

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, May 2nd, 1967 at 10:30 A. M.

Present:

Robert B. Vojvoda, Supervisor

Bruno F. Zaloga, Jr.
Thomas R. Costello, Justices of the Peace

Vincent B. Grodski
George G. Young, Councilmen

Also present: Alex E. Horton, Superintendent of Highways

Supervisor Vojvoda called the meeting to order at 10:30 A. M.

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That the Minutes of the Town Board Meeting held in the Town Hall on April 19th, 1967, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That the Minutes of the Special Meeting of the Town Board held in the Town Hall on April 24, 1967, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

REPORTS

Fire Inspector, April, 1967. Filed.

Building Inspector, April, 1967. Filed.

Police Department, April, 1967. Filed.

Tax Receiver's, dated April 21, 1967 and May 1, 1967. Filed.

Riverhead Fire District-Election of Officers held April 6, 1967. Filed.

COMMUNICATIONS

William T. Riley, dated April 27, 1967, expressing full accord with letter addressed to Editor of Suffolk Life by John P. Riesdorff in reference to disadvantages that would accrue if application of developer to erect 185 houses on Riverside Drive is granted by the Board. Filed.

COMMUNICATIONS

Town of Brookhaven, dated April 26, 1967, relating to Public Hearing to amend Zone Ordinance. Filed.

Copies to Building Inspector and Town Attorney.

Suffolk County Department of Public Works, dated April 26, 1967, requesting resolution for authority to approve plan relating to proposed dredging in Peconic River at Yacht Club and Moose Lodge. Filed.

At this point of the meeting, Supervisor Vojvoda asked if anyone wished to be heard.

Jacob Harding, Attorney for Alex E. Horton, Supt. of Highways, addressed the Board in regard to the matter of the relationship that appears to exist between the Board and Mr. Horton.

Mr. Harding offered the following suggestions which he felt would be helpful and constructive; That inasmuch as Mr. Horton is an elective official that the Town Clerk list him under a separate item on the Agenda, aside from the appointed heads of departments, namely, Sewer and Water Districts and Recreation Department.

Mr. Harding further stated that it was not necessary for Mr. Horton to remain throughout the entire session of the meeting and as an elective official should not be subjected to having sit through a meeting while appointed heads of departments took precedence. That should the Town Board need Mr. Horton on a matter to be taken up under his jurisdiction that he can be called at any time and he would be happy to appear and remain for any other matters to be discussed.

Mr. Harding referred to the matter of committees and stated that Committees of the Board may order and instruct but that such is not the case in the Highway Department under the law. He suggested that the Highway Committee continue to exist, but that it be considered more or less as a liaison committee and that this Committee and the Highway Office assist and cooperate with each other.

Mr. Harding cited as an example of a parking area that needs care, that the Supt. of Highways be asked for his cooperation and that while the Chief of Police will have the area cleared of cars, the engineer will indicate where the lines are to be marked and this will be conducive to the spirit of cooperation that should prevail between one elective official working with other elective officials.

Mr. Harding concluded saying that if some of these suggestions are followed that there will be a much better relationship between the Highway Office and the Town Board and he asked that this be done in accordance to the law on the subject and the procedures that are followed in other communities.

Justice Costello replied to Mr. Harding stating that at no time during his tenure as a member of the Board has he seen Mr. Horton remain in the Board room all day as he usually comes in for an hour or so and leaves.

DISCUSSION continued:

Justice Costello further stated that he did not feel that listing Mr. Horton under "heads of departments" was meant to be derogatory and that he felt Mr. Horton was treated fairly and squarely at least by him and other members of the Board. Also that predecessors of the Supervisor have always appointed Highway Committees, not to direct but as an effort to get things done.

Justice Costello also stated that when Mr. Harding came before the Board as Mr. Horton's Special Attorney, he did so as a result of a conflict of interest caused by the Town Board passing a resolution relating to Commissioner of Public Works. However, since that Bill was defeated in the State Legislature, he believes the conflict of interest no longer exists.

Mr. Harding replied to Justice Costello stating that the Board should have no qualms on this subject as he is fully aware of the present situation and that he will only appear before the Board on matters where it affects Mr. Horton's job or his powers, and that he will appear concerning these matters as there still exists certain problems as to Mr. Horton's powers and duties, otherwise he is sure the Town Attorney will take care of the regular matters.

Supervisor Vojvoda stated that as far as he is concerned, Miss Block if she likes, can list Mr. Horton as a separate item on the Agenda.

Justice Zaloga stated that the Departments were grouped together at the top of the Agenda, so that matters pertaining to the various departments could be brought up before the rest of the business was entered into and the heads of the departments were free to leave as soon as they were heard.

Justice Zaloga further stated that in his opinion, he wondered if it was necessary to have a liaison committee as an elective official has a right to come before the Board at any given time.

Councilman Young stated that he felt that a liaison committee would be a good thing for the Highway Department as while Mr. Horton is an elective official and a responsible person, the Town Board should know what is going on.

Supervisor Vojvoda stated that if Justice Zaloga wished to be removed from the Highway Committee, Councilman Young would remain and serve as a liaison member.

Justice Zaloga stated that he has no desire to take away any powers from the Supt. of Highways.

DRAINAGE

Mr. Henry Krudop addressed the Board on behalf of his sister-in-law, Mrs. Wilson who has a drainage problem on property located east of the oil terminal on Sound Shore Road and stated that Mr. Zembko put in a 15" drain off the road to allow the water to run on to the property, which has created a deep gully.

Mr. Krudop submitted photographs of the area and stated that it is the responsibility of the Town to rectify this condition and requested that this be done to prevent further erosion of the area.

DRAINAGE continued:

Alex E. Horton, Supt. of Highways informed the Board that he has made an inspection of this drainage with Alden W. Young who felt that there were other drainage matters in the township that were more in need of correction.

Mr. Horton further stated that the pipe installation to correct this problem would cost approximately \$3000.

Supervisor Vojvoda thanked Mr. Krudop and Mrs. Wilson for bringing this matter before the Board and referred the matter to Mr. Horton for correction.

HEADS OF DEPARTMENTS

Police Chief Grodski reported that the meter installations for North Roanoke Avenue have been staked out.

Donald Rhuda, Recreation Supervisor stated that as part of the 175th Anniversary Celebration there will be a Beard Contest and invited the members of the Town Board to be honorable judges of the Contest.

Mr. Rhuda also stated that artificial beards will be provided for those who are not interested in growing one.

Justice Zaloga rendered the following report:

That he was in the Police Headquarters at the time a call was answered requesting the services of the town ambulance at the scene of a serious accident which occurred at Ostrander Avenue and Route 58, and he availed himself of the opportunity to ride in the ambulance to said location where a woman was seriously injured as a result of the accident.

He stated that the entire operation from the time the call was received, the arrival at the scene of the accident, picking up the injured person and reaching the emergency room at the hospital was completed in ten minutes.

He further stated that it was a revelation to witness how efficiently the policemen handled this incident and commended every member of the Police Department who share in this worthy service.

Justice Costello stated that while the Board is on the subject of the Police Department and so that they could smell the flowers while they can, he called attention to the letter Supervisor Vojvoda was happy to receive from Lt. Col. Morris B. Fox, who recently retired as Staff Judge Advocate of the Suffolk County Air Force Base, said letter commending Police Chief Grodski and the Police Department for the assistance and cooperation they have given the Air Force Base during the past four and one-half years.

RESOLUTIONS

Justice Zaloga offered the following resolution which was seconded by Justice Costello and duly adopted by the unanimous vote of the Town Board.

A RESOLUTION OF COMMENDATION AND GRATEFUL
APPRECIATION TO THE MEMBERS OF THE RIVER-
HEAD TOWN POLICE DEPARTMENT.

WHEREAS, The promptness, efficiency and the unpretentious manner in which the members of the Riverhead Police Department respond to calls for services of the Town Ambulance has been brought to the attention of the Town Board, and

WHEREAS, The efforts expended by the members of the Riverhead Police Department on behalf of persons in time of emergency are greatly needed,

BE IT RESOLVED, That the Town Board of the Town of Riverhead recognizes its Police Department and hereby conveys to the members who participate in this worthy cause, its commendation and grateful appreciation for the inestimable service they so faithfully render in providing ambulance service to the public, and be it

FURTHER RESOLVED, That this resolution be spread upon the minutes of the Town Board and a copy thereof certified by the Town Clerk under the seal of the Town of Riverhead be forwarded to the Riverhead Police Department in evidence of the Town Board's appreciation for and in recognition of the splendid quality of public service which they render to the community.

Justice Costello offered the following resolution which was seconded by Justice Zaloga and duly adopted by the unanimous vote of the Town Board.

A RESOLUTION OF SINCERE APPRECIATION TO
POLICE CHIEF GRODSKI AND THE MEMBERS OF
THE RIVERHEAD TOWN POLICE DEPARTMENT
FOR OUTSTANDING SERVICES RENDERED TO
THE SUFFOLK COUNTY AIR FORCE BASE.

WHEREAS, Wing Commander Colonel F. S. Grabreski and Base Commander Colonel Harold G. Lund have joined Staff Judge Advocate Lt. Colonel Morris B. Fox in commending Police Chief Stephen J. Grodski and the members of the Riverhead Police Department for the outstanding work they have performed in assisting and cooperating with the Suffolk County Air Force Base, and

WHEREAS, It has been brought to the attention of the Town Board that the assistance and cooperation the Police Chief and the members of the Police Department rendered to the Suffolk County Air Force Base has been instrumental in promoting harmonious civilian and military relationships and the solving of crimes in this area

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NOW, THEREFORE BE IT RESOLVED, That the Town Board of the Town of Riverhead hereby recognizes its Police Chief and members of the Police Department and conveys its expression of appreciation for devoted services in the cause of assisting the Air Defense Command, and be it

FURTHER RESOLVED, That this Resolution be spread upon the minutes of this meeting and a certified copy of this Resolution be forwarded to Police Chief Grodski and the Riverhead Police Department with sincere thanks and appreciation of the Town Board for the combined efforts they put forth in the cause of the Suffolk County Air Force Base.

COUNCILMAN YOUNG offered the following resolution which was seconded by COUNCILMAN GRODSKI.

WHEREAS, the County of Suffolk proposes to dredge certain areas of Peconic River in the Town of Riverhead, which dredging will be performed by County owned dredging equipment at a nominal cost to the Town of Riverhead, and

WHEREAS, in order to accomplish said dredging, plans, specifications, agreements and other documents must be executed on behalf of the Town of Riverhead, now therefore be it

RESOLVED, that the Supervisor be and he hereby is authorized to execute, on behalf of the Town of Riverhead, all necessary plans and specifications, spoil area agreements, assurances to the County of Suffolk, license and/or dredging permit applications to Federal and State Agencies and all other documents that may be required to accomplish said dredging work.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

COUNCILMAN GRODSKI offered the following resolution which was seconded by COUNCILMAN YOUNG.

RESOLVED, That the following be and they are hereby appointed to serve as lifeguards effective June 17, 1967, to and including September 4, 1967, to be paid bi-weekly at the following hourly rate and to serve at the pleasure of the Town Board:

James Valek	\$1.80 Per Hour
James Keillor	\$1.85 "
Theodore Jasinski	\$1.85 "
Martin Bloom	\$1.80 "
Glenn Evans	\$1.55 "
Jerome Valek	\$1.55 "
Chris Tanoff	\$1.55 "
John Lamendola	\$1.55 "
Thomas Brady	\$1.60 "
Michael Jasinski	\$1.55 "
John Luce	\$1.55 "

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

RESOLUTIONS CONTINUED:

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the following be and they are hereby appointed as Swimming Instructors effective July 3, 1967 to and including August 25, 1967, and to be paid bi-weekly at the following rates and to serve at the pleasure of the Town Board:

Marilyn Scheininger	\$2.00 Per Hour
Darrell Hilliker	\$2.00 "

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

Councilman Grodski offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the following be and they are hereby appointed Beach Attendants to serve on the Town Beaches effective June 17, 1967, to and including September 4, 1967, to be paid bi-weekly at the following rates per hour and to serve at the pleasure of the Town Board:

Mitchell Ziemacki	\$1.65 Per Hour
Philetus Tuthill	\$1.65 "
Frank Cunningham	\$1.55 "
Paul Rumpel	\$1.55 "
August Viemeister	\$1.55 "

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

WHEREAS, a State Law has been passed permitting retirement after twenty years of service for members of police departments in a number of towns in Suffolk County, one of which being the Town of Riverhead, and

WHEREAS, in order for the members of the Riverhead Town Police Department to benefit from the provisions of the aforesaid twenty-year retirement law it is necessary for the Town Board of the Town of Riverhead to elect on behalf of the Town of Riverhead to fall under the provisions of this law, now therefore, be it

RESOLVED, that the Town Board of the Town of Riverhead on behalf of the Town of Riverhead hereby elects to have the Town of Riverhead Police Department fall within the provisions of the twenty-year retirement law, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Department of Audit and Control.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was there-upon declared duly adopted.

RESOLUTIONS continued:

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLVED, That Joseph S. Grattan, Jr., Police Patrolman be and he is hereby granted a Military Leave of Absence pursuant to Section 9 (g) (4) of the Universal Military Training and Service Act, effective May 5, 1967 to May 20, 1967, to be paid at his regular rate of pay during his leave for the Military.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLVED, That Police Chief Stephen J. Grodski be and he is hereby authorized to attend the 67th Annual Police Chiefs Conference from July 23 to July 28, 1967, in Binghamton, N. Y., at no cost to the Town of Riverhead for any related expenses.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLVED, That the Supervisor be and is hereby authorized to purchase 1000 lineal ft. of snow fence and 100 snow fence posts from Municipal Machinery Co., Inc., for a sum of \$561.00, to be installed in the area of the Town Dump.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, that the Town of Riverhead acquire the parcel of property on the south side of West Main Street, Riverhead, New York, from Adline Properties Corp., for a purchase price of \$62,500.00 for park purposes; and the parcel of property on the south side of West Main Street, Riverhead, New York, from Seth A. Hubbard and Stanley Hubbard for a purchase price of \$14,433.50 for park purposes; subject to Permissive Referendum, both properties are more fully described on Schedule A filed in the Office of the Town Clerk under date of May 2nd, 1967, and be it further

RESOLVED, that the Supervisor, Robert B. Vojvoda, and the Town Attorney, Shepard M. Scheinberg, take all steps necessary to acquire the aforementioned properties on behalf of the Town of Riverhead and to obtain the necessary funds to acquire the aforesaid properties.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

The following resolution was offered by Justice Costello who moved its adoption, seconded by Justice Zaloga, to-wit:

BOND AND CAPITAL NOTE RESOLUTION DATED MAY 2, 1967. A RESOLUTION AUTHORIZING THE ISSUANCE OF \$77,900 SERIAL BONDS AND \$4,100 CAPITAL NOTES OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION AND IMPROVEMENT OF CERTAIN LANDS FOR PARK PURPOSES IN SAID TOWN.

BE IT RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. The specific objects or purposes for which the obligations hereinafter authorized are to be issued is the acquisition of certain lands located on the south side of West Main Street in Riverhead, New York, now owned by Adline Properties Corporation and by Seth A. Hubbard and Stanley Hubbard, more fully described in a Resolution of Acquisition dated May 2, 1967, on file with the Town Clerk, at a maximum estimated cost of \$77,000, and the improvement of said lands for use as a public park, at a maximum estimated cost of \$5,000.

Section 2. The total estimated cost of the aforesaid specific objects or purposes is \$82,000 and the plan for the financing thereof is as follows:

- a. By the issuance of \$77,900 serial bonds of said Town hereby authorized to be issued therefor, pursuant to the Local Finance Law, of which \$73,150 shall be issued for the acquisition of said lands and \$4,750 shall be issued for the improvement thereof; and
- b. By the issuance of \$4,100 capital notes of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law, of which \$3,850 shall be issued for the acquisition of said lands and \$250 shall be issued for the improvement thereof. Such capital notes shall be sold at private sale and all further powers in connection with the details and sale thereof are hereby delegated to the Supervisor in accordance with the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, the proceeds from the sale of such capital notes will be provided prior to the issuance of the bonds herein authorized or bond anticipation notes.

Section 3. It is hereby determined as follows:

- a. That subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law applies to the acquisition of said lands and that the period of probable usefulness thereof is thirty years;

RESOLUTION continued:

b. That subdivision 19 of said paragraph and section applies to the improvement of said lands and that the period of probable usefulness thereof is ten years; and

c. That the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds and capital notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. Upon this resolution, taking effect, the same shall be published in full in the NEWS-REVIEW, together with a notice of the Town Clerk in substantially the form provided by Section 81.00 of the Local Finance Law.

Section 8. This resolution is adopted subject to permissive referendum. The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Councilman Young	VOTING	Yes
Councilman Grodski	VOTING	Yes
Justice Zaloga	VOTING	Yes
Justice Costello	VOTING	Yes
Supervisor Vojvoda	VOTING	Yes

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills submitted on Abstracts No. 9.

General Town	\$9,425.51
Highway Item No. 1	\$1,093.36
Highway Item No. 3	\$3,971.13
Highway Item No. 4	\$ 136.40

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That General Town bills submitted in the amount of \$9,425.51, be approved for payment, and

FURTHER RESOLVED, That Highway Item No. 1 bills in the amount of \$1093.36, Highway Item No. 3 bills in the amount of \$3971.13 and Highway Item No. 4 bills in the amount of \$136.40, be approved for payment.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Supervisor Vojvoda recessed the meeting to hold a Public Hearing.

PUBLIC HEARING - 11:00 A.M.

Town Clerk submitted Affidavits of Publication and Posting of Public Notice Calling Public Hearing on the matter of amendments to Zoning Ordinance No. 26 of the Town of Riverhead, relating to Airport Facilities and Seasonal Dwellings.

Affidavits ordered filed.

COMMUNICATIONS

Alphonso Anderson, Vice President, Eastern Long Island Branch, NAACP, dated April 24th, 1967, stating opposition to the amendment relating to seasonal one-family dwellings as the amendment as proposed is biased, prejudicial and would be depersonalizing experience for farm workers and their families, and further stating that if the Town Board insists upon accepting this amendment, the E. L. I. Branch NAACP will take legal measures necessary to nullify the move. Filed.

Suffolk Chapter National Association of Social Workers, dated April 28, 1967, opposing proposal to amend the town zoning ordinance relating to installation of trailers for farm laborers, because the existing ordinance provides safeguards to insure adequate, safe and sanitary houses. Filed.

PUBLIC HEARING - 11:00 A.M. -continued:

Catherine MacCrimmon, Riverhead resident attending State University College at Oswego, under date of April 26, 1967, containing 17 signatures of her classmates, conveying gratitude to the Town Board for passing the amendment dealing with the housing for migrants. Filed.

Migrant Committee of the Suffolk County Council of Churches, under date of May 1, 1967, urging the Town Board to consider permission for trailer housing for a twelve month or year round period of time and to also consider measures to render low-income housing for family groups. Filed.

Supervisor Vojvoda thereupon declared the Hearing open and asked anyone wishing to be heard in favor of or against the proposed amendments to so speak.

Alphonso Anderson, Vice-President, Eastern Long Island Branch NAACP, addressed the Board and stated: "The position of the Branch is as our letter stated that conditions for the migrants will not be alleviated in suffrage by a nine month restriction on the occupancy of the trailer. We take exception to the 200 feet or 400 feet from any public road. We also disagree in terms of what is really got to be done. Is it a case where you are trying to provide some type of housing---decent housing for these people, if so, why temporary measures? I would like to post that question to the Board."

Justice Costello: "I can answer that, Mr. Supervisor. At the last meeting, sir, we had a great moral--a legal problem. Perhaps if you understand it, I think it will answer some of your questions. There is no approved trailer under the Building Code in the State of New York and if we start off with that part we can get around the law by making it a temporary residence. It is not the function or the desire of this Board to exclude anybody from living in a house twelve months of the year. The farmers from the Agricultural Societies came in here and asked us to do something."

Justice Costello continues: "We wanted to uplift the living condition of the seasonal worker. This is what they tell us is no longer a migrant--it's a seasonal worker. Many farmers in the Town of Riverhead have substandard housing. Now we didn't say it was substandard housing---the Suffolk County Health Department said that they had to have after a certain date, certain requirements. Some of the structures on the farms didn't come up to this standard of housing."

Justice Costello continues: "We had various meetings with various societies in the agricultural line of work and they suggested to us--taking a trailer and putting it on their farm land. Now we can do this as an incidental use to farming. They in turn would put in the water, sewage, cesspool, etc. Then we ran smack up against a building code which was put in by the State of New York and we had accepted it. And the building code says that they would approve a trailer if certain conditions are met by the maker of a trailer up in Albany, then we would automatically okay a trailer as a structure, as a housing unit."

Justice Costello continues: "We couldn't do that so that only applies to "standard-permanent" so this is why we put in the nine months. Now, the nine month period was suggested to us by various agricultural societies. We don't intend to slight anybody,

PUBLIC HEARING - 11:00 A.M. continued:

are trying to help improve conditions of people in the living areas. We are not against having a structure put on a farm land that the people can live in there for many, many years to come. This would be the ideal situation if it were standard housing. But the agricultural societies decided and the farmers wanted this particular temporary use."

Justice Costello continues: "Now we are trying to have some kind of a structure that will be a standard structure on there but at least this is a temporary relief to what they have. This is by no means permanent and the reason for the nine months in there is not because we wanted it, not because the farmers wanted it, but we ran right smack against the building code, which says that the structure has got to be approved. Now as far as I know there is no approval by the State Building Code for any trailer, they don't have a certification in there by the maker that this was made according to the New York State Building Code which we have adopted and are about to follow. Now, I hope that this is some explanation to your question."

Mr. Anderson: "It answers my question in part, but it is a temporary measure and it leaves the question that after nine months, where will they actually go?"

Justice Costello: "Mr. Anderson, many farmers employ these people on a temporary basis. They don't employ them all year around, and the idea of nine months was suggested to us by these various farmers and the agricultural societies. We did not suggest the nine months. In other words they said that they use these people approximately nine months and they don't keep them all year round. They have a problem that they take a seasonal worker and they happen to like a seasonal worker and want to keep him all year round and make him a permanent worker than you run into a real problem."

Justice Costello continues: "But what we have been lead to understand was that these people would come upon their farms, they would supply this housing which would be better than the existing housing and after nine months they would have no further use for them, and then next year they would come back again. This is what we have been lead to believe. Now whether that is true or not, I don't know."

Councilman Young: "This ordinance doesn't stop a farmer from building a permanent structure made out of wood, like anybody else's house. He can still do this for anyone who stays on his farm a whole year. And if he can afford to do it, I am sure he will do it, and we're hoping that he will build permanent structures for permanent personnel and supplement this with a trailer perhaps for somebody who is only staying a month or two."

Mr. Herbert Goree, Doctor's Path, Riverhead: "They are using these people, I think that's what has happened too long now---these people have actually been used. They haven't been treated like human beings. I don't think these migrant or seasonal workers should be treated like they are temporary because farming is the back bone of Riverhead in the surrounding area and these workers are the back bone of the farmers and I don't think they should be treated like they are such as now--they are just using them."

PUBLIC HEARING - 11:00 A. M. continued:

Councilman Grodski: "I would like to answer that. If a farmer owns a piece of ground--take 100 acres for instance--he operates on the same basis as anybody else in business. If he's going to take a beating on the farm and lose money he may eventually sell the whole parcel, correct? If he puts a permanent structure on it, he'll have to sell that with it. Therefore, if he's going to put up a permanent structure for these people they'll have to have a separate parcel of their own, which he can't do. Therefore, he's got a problem. He's going to give them something decent to live in while he's in business. But if he can't afford to be in business, he'll sell out. If he can't possibly stay in business, I don't understand this question that these people are being abused. They are not being abused."

Mr. Goree: "I said, used."

Councilman Grodski: "Or used? Whatever the terminology is. You've got to look at it the other way also."

Mr. Goree: "If the farmer can't put this money up, if he doesn't want to take the chance of losing money---what has the Town done for low-income housing--the Town itself. Because there is certainly a need in this Town for low-income housing."

Councilman Grodski: "I don't think that's the basis of this problem right now."

Councilman Young: "There is something which I might bring out. There are presently 17 trailer parks in Riverhead. There are 750 families living in trailers--living permanently all year round. There are provisions for 1500 more spots in trailer parks in Riverhead, and I don't think there is a more economical way of living than in a trailer."

Mr. Goree: "Well, I say this--those people that live in a trailer park, live there by choice."

Supervisor Vojvoda: "What you just said is the crux of the whole thing. Some of these farmers what they have for these migrants are just shanties and sheds and are fire hazards. The farmer wants to tear that down and give them a trailer which is metal and meets with the sanitary code and everything else. And what you are saying here is that you don't want us to do that. You want those migrants to come into those shanties."

Mr. Goree: "I didn't say that, I said those people that live in the trailer camp live there by choice."

Supervisor Vojvoda: "That's right--well, isn't that trying to improve them? Taking them out of a shed which you know is nothing but a fire hazard----we are trying to eliminate those shacks and make a step in the right direction and you don't want us to make a step in the right direction."

PUBLIC HEARING - 11:00 A.M. continued:

Mr. Gore: "I say this, are those trailers going to be good trailers? Like they say they're going to spend \$2000. What can you get for \$2000? I would like to see them!"

Supervisor Vojvoda: "I suggest you take the time to see them and look into these things. We are concerned much more than you think."

Mr. Dan Rubenstein, Valley Stream, Executive Director of the Seasonal Employees for Agriculture: "People are people whether they are seasonal or all year round--whether they are white or dark--whether they come from the north or the south--and if we forget about trailers and facilities, we can address ourselves to what we call basic human standards. I would like to ask a few questions."

Mr. Rubenstein continues: "Is there a standard of housing for a person that comes into the town and chooses to buy or rent a house? Is there a standard for one that is prescribed in this amendment? Are these standards different? These facilities --will there be a landlord or lessee -- will people pay rent for these so-called structures --whatever is in the ordinance, and if so, is there a different standard for somebody who rents a house in the town, village or proper part of Riverhead--or is there a difference when one rents such a structure in another area?"

Mr. Rubenstein continues: "In terms of the trailers--the accommodations--if all things are equal then why is it necessary to obscure places of residence? I mean, so many feet off a road--why can't these so-called trailers be in a trailer park like everybody else's trailer? I don't think anybody objects to people choosing a type of structure, but there is a state zoning ordinance--there is a Town of Riverhead zoning ordinance. The basic question here is--and I heard the plight of the farmer--but people are people and I think the question is what makes one individual's needs for housing different than another individual's--is it his occupation?"

Mr. Rubenstein continues: "If Riverhead Togs on Route 58 decided it had a labor problem, would you permit trailers on the premises of River Togs so that the garment industry would have adequate help. I think the basic question here is not the industry, not the agriculture. Are all people fair and all people equal, and I think if you can answer these questions, I am sure no body would oppose your amendment."

Councilman Young: "Under a zoning ordinance certain type houses are allowed in certain areas. Now, human beings live in all of these houses whether they live in a farm area or a high class residential area or big fancy houses or low-class area. Now isn't this the same segregation? Aren't we segregating? In accepting a zoning ordinance----"

Mr. Rubenstein: "I am appalled Councilman at a question like this. I live by a very simple standard and my standard is this--would I want for one other what I would want for myself. And I ask you this question--would you like to live in this kind of facility? Would you permit it in downtown Riverhead--this kind of facility? There are all kinds of evils--there are all kinds of lousy situations around. I know places where people have no homes at all--like out in Arizona where vast sheep herders live under trees."

PUBLIC HEARING - 11:00 A.M. continued:

Mr. Rubenstein continues: "But I think the question is--I am talking about standards--I am not talking about what a person chooses. I am talking about what is provided--what opportunities they have. I would not want to put my family into such a limited space. The space here is minimum according to zone standards. The standard for any other citizen that might be affluent --any person who cares to build a house to rent to somebody else has a certain standard--this is the code. This is why Riverhead Town has a code. And all you're saying is you set a standard--and I think the only decent thing is to maintain your standard--not because somebody has a hardship."

Councilman Young: "Are you saying our standard isn't high enough for these people?"

Mr. Rubenstein: "You want to amend the zoning ordinance--you have a zoning ordinance--that is the standard. My plea is--maintain your ordinance. Leave it the way it is. Take action on the exception. Now, I can go through Riverhead and I think the Town would be appalled--there is a book called "Poverty American Style", and there is a chapter in the book called "People We Rent"--which consistently mentions Riverhead in conjunction with some other areas as providing one of the worst housing in the country. I would be glad to furnish a copy to the Board."

Supervisor Vojvoda: "I would like to see it."

Mr. Rubenstein: "I don't think it need be because the Town is not that bad. But there are a few pockets here--I can walk in five minutes from here and take you to places like the Big Bottom and the Little Bottom--I can take you to Belltown."

Supervisor Vojvoda: "Have you followed the progress in the last five years and the corrections that have been done---have you?"

Mr. Rubenstein: "That's another story. No, Mr. Chairman, I haven't seen. The point is that the intent here is to maintain your standard. Demand that the farmer put up a decent house. If he wants to rent it, let him be like any other landlord. Will that person living in there pay rent?"

Justice Zaloga: "We don't control them".

Justice Costello: "I think he gets so much per hour with a living accommodation--regardless of what the standard might be. In other words he is employed with some kind of living accommodations and he also gets an hourly rate."

Rev. Arthur C. Bryant, Vice-Chairman and Migrant Chairman of Suffolk County Human Relations Commission: "The State of Connecticut doesn't charge rent---however, it varies throughout."

Justice Costello: "I am talking about the State of New York, Sir."

Rev. Bryant: "The Cutchogue Labor Camp there is--many places there is rent."

Supervisor Vojvoda: "This is not a labor camp."

PUBLIC HEARING - 11:00 A. M. continued:

Justice Costello: "We are talking about the farmer who hires ten people who work in gathering the crops. I think that the farmer as an employer gives the employees so much per hour, per day, per week, plus some living accommodations. I might be totally wrong. I am talking about people who reside on the employer's farm."

Rev. Bryant: "You are partially right and partially wrong. The Suffolk County Human Relations Commission met at several sessions and came up with the following statement which was unanimously approved by vote of the Commission:

"The Suffolk County Human Relations Commission recognizes and commends the interest of the Riverhead Town Board in providing low cost housing for "seasonal" agricultural employees and their families.

The Commission notes that an estimated 75% to 85% of farm workers (although labelled "migrants"), do not leave Suffolk County in the winter months. The Commission therefore urges the Town Board of Riverhead to reject the proposed bill concerning trailer housing presently under consideration for these reasons:

- 1) Nine-month occupancy housing does not answer the housing needs of "seasonal" farm workers who also need shelter in Suffolk County during the three months of November through February when they may require different employment.
- 2) Farm workers as all other human beings in the State of New York ought to be provided housing that meets the minimum standards of the New York State Building Code.

The Suffolk County Human Relations Commission urges the Board of Riverhead not to lower the standards of its Building Code for any particular group. The Commission takes special note of the desirability of family-type housing as a major advance over previous non-family or barracks proposals". (End of statement).

Justice Costello: "When you say that 75% to 85% of the farm workers stay here during the winter months, does that include the labor camps?"

Rev. Bryant: "A number of our people move from one township to another and this also includes people that work on duck farms, nursery workers and potato graders who are often classified as migrants. In going over the Hollis Warner property before we went into the relocation project and the report came out about so many migrants living there. One of them said to me, "What's a migrant?" I said, "Well, people that are engaged in seasonal agriculture and move from place to place", and the person said to me, "Well, I have been living in Riverhead for four years now and they say I'm a migrant." And this is typical that a lot of these people--we make a generalization that we are dealing with migrant labor---well, there is migrant labor coming up from Alabama and Mississippi. But a greater part of our labor in Suffolk County and particularly in Riverhead is local Suffolk County residents. And here we have a problem with this three month period. "

Justice Costello: "My question to you is--is this 75% to 85% --does this represent all of the seasonal workers. That is the ones that are living in labor camps--the ones---"

PUBLIC HEARING - 11:00 A.M. continued:

Rev. Bryant: "This is the over-all picture."

Justice Costello: "This is not the 75% to 85% of the people that reside on a particular farm. In other words that the living accommodation is provided by the individual employer, id est, nursery farm, whatever it's supposed to be."

Rev. Bryant: "This would be very difficult to say."

Justice Costello: "Now, the 75% or 85%, Sir, would not include---or includes, as you are telling me--all of the people who are in labor camps!"

Rev. Bryant: "The same people live and move within the County."

Justice Costello: "We are not dealing with labor camps."

Rev. Bryant: "I am not talking about labor camps, I am talking about seasonal workers."

Justice Costello: "I don't know who's responsibility it is. I just questioned the percentage of figures because there are a lot of labor camps that stay here all year round. I just want to know if this percentage is broken down into labor camps and individual farmers who have homes on the farms--which we are concerned with right now---in this ordinance."

Rev. Bryant: "In addition to this --there would be more moving migrants settling in our area ---this year--than ever before in our history because of their migration from the south--many of these people will have no place to go if they decide to go back again."

Mr. Robert Hooper, Roanoke Avenue, Riverhead, N. Y: "One of the things I am concerned with here--in the amendment--is the placing of the dwellings. I raise this question of the accessibility in terms of--postmen, if a person gets sick, if a person wants to move back and forth. What kind of a provision does this person -- this family have to get from the main artery of transportation to his dwelling? Let's say there is an emergency or there happens to be a fire or what have you. Are these things so located that in case of an emergency this person's dwelling can be reached easily. If he has visitors who wish to come in, can these persons come in without a hardship? Does the farmer provide free access to and from this dwelling?"

Mr. Hooper continued: "These are the considerations that the amendment ought to ---and in addition to what Rev. Bryant had said quoting the opinion on standards and mobility and settling of migrants. If this is temporary as has been stated, what is the position the Town Government takes towards doing something positive? Does this become a step and the only step, or is this a part of a process that seems to seriously address itself to the problem of housing and living conditions in the Township of Riverhead. But certainly I think we ought to concern ourselves with the living and the accessibility to the dwelling in times of emergency. We just don't want to put a person "literally" out."

PUBLIC HEARING - 11:00 A. M. -continued:

Beryl Jackson, Doctor's Path, Riverhead: "Judge Costello, you said you had nothing to do with people that worked in labor camps but a lot of farmers that go and get people from these camps and they can't get people to go in these shacks they go------(talked too rapidly and most of her conversation was not audible to be transcribed from the tape)."

Justice Costello: "Miss Jackson, I want to correct the statement you made. I didn't say anything -----(interrrupted by Miss Jackson who talked too rapidly and her conversation is not audible to be transcribed from the tape)."

Justice Costello: "Miss Jackson, if you give me a chance, I just want to state my position. I said nothing about not being interested in the problem of the people who live in labor camps-----".

Miss Jackson: "You said it didn't have anything to do with them. "

Justice Costello: "I said it didn't have anything to do with this particular ordinance. "

Miss Jackson: "Well it does. "

Justice Costello: "Just a moment, do you want to hear me out? If you don't want to hear me out--it's all right. I just questioned the Rev. Bryant on the percentage figures he gave us and this I said doesn't relate to all of them, and it had to do with the people staying here after the seasonal work was completed. I asked Rev. Bryant whether or not this included labor camps. "

Justice Costello continues: "I am a Judge and have been a Judge for seven years. And certainly people come before me---I know their problems. I try as best I humanly can to solve them--equitably and justly. I said nothing about not being interested in people who live in labor camps. I certainly am interested and very much so. All I questioned was the percentage figures--people who stay here after the seasonal work has been completed. I wanted to know if they were included in this percentage that the Rev. Bryant has given to the Board. Also labor camps and ----and he said they did. "

Miss Jackson: "Can you tell me about how many trailers that would be allowed. "

Justice Costello: "We didn't talk about how many trailers, etc., that would be allowed--there are certain standards set-up according to the acreage the farmer will have, etc, and the number of people and the square footage of living area. "

Miss Jackson: "I think that should be taken into great consideration. "

Justice Costello: "That is why we are here, myself and the four members of the Board are here to help not to hurt. "

Miss Jackson: "I didn't say------(inaudible on tape-----if the farmer gets away with it, you are going to land up with another Hollis Warner duck ranch that's going to have trailers instead of houses. "

PUBLIC HEARING - 11:00 A.M. - continued:

Councilman Young: "You can only have one trailer on a 50 acre farm lot. So a 100-acre farm can only have two trailers."

Miss Jackson: "I am not talking about how many trailers are going to be on the land. I'm talking about how many trailers are going to be close to each other."

Councilman Young: "You can only have one on a 50-acre lot."

Miss Jackson: "Yes, well, you can have one along side of the other."

Councilman Young: "This is in the ordinance-----".

Supervisor Vojvoda: "A lot of your thoughts would be answered from the ordinance. If people would read the ordinance before they ask questions---there are copies available to those that haven't read it. I see Sydney Beckwith who has been involved with this much more than many people throughout this audience. Do you have any comments. I know we took your other comments into consideration and had our Town Attorney in consultation with us---if you have any words of wisdom--."

Sydney Beckwith, Suffolk County Health Department: "I still feel the same way about the occupancy and the temporary time period. I think that should be straightened out. I wondered about how many farmers this involves?"

Supervisor Vojvoda: "To give you an idea, I think it's about eight."

Mr. Beckwith: "That agrees with our figures. In my opinion I don't think that this involves that great a number in not only trailers but of people based upon our activity--so far. I think this past winter which provoked the farmers coming in and asking for this amendment change involved about eight cases and since that time we have had five requests to inspect housing prior to their requesting permission for a trailer. And as near as I can recall--in one case there were two men involved, another case there was one man, in one case there was one small family, the others were single individuals. "

Mr. Beckwith continues: "So I personally feel if you can get around the temporary nature of the requirement they wouldn't be forced to vacate if they didn't choose to during that period. And if you could write in some occupancy requirements using the Model Housing Code----the mobile home as a guide. For instance--if you were to follow this model housing--the N. Y. State Code as a guide--the 450 square feet in a trailer would limit the use of the trailer to four individuals. And they would have to have 80 square feet of additional living space per person. If you did that it would eliminate the possibility of overcrowding."

Mr. Rubenstein: "Mr. Supervisor, I would implore the Town Board---as stated by Mr. Beckwith---if you could possibly postpone this to bring about the intent that is stated here in terms of the Board to provide their housing. We first saw this---this was not the initial intent--I think the statement that was made was - "did you read this?"--the first hearing, we had called the Town Hall for a copy--there were no copies available. We had to take the one copy from the bulletin board and duplicate it for ourselves."

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PUBLIC HOUSING - 11:00 A.M. continued:

Town Clerk: "That is not so, we always make copies for any one that comes in. I cannot understand----."

Mr. Rubenstein: "That is the information we received."

Town Clerk: "That is not correct information."

Mr. Rubenstein: "The other matter that was stated here that the agricultural groups have met with representatives of the Town Board to meet their aid. Now there is evidence here that trailers can be good housing---trailers placed in the proper place---trailers managed in the appropriate way. The question was, "did you read this?"----- Yes, I read this and we made copies for other people to read this and this is the other concern we have about Town Government and fair play. When we read here on the first page, "that the dwelling may be occupied only from March 1st to November 30th", and then we have a member of the Town Board say they don't mean it. Justice Costello said this and intended this---(interruptions)---I'm sorry----."

Supervisor Vojvoda: "Hear the Judge."

Justice Costello: "This is the second time---(interruptions)---Now wait a minute. Here we are sitting at the Town Board and people come in and ask us what can be done to bring out the level of housing on certain farm lands. They tell us nine months--we don't tell them---they come to us and suggest nine months. Now, we don't know what the farmer has on his mind--whether he's going to keep him all year round--or whether he isn't. It's our intent to give everybody a decent dwelling. Now, we have laws--and the only reason that they put in nine months as I said previously---the N. Y. State Building Code which this Town has adopted---if we can put a trailer on a farmer's land and let him live all year round and not in derogation of the Code--I'm for it."

Mr. Rubenstein: "But if you pass this resolution, Mr. Chairman---no, this is not the answer because---will this Town Board and the Sanitation and every other Department, will you personally---will you keep this law? Do you intend to at this date--at the completion of nine months go to these established places and make a farmer remove these people? Now this is the law that you are passing and I ask you---will you do this and I don't want you to do this--nor does Justice Costello want you to do this. But the basis---you are going to pass a law that you do not mean and you ask somebody if they read it."

Mr. Rubenstein continues: "Now, my point is this, that I think it should read twelve months--now these people will move somewhere else. That these trailers are decent trailers if they come up to the State Code. If they are put on a road where they can join the rest of the society--where they can be on the street. I don't think anybody is asking anything unfair. But I think the cause of this expedient need on the part of the farmer that the Board is hastily going into many things that I don't think they will be proud of later. So if it could in anyway re-implore and I know myself and people that I know will be only too delighted to work and help in any kind of way to make housing better. But if you would just be cautious enough to postpone anything that would make the situation worse."

PUBLIC HEARING - 11:00 A.M. continued:

Mr. Edwin Geyer, Southampton, N. Y. -Human Relations Council, works in the Office of the Economic Opportunity: "You may have seen in yesterday's News-day that a grant has been given to the Office of the Economic Opportunity for mutual housing for migratory workers. It is designed to allow people to study to construct their own homes. I offer as an alternative to the trailer situation and to the discussion this morning something that can be incorporated in an over-all plan to improve the housing in the Town of Riverhead as well as in other townships."

Mr. Geyer continues: "And this would be to institute such programs where individuals could be helped to purchase lands perhaps on the farm where he works or in areas that are suitable to himself---to under go the necessary planning or skills in home building and for such other facilities that can be devised---and then under a mutual aid program which means that certain families band together, aid together in an old Eastern Long Island tradition."

Mr. Geyer continues: "Now, this is not some fly-by-night scheme. This is a practice system thich is very useful and has been used in this country. I think some such thinking may be incorporated in this area and especially since the year around income of seasonal agricultural employees is so low that a standard mortgage of \$15,000 is out of the question."

Mr. Geyer continues: "But with the sweat and labor and combined skills employed, this might be a very viable alternative. I propose to you or suggest to you that once this program has been started, most people who are homeless and live in shacks would jump at the opportunity to have permanent decent year around housing. So I offer this to you as a means of consideration in terms of your efforts to improve the housing for the Town of Riverhead."

Supervisor Vojvoda: "I think your thoughts have a lot of merit, but I think we are straying a little from this ordinance. What we are trying to point out is that we are trying to improve what involves about eight or ten-----The public should realize that in the last three and one-half or four years this Town Board has been working maybe in a small way--we haven't gotten much publicity --we've eliminated a good percentage of substandard houses, we've taken steps in various areas to improve. You don't do it overnight. The worst part of it is that a lot of people come forth with certain ideas at times and then you don't see them again to work with us. You see them at a meeting like this with a lot of good ideas and afterwards no more---and the Town Board bears the job again. So believe me there's a lot of good ideas ---there should be less talking about it and more constructive-----."

Supervisor Vojvoda: "I told this to the group at the County level. I go to a lot of meetings where you hear a lot of ideas and then we suggest let's do this and then all of a sudden you don't have any volunteers they disappear--and it unfortunate. This is no reflection on members here because there are a lot of members here who have done a lot. I can see a half dozen who have been very active. I have seen this happen in our own Town in some cases."

PUBLIC HEARING - 11:00 A.M. continued:

Benjamin J. Greshin, Attorney, Smithtown, N. Y.: "Mr. Supervisor, I have been asked to come to see you at the request of the American Civil Liberties Union, Suffolk County Chapter. We have spent some time studying the proposed ordinance and we wish to bring some points to your attention about it."

Mr. Greshin continues: "First off the purpose of any zoning ordinance is for the protection and the benefit of the community. Section 261 of the Town Law makes it clear that the zoning ordinance must be for the health, welfare and morals of the community at large. The 14th Amendment of the Consitution of the United States, gentlemen, requires the equal protection of the laws for everyone. It's the basis of the no discrimination law suits that have quaffed our courts in recent years. It's the law suits that have set aside discrimination in schooling, in housing, in employment and other places."

Mr. Greshin continues: "It is our belief, gentlemen that this ordinance if passed would violate the spirit of Section 261 of the Town Law and the purpose, intent and all of the 14th Amendment of the Consitution. We feel it is so for the following reasons: First, the zoning ordinance as amended would apply only to seasonal workers--but the purpose is not to benefit the seasonal workers directly----the purpose is---you made abundantly clear in this hearing and the previous hearing is to benefit a few---eight or ten large farmers of the Town of Riverhead."

Mr. Greshin continues: "The seasonal workers haven't been asked on this ordinance and nobody is speaking on their behalf as petition for them. You said again and again in your deliberation--it's for the farmer you want to do this. And we say to you if you pass this ordinance for the farmer you are stepping on the seasonal worker."

Mr. Greshin continues: "Now it is perfectly clear that having this kind of a dwelling near the large farm will keep the seasonal worker in place. Farmers at previous hearings have made that clear to you. I think they were afraid that if a central housing unit was set-up, a decent garden apartment perhaps, they might lose their worker. That this is an assist to keep a cheap worker in place---and your ordinance makes that clearer even still by its provision that a man may not live in this house if he isn't employed on the farm. The first day he gives his employer trouble he not only loses his job but the place he lives on."

Mr. Greshin continues: "There is no rent control set-up in your statute. There is no standard by which rent may be adjusted. No way for the worker who gets into this trailer to know that the day after tomorrow he would get fired or overcharged or otherwise taken advantage of. This is the only area in town aside from your trailer zones where a trailer may be used and this too is a clear indication to us that the purpose isn't to do something for the person that lives in the house, but only for his boss--his employer."

Mr. Greshin continues: "Finally in passing this ordinance, you permit the employer who has this life and death hold on this worker to throw the worker out every winter. Throw him out on the public payroll without any concern. Put him in a position where the only support he will get would be from welfare. Where the only place he can

PUBLIC HOUSING -11:00 A.M.-continued:

is some sort of a public housing facility or a public responsibility. The Town Board knows this. You've made these statements again and again---we're trying to get around the State Building Code. So many times I'm embarrassed for you."

(Noon whistle blows)

Mr. Greshin continues: "I think it's an embarrassing (whistle interferes)----- that the Town Board adopted the State Building Code because we think it's the best Building Code we can get--it's the most advanced---the most well thought out--the one that offers the most protection and in adopting this ordinance we are making every effort to get around the Code so that it doesn't apply to this hand full of people for in a situation where they can't protect themselves. They're the least able economically, educationally, financially and in every way to protect themselves and those are the people that you seem to be willing to jam into the worst housing in town---the worst legal housing in town."

Mr. Greshin continues: "When you make a provision that a house must be 200 feet from the highway--do you think anyone will fail to understand why? It's because you are embarrassed that this sort of thing might be observed from the roadway. And you are embarrassed if you go to court when you find yourself in a position of trying to explain it. Why is this set back in a 450 feet residential area higher than in a 800 foot residential area for Residence 1 and Residence 2? Is it because you feel that this housing, or is it because you feel that it is the worst housing? I think the question answers itself."

Supervisor Vojvoda: "Your conclusions are your own opinions-right? Then I would stop saying that we are embarrassed at certain things. This is your opinion and I respect your opinion but don't start making decisions for me or for any members of the Board."

Mr. Greshin: "Mr. Vojvoda, I don't propose to make a decision for anybody here today. But I think the implication is there and I don't feel obliged to withhold--!"

Supervisor Vojvoda: "This is your opinion again and I have a few opinions about---!"

Mr. Greshin: "I'm almost done and if you give me a couple more minutes I will finish. I gather that this is the only zone in town where a house may be erected, and I say house because the wording in your statute is trailer, mobile home or other structure. This is a house, or a chicken coop. A structure may be erected without filing plans or specifications. Without the inspections necessary to insure that the house will conform to the electrical code, the plumbing code, the insulation requirements and all the other basics. You are permitting somebody to build a house that you know ahead of time could be in violation of every provision of your ordinance for every other zone in town without exception. It's not just trailers or mobile homes, gentlemen, it's not houses --it's or otherwise. They're dangerous and if somebody get killed in one of those things, I think it will be on your head. There will be no inspections as it is built. There are no minimum occupancy standards. It can be occupied by a family of ten or a family of twenty and there is nobody around here that would be able to enforce a minimum standard."

PUBLIC HEARING - 11:00 A.M. continued:

Mr. Greshin: "The driveway which is to be 200 feet is not specified anywhere in the ordinance whether it will be simply a dirt area excavated out of the trees, or whether it will be paved and graveled or paved in asphalt-- or paved in anything else. When you put them in 200 feet off the driveway and you say they've got to be able to get ambulance service, police service and fire protection---it seems to me that the driveway ought to be specified. To be discriminated against in having a driveway four or five times longer than anyone else's in town-----on the other hand there is not one word of protection in here that says what the driveway must be."

Mr. Greshin continues: "Gentlemen, the final thought I have is this. It seems to me bizarre--that the only people who are allowed to build this kind of housing are people whose record is of having previously violated the basic health and zoning requirements of the town. What you are saying in effect to a guy who has built an unsanitary and an improper house is----build another one only make it 450 feet instead of less than 450 or may be more than 450. You're giving the law violator an opportunity to make another mess of his property. It's the only time that I have seen a statute where a fellow is qualified to do something by the fact that he has done something else wrong."

Mr. Greshin continues:"I will also point out that this is the kind of home that could never be owned by the occupant and this too is a striking thing to me. You can buy an apartment in an apartment house if it is condominium--you can buy a one-family dwelling -- you can buy the whole apartment house--but the only kind of worker that I know of who couldn't hope to buy his home is the resident or the occupant of this kind of trailer because he wouldn't be paying for a home---he would be paying for 50 acres in addition."

Mr. Greshin continues: "Now, if the American dream of ownership of your own home means anything this to me is travesty. I understand your purpose in part--it's a reasonable one. You want to help farmers who represent the important part of economics in this town. I don't think that the farmer should be discriminated against. I'm not proposing that you load him up with taxes and costs. I am proposing that solving the farmers problem by permitting him to put up unsanitary, unfit dwellings that could be responsible for deaths by the way they are constructed in violation of plumbing, insulation, heating, electrical code--every code you have. That's not the way to do it."

Mr. Greshin continues: "Around the turn of the century when persons who were concerned of how people were living and working went into the sweat shops in New York, Brooklyn--in other places all over the country---and they said you have to give these working people a decent wage--you have to give them minimum hours--you have to give them bathrooms where they work and decent lighting conditions. With one voice the employer said--you'll run us out of business, we'll never survive, competition from all over the rest of the country will drive us under----foreign competition, British goods and German and Japanese and all the rest. It wasn't true. By eliminating the sweat shops and the horror places---society improved itself. Workers got a greater amount of self respect and crime at the place of employment went down. The kind of place they worked at began to make a difference to them and the quality of their work went up, and it even improved the feeling that the employer had for himself as an employer. He stopped being ashamed of what he was living with."

PUBLIC HEARING - 11:00 A. M. continued:

Mr. Greshin continues: "Now gentlemen, I urge you very much to improve standards for the migrant and seasonal workers. I think that part of your job is well intentioned and it should be pursued but I think this ordinance if it were passed would make you embarrassed in the towns of this county and throughout the country."

(At this point the audience applauded).

Supervisor Vojvoda: "May I ask you a question first, Mr. Greshin--if in the event that we don't pass this--in the very near future a lot of our farms get sold and various things---and these very people are put out of work, is your group ready to provide these people and find jobs for these people and find houses for them?"

Mr. Greshin continues: "My group wasn't ready to provide the employees who were going to be thrown out of the sweat shops. If they went out of business--if---."

Supervisor Vojvoda: "Let me ask you another question---what group will come forward if we don't pass it?"

Mr. Greshin: "Mr. Supervisor, if the choice is between running a farm that can only be economic when it runs on the misery and the inhuman conditions that you're proposing for running that farm out of business, then I would say run the farm out of business. But I don't think those are the alternatives and I don't think your question is fair."

Councilman Young: "What is so miserable about living in a trailer? My mother lives in a trailer."

Mr. Greshin: "What kind of a trailer does she live in, Mr. Young?"

Councilman Young: "She lives in a trailer, smaller than what we are going to give to these people."

Mr. Greshin: "You're going to give these trailers to these people?"

Councilman Young: "It's a case of semantics--it's a trailer that is allowed in this ordinance."

Mr. Greshin: "Mr. Young, I don't know the conditions under which your mother lives. My mother lives in considerable more than 450 sq. ft. and she lives all alone and I don't think she's living in an abundance of space. From time to time she remarks how cramped and crowded she is. And the thought that in any other residence zone in this town people have to have 800 feet in order to conform to the law----makes it pretty clear what you gentlemen think about the minimum required standards of decent housing. And why is it that in the summer months, the spring months and the fall months, 450 feet is inadequate but throughout the year 800 feet are required elsewhere in town. It seems to me there is an inconsistency of no small dimension."

Councilman Young: "I don't think that size has anything to do with quality."

PUBLIC HEARING - 11:00 A. M. continued:

Councilman Young continues: "You can live in a 450 foot square area and I think it's adequate. I think it's a matter of the way a thing is done not the size of the thing. I think that this is a basic inconsistency in zoning. A big house doesn't necessarily mean a good house and a small house doesn't necessarily mean a bad house."

Mr. Greshin: "Mr. Young, I don't disagree with you that some people can be happy living in a cage. But the fact of the matter is that the zoning ordinances in the history in this country over the last fifty years pretty well establishes it---the zoning ordinance in every community that I have had contact with has steadily shown an increase in what people regard is the minimum dwelling space. In my township we started with 800 went to 900, went to a 1000---now we're at 1200. In the villages its 2000, and nobody feels that the town's requirements are inhumanly large or inhumanly severe."

Mr. Greshin continues: "We buy bigger houses and live more comfortably and in the end the crime rate reflects it---and in the end the problem of unwed mothers, the problems that beset this community and other communities where housing is substandard have been more resolved---or at least much more resolved than in the substandard areas. You're making an economy that isn't an economy. It's a quick economy but in the end it'll cost more money."

Miss Jackson: "Mr. Vojvoda, I want to ask you now----if this goes through what will happen to those little places condemned------(talked too rapidly-not audible on tape)."

Supervisor Vojvoda: "What condemned houses?"

Miss Jackson: "But they've been condemned and nobody's been living in them."

Supervisor Vojvoda: "I don't know the condemned houses you mean."

Miss Jackson: "Take a ride up Sound Avenue and all the farm house--there's a lot of houses that have been condemned."

Supervisor Vojvoda: "Perhaps the Health Department--Sydney, do you know about this?"

Mr. Beckwith: "I don't know what she is referring to."

Miss Jackson: "-----all of conversation is inaudible)."

Supervisor Vojvoda: "If you will give us a list. I would like a list if you know of them."

Mr. Geyer: " I would like to interject something that may enable to help people who are unemployed to find work. I don't know that the Civil Liberties Union is so equipped but the Office of Economic Opportunity most certainly----and also through the devise of the seasonal employees and agriculture ---the local group--- I think we would attempt in every way to find year round decent employment and transportation to that employment for any dispossessed employees."

PUBLIC HEARING - 11:00 A. M. continued:

Supervisor Vojvoda: "I know your group. In fact the labor department has been helpful in the Town of Riverhead in finding funds and transportation. It's been a good program."

Justice Costello: "I just want to compliment Mr. Greshin whom I know personally--on the presentation and I also want to say something about the condemnation of these houses that are on the farm lands which are subject to this ordinance. The townspeople and certainly the Board had nothing to do with the condemnation of these houses. I believe that on Sept. 1st of 1965 or 1966 there's an amendment to the Suffolk County Health Ordinance which says that they had to have a set of standards and then they condemned these shacks or whatever you want to call substandard housing. And I say this to Mr. Greshin that it is not the intent of the Board to play one group against another group based on the miseries of a group of people."

Justice Costello continues: "I don't think there is anybody on this Board that has a greater understanding of the miseries of people---especially my brother Justice--because we see it everyday and we are fully cognizant of what people are and they are human beings and they should have the dignity of human beings----we see this and we everyday ----we try to do something about it in our own little way. So I just wanted to correct any false impression that Mr. Greshin might have had about the Board and its intent and so on and so forth, that is all I have to say."

Justice Zaloga: "I don't have any comments other than---please don't ever be embarrassed for me. I have been on this Board for twelve years---we think we have orderly development---we are trying---I appreciate your kindness."

Councilman Grodski: "No comments."

Supervisor Vojvoda asked if anyone else wished to be heard, hearing no response said:"Thank you very much ladies and gentlemen. We will reserve decision and come up with a decision which we feel is right in this case. Rest assured regardless of this Hearing or anything else this Board will continue to try to alleviate the other problems we know we have. They've been here for fifty years and we have been trying to work on them for the last three years---and will continue to work on them. We can't alleviate all the problems but we will continue to try regardless. Thank you for coming."

Supervisor Vojvoda thereupon declared the Hearing closed at 12:15 P. M. and re-opened the meeting.

The Board recessed for lunch to reconvene at 2:30 P. M.

The Board reconvened at 2:30 P. M., with all members present.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

RESOLUTIONS

WHEREAS, Marion Heagy had applied to the Building Department by application dated April 14, 1967, for a permit to erect a trailer upon property owned by her located on the south side of County Road Route 58, together with a sketch indicating the property and the proposed site of the trailer, and

WHEREAS, the Town Board of the Town of Riverhead is satisfied that a trailer had previously been situated on the same parcel of property and had been destroyed by fire, and

WHEREAS, the new trailer is of larger dimensions and an improvement over the former trailer, and

WHEREAS, the new site for the trailer is at a greater distance from County Road Route 58 from the previous site, now, therefore, be it

RESOLVED, that the Building and Zoning Inspector be and is hereby directed to issue a building and zoning permit to Marion Heagy to place a trailer upon the parcel of land owned by her on the south side of County Road Route 58 in the Town of Riverhead in conformity with her application and site plan dated April 14, 1967.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

SITE PLAN-Riverhead Medical Arts, Inc., requesting Waiver of provisions Sec. 208 H para. 8 of Zoning Ordinance No. 26. Referred to Town Attorney.

Councilman Young offered the following resolution which was seconded by Councilman Grodski.

WHEREAS, A Public Hearing was held on April 4th, 1967 on proposed amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended, relating to airport facilities and seasonal dwellings, and

WHEREAS, The provisions of the Suffolk County Charter requiring notification of proposed amendments to town zoning ordinances to adjoining towns, the Suffolk County Department of Planning and the Long Island State Park Commission had been inadvertently omitted, and

WHEREAS, In order to rectify this omission a new public hearing on the proposed amendments to Town Ordinance No. 26 of the Town of Riverhead as Amended, relating to airport facilities and seasonal dwellings was held on May 2nd, 1967, and

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law, in order that amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended, may be adopted by the Town

RESOLUTION continued:

NOW, THEREFORE, By virtue of the authority vested in it by the Town Law and other statutes made and provided, the Town Board of the Town of Riverhead hereby adopts the following amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended:

1. Article III, Supplementary Regulations, Section 301, Supplementary Use Regulations - by adding Section 301k - Airport facilities and accessory uses.

301k Airport facilities and accessory uses. No airport facility or accessory building, structure, or use shall be constructed, expanded, installed, used, maintained, arranged or designated to be used, erected, re-constructed, or altered in any use district, except when authorized by special permit from the Town Board and subject to such conditions and safeguards as the Town Board may deem appropriate.

2. Article II, Section 205, Farm 1 Use District, Section 205a Uses, paragraph 30d amended to read:

30d Agricultural - seasonal one family dwellings, to include but not limited to trailers and mobile homes provided that:

(1) The dwelling may be occupied only from March 1 to November 30 in each year; and

(2) The dwelling is located on a lot of not less than 8400 square feet, exclusive of area of driveway; and

(3) All sides of the lot, except for side lines of driveway to the lot, shall be more than 200 feet from any street; and

(4) All other yard requirements, lot width, and heights shall comply with the provisions of Residence 2 District; and

(5) The dwelling may not be used unless one member of the family occupies the dwelling and is employed as an agricultural worker by the owner or lessee of the property on which the dwelling is located. The owner or lessee of the property shall annually, prior to the occupation of the dwelling, file with the Building Inspector an affidavit showing such employment, and shall likewise file an affidavit upon the termination of such employment; and

(6) Not more than one dwelling is permitted for each 50 acres of contiguous property owned or leased and farmed by the owner or lessee of the property subject to the owner or lessee of the property submitting to the Building Inspector a letter from the Suffolk County Department of Health stating that a dwelling or dwellings had been removed by the order of the Suffolk County Department of Health from the property upon which the owner or lessee now desires to erect the one family dwelling; and

RESOLUTION continued:

(7) The dwelling shall contain at least 450 square feet of living area;

(8) The owner or lessee shall comply with the Town of Riverhead Building Code No. 35 only in connection with the provisions covering application for building permits, fees and certificate of occupancy.

AND the Town Clerk is hereby authorized and directed to enter the said amendments to Zoning Ordinance No. 26 of the Town of Riverhead as Amended, in the minutes of the Town Board and to publish a copy once in the News-Review, the official newspaper published in the Town, and to post a copy of the same, on the signboard maintained by the Town Clerk, pursuant to subdivision 6 of Section 10 of the Town Law and file in her office affidavit of said publications and posting, and to send copies of the aforesaid adoption of amendments to the Suffolk County Department of Planning, the Long Island State Park Commission and to the Towns of Brookhaven, Southampton and Southold.

The adoption of the aforesaid amendments to Zoning Ordinance No. 26, of the Town of Riverhead as Amended, shall take effect ten (10) days after such publication and posting.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

There being no further business, on motion and vote the meeting adjourned to meet on Tuesday, May 16th, 1967 at 10:30 A. M.

Helene M. Block

Helene M. Block, Town Clerk