearance and the expenses thereof shall be borne by the owner of the facility upon presentation of a bill by the Town. In the event that such amount is not paid within ten (10) days of the presentation of such bill, the amount of the bill shall be added to the tax bill covering the property.

RESOLUTIONS Continued

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

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade. Specifically, the applicant shall maintain the parking field free from all pot-holes and with identifiable striping.

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

and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to A&P, Roy Rosenbaum, Net Realty and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the \_\_\_\_\_ day of \_\_\_\_\_, 1984, by Net Realty with offices at \_\_\_\_\_ Declarant,

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

RESOLUTIONS Continued

1. Any and all restrictions and/or limitations as outlined in the Riverhead Town Code as it may from time to time be amended.

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

3. That the entire parking area and exterior area of all buildings shall be maintained on a daily basis in a neat and orderly way free of litter and debris and if such maintenance is not adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.

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

5. That the property shall be maintained on a weekly basis by the owner of the property. In the event that the property is not maintained on a weekly basis, the Town may, upon two days written notice, enter upon the property for the purpose of removing rubbish and debris and clean the property of noxious weeds, grasses and other growth, mow the property, trim the trees, and do all things necessary to restore the property to a neat appearance and the expenses thereof shall be borne by the owner of the facility upon presentation of a bill by the Town. In the event that such amount is not paid within ten (10) days of the presentation of such bill, the amount of the bill shall be added to the tax bill covering the property.

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

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade. Specifically, the applicant shall maintain the parking field free from all pot-holes and with identifyable striping.

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

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year above written.

NET REALTY

BY: \_\_\_\_\_

RESOLUTIONS Continued

STATE OF NEW YORK )  
 ) ss.  
 COUNTY OF SUFFOLK )

On this \_\_\_\_ day of September, 1984, before me personally came \_\_\_\_\_ of Net Realty a New York corporation with offices at \_\_\_\_\_; that he did read the above declaration and covenant and understands its contents; that he was authorized by said corporation to execute this declarant and covenant on behalf of said corporation; that he knows the seal of said corporation and has placed same thereto; that he did swear to me that he executed same.

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

#573 APPROVES SITE PLAN OF 84 DEVELOPMENT COMPANY.

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

WHEREAS, a site plan was submitted by 84 Development Company for a building permit for a lumber storage building to be located on Route 25, Calverton, New York, and

WHEREAS, this Town Board has reviewed the site plan submitted as prepared by Craig Merrill Johnson most recently dated July 31, 1984 be and is hereby approved subject to the following:

1. Any and all restrictions and/or limitations as outlined in the Riverhead Town Code as it may from time to time be amended.

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

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

4. That the entire parking area and exterior area of all buildings shall be maintained on a daily basis in a neat and orderly way free of litter and debris and if such maintenance is not adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.

RESOLUTIONS Continued

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

6. That the property shall be maintained on a weekly basis by the owner of the property. In the event that the property is not maintained on a weekly basis, the Town may, upon two days written notice, enter upon the property for the purpose of removing rubbish and debris and clean the property of noxious weeds, grasses and other growth, mow the property, trim the trees, and do all things necessary to restore the property to a neat appearance and the expenses thereof shall be borne by the owner of the facility upon presentation of a bill by the Town. In the event that such amount is not paid within ten (10) days of the presentation of such bill, the amount of the bill shall be added to the tax bill covering the property.

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

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade. Specifically, the applicant shall sign any and all documents as may be required to designate fire zones.

10. That all of the conditions and limitations as outlined in the approval for a site plan previously adopted by this Town Board shall remain in full force and effect as if though fully set forth at length herein.

11. A ten foot planting buffer strip must be installed along the east, south and west fence or property line.

12. The type of trees which should be incorporated within this plant strip are pine and spruce, approximately 6 feet in height planted at fifteen foot intervals.

13. The proposed tree line shall remain on the east side which will be a sufficient planting buffer.

14. A flat area of at least ten feet in width must surround the recharge basin so as to enable proper planting and maintenance of planting buffer.

and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to 84 Development Company and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the \_\_\_\_\_ day of \_\_\_\_\_, 1984, by 84 Development Company with offices at 200 Route 519, Eighty Four, Pennsylvania, Declarant,

RESOLUTIONS Continued

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. Any and all restrictions and/or limitations as outlined in the Riverhead Town Code as it may from time to time be amended.
2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.
3. That the entire parking area and exterior area of all buildings shall be maintained on a daily basis in a neat and orderly way free of litter and debris and if such maintenance is not adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.
4. Trash receptacles of a decorative design shall be maintained at the entrance of the building.
5. That the property shall be maintained on a weekly basis by the owner of the property. In the event that the property is not maintained on a weekly basis, the Town may, upon two days written notice, enter upon the property for the purpose of removing rubbish and debris and clean the property of noxious weeds, grasses and other growth, mow the property, trim the trees, and do all things necessary to restore the property to a neat appearance and the expenses thereof shall be borne by the owner of the facility upon presentation of a bill by the Town. In the event that such amount is not paid within ten (10) days of the presentation of such bill, the amount of the bill shall be added to the tax bill covering the property.



RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

#574 APPOINTS AUTOMOTIVE MECHANIC IIs TO HIGHWAY DEPARTMENT.

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

WHEREAS, vacancies in the position of Automotive Mechanic II in the Highway Department do exist, and

WHEREAS, these vacancies have been duly publicized, and

WHEREAS, all applicants have been interviewed.

NOW, THEREFORE BE IT

RESOLVED, that the following individuals be and are hereby appointed to the position of Automotive Mechanic II with the Riverhead Highway Department at the annual salary of \$14,216.42 as set forth in Group 8, Step P of the 1984 CSEA Salary Schedule for a probationary period of one year effective September 10, 1984:

Joseph T. Sheppard

Thomas A. Grodski

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

The resolution was thereupon duly declared adopted.

#575 PROCLAMATION OF BICYCLE SAFETY WEEK.

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

WHEREAS, the Town of Riverhead supports all endeavors which involve its young people in activities which demonstrate ability and expand their knowledge in the area of traffic safety, and

WHEREAS, the Town of Riverhead Police Department and 7-Eleven are sponsoring the Second Annual Bicycle Rodeo on Saturday, September 22, 1984, and

WHEREAS, the Bicycle Rodeo shall consist of a bicycle obstacle course competition, safety rules contest, bicycle registration, safety inspections, and special skills contests.

NOW, THEREFORE, we, the members of the Riverhead Town Board, do proclaim the week of September 16 through September 22, 1984 to be

## BICYCLE SAFETY WEEK

in the Town of Riverhead and do call upon our fellow citizens to recognize the importance of bicycle safety and ask that all citizens participate in the Bicycle Rodeo which shall prove to be an enjoyable and educational event.

RESOLUTIONS Contined

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

The resolution was thereupon duly declared adopted.

#576 AUTHORIZES PUBLICATION OF HELP WANTED AD FOR CONTINGENT PROVISIONAL STENOGRAPHER.

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

WHEREAS, due to the approved leave of absence of the Police Department Stenographer, a vacancy presently exists in that position.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below help wanted ad for a contingent provisional Stenographer in the September 13th issue of The News-Review.

HELP WANTED

The Town of Riverhead Police Department is seeking a qualified individual to serve in a full-time contingent provisional position of Stenographer. Interested individuals must submit an application to the Town Supervisor's Office, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901, weekdays, between the hours of 8:30 a.m. and 4:30 p.m. No applications for this position shall be accepted after September 28, 1984. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, religion, age and handicapped status in employment.

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

The resolution was thereupon duly declared adopted.

#577 EXTENDS SPECIAL PERMIT OF BROAD COVE, INC.

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

WHEREAS, Broad Cove, Inc. is the holder of a special permit for condominium units on property located on Hubbard Avenue, Riverhead, New York, which permit has been extended time to time by Town Board resolution, and

WHEREAS, this permit is subject to the completion of an environmental impact statement, which is the necessary precondition to site plan review, and

WHEREAS, the process to prepare the necessary impact statement is underway,

NOW, THEREFORE, BE IT

RESOLUTIONS Continued

RESOLVED, that the special permit of Broad Cove, Inc. be extended for an additional 120 days so that the environmental impact statement may be completed, and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Anthony Conforti, Esq., and Norman Felske.

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

The resolution was thereupon duly declared adopted.

#578 DESIGNATES TOWN BOARD LEAD AGENCY, RE: APPLICATION OF BROAD COVE, INC.

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

WHEREAS, Pursuant to Part 617 of the State Environmental Quality Review Act, a Lead Agency must be designated for the application of Broad Cove, Inc., and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead be and is hereby designated as Lead Agency with regard to the application of Broad Cove, Inc., and that the Lead Agency is hereby authorized to continue with the SEQRA process, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Anthony Conforti, Esq., and Norman Felske.

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

The resolution was thereupon duly declared adopted.

#579 AUTHORIZES H2M TO PREPARE PRELIMINARY COST ESTIMATE FOR EXTENSION TO RIVERHEAD WATER DISTRICT (HUBBARD AVENUE, MEETINGHOUSE CREEK ROAD, PECONIC BAY BOULEVARD AND BAY WOODS.

(See Water District Minutes)

#580 AWARDS BID FOR WATER METER FOR USE BY WATER DISTRICT.

(See Water District Minutes)

#581 AWARDS BID FOR METER HORN ASSEMBLIES FOR USE BY WATER DISTRICT.

Deputy Supervisor Boschetti, "At this time I will declare a recess until 8:30."

THE MEETING RECESSED AT 8:17 p.m.  
THE MEETING RECONVENED AT 8:43 p.m.

Deputy Supervisor Boschetti, "The time is now 8:43. We will now reconvene the meeting. The Town Board has considered a request to put on the agenda an additional resolution regarding the public hearing we had just held earlier this evening. So in order to give everyone an opportunity to comment on this particular matter, we have the site plan available on the table and we will allow several minutes for you to come up and look at it if you so desire. The resolution is being worked on now and we will consider it for passage this evening. So if you want to go up and look at it, please do. In about 5 or 10 minutes we will have the vote on that particular resolution."

BOARD PAUSED TO ALLOW THE AUDIENCE TO REVIEW THE  
SITE PLAN OF EAST MAIN STREET ASSOCIATES.

Deputy Supervisor Boschetti, "Is there anyone else who would like to come up and take a look at the site plan before we open up to comment? Ok. Is there anyone present who would like to comment to the Town Board regarding this particular application? Any comments? Bill."

William Kasperovich, "I get to put my broken record back on if Councilman Boschetti will join us."

Deputy Supervisor Boschetti, "Yes. Just excuse me just a second Bill. Ok Bill. Thank you."

William Kasperovich, "As I have said so many times in the past, these plans that come into the Town Hall should read and answer most of the questions that ordinarily come to mind. I read how to get in the place. I have no way to know how to get out of the place. The bottlenecks are not spelled out and the public areas that the public is on (from what I read) is just one way in or out. This is like those culdesacs that became popular 20 years ago and it took 10 years to outlaw them. It's a one-way in and in the backyard there's a h--- of a lot of cars with two bottlenecks. Frankly, for that short a period of review, this is a rather serious criticism. But my first impression is that it is a very poor layout. Sorry to have to say that but I have to be honest about it."

Deputy Supervisor Boschetti, "Ok. Thank you. Anyone else who cares to comment on this particular application? No. Is the resolution prepared? Do you have any comments any members of the Board? Mr. Smith."

Allen Smith, "If what you're doing (my apologies for conferring with my clients in the hall) is trying to oblige them as we would very much like you to do on the site plan, with the additional language (which however it might be phrased) with reference to the Eastlawn house, we would suggest that you reserve decision."

PERSONAL APPEARANCES Continued

Deputy Supervisor Boschetti, "Ok. Anybody else who would like to comment before this resolution is voted on? Ok. Is somebody going to present this resolution? Does somebody want to move the resolution? Or does somebody want to move a different motion?"

Councilman Prusinowski, "I want to move that we recess for 5 minutes and consult with our attorney on this."

MEETING RECESSED AT 8:49 p.m.  
MEETING RECONVENED AT 8:55 p.m.

Deputy Supervisor Boschetti, "Ok. The meeting is now reconvened. The Town Attorney would like to explain for the Board what we have been discussing so there's no confusion on anyone's part what has been taking place here for the last several minutes. Mr. Town Attorney."

Richard Ehlers, "Basically there's been a discussion about the approval of the site plan. My understanding is that the Board finds the site plan to be acceptable. Some time ago, an offer was made by the developers (through a letter) that at a later time they would be agreeable to a donation for municipal purposes of the Terry house. Which I understand, the Board's position to be that they would favor that donation. We are unable at this particular time, I am unable to give advice to you on the matter of how that donation should be phrased. So it would be my request that you not follow through this evening with a resolution which has language that we don't have a chance to research as to the donation."

Deputy Supervisor Boschetti, "Does everyone understand that? Thank you."

Councilman Prusinowski, "Then in that case, I make a motion to put this resolution which I believe will be called 582....."

Irene Pendzick, "It's not even on the agenda."

Deputy Supervisor Boschetti, "I thought that we amended the agenda to include it. We didn't?"

Irene Pendzick, "It's not on here."

Deputy Supervisor Boschetti, "I know. Not now. I thought that we amended it when we came back from the recess originally."

Councilman Artale, "We did."

Irene Pendzick, "We did?"

PERSONAL APPEARANCES Continued

Councilman Artale, "Yes, we amended it."

Irene Pendzick, "Ok. 582 then."

Deputy Supervisor Boschetti, "582. The agenda has been amended so that it is included. We did that as we came back from the original recess which means it's now before us."

#582 APPROVES SITE PLAN OF EAST MAIN STREET ASSOCIATES.

Councilman Prusinowski offered resolution #582 above named to be TABLED which was seconded by Councilman Lombardi.

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

The resolution was thereupon duly declared TABLED.

Deputy Supervisor Boschetti, "The time is now 8:56 and the meeting is adjourned."

There being no further business on motion or vote, the meeting adjourned at 8:56 p.m.

IJP:nm



Irene J. Pendzick