

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, July 5, 1983 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Victor Prusinowski, Councilman
Vincent Artale, Councilman
Louis Boschetti, Councilman

Absent: Richard Ehlers, Town Attorney

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

Supervisor Janoski, "First order of the meeting is to approve the minutes. Councilman Lombardi has an amendment to the minutes of a Board meeting that was held on June 7."

RESOLUTIONS

#385 CORRECT MINUTES OF TOWN BOARD MEETING HELD JUNE 7, 1983
RE: SCAVENGER WASTE TREATMENT FACILITY

Councilman Lombardi offered the following to correct the minutes of June 7, 1983 which was seconded by Councilman Prusinowski.

BE IT RESOLVED, that the Town Board minutes of June 7, 1983 be corrected to state in proper form the adoption of Resolution #313, pages 472 to 474, deleting from said minutes the wording at pages 472 to 474 of Resolution #313 as indicated by the running lines.

TOWN-OF-RIVERHEAD

LEGAL-NOTICE

~~NOTICE-IS-HEREBY-GIVEN-that-the-resolution-published herewith-has-been-adopted-by-the-Town-Board-of-the-Town-of Riverhead, Suffolk County, New York, on March 17, 1981, amended October 5, 1982, and further amended June 7, 1983, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.~~

BOND-RESOLUTION-DATED-MARCH-17-1981

A-RESOLUTION-AUTHORIZING-THE-ACQUISITION-OF-LAND-AND-THE-CONSTRUCTION-THEREON-OF-A-SCAVENGER-WASTE-TREATMENT-FACILITY AT-A-MAXIMUM-ESTIMATED-COST-OF-\$5,500,000-AND-AUTHORIZING THE-ISSUANCE-OF-\$5,500,000-SERIAL-BONDS-OF-THE-TOWN-OF-RIVER-HEAD-SUFFOLK-COUNTY-NEW-YORK

Section-1.--The-acquisition-of-land-and-the-construction thereon-of-a-scavenger-waste-treatment-facility-to-serve-the-Town-of-Riverhead-Scavenger-Waste-Improvement-No.-1-benefitted-area, such-facility-to-contain-sufficient-capacity-in-excess-of-the needs-of-the-aforesaid-Town-of-Riverhead-Scavenger-Waste-Improvement-No.-1-benefitted-area-to-serve,--by-contract,--certain-area-within-the-Town-of-Southampton,--Suffolk-County,--New-York-all as-more-fully-described-in-the-aforesaid-proceedings-relating to-the-establishment-of-the-Town-of-Riverhead-Scavenger-Waste-Improvement-No.-1-benefitted-area-and-in-a-plan,--report,--and-map prepared-by-H2M-Corp.,--Holzmacher,--McBendon,--and-Murrell,--P.C., on-file-in-the-office-of-the-Town-Clerk,--including-incidental expensed-in-connection-there-with-at-a-maximum-estimated-cost-of \$5,500,000-is-hereby-authorized.

Section-2.--The-maximum-estimated-cost-of-such-specific object-or-purpose-is-\$5,500,000-and-the-plan-for-the-financing thereof-is-by-the-issuance-of-\$5,500,000-serial-bonds-of-said Town,--hereby-authorized-to-be-issued-pursuant-to-the-Local-Finance-Law,--provided,--however,--that-the-amount-of-serial-bonds ultimately-to-be-issued-shall-be-reduced-by-the-amount-of-any Federal-and/or-State-grants-in-aid-received-by-the-Town-of-Riverhead-for-such-improvement,--Further-details-concerning-said-bonds will-be-prescribed-in-a-further-resolution-or-resolutions-of-this Town-Board.

Section-3.--The-validity-of-the-bonds-and-bond-anticipation notes-authorized-by-the-aforesaid-bond-resolution-dated-March-17, 1981-as-amended-hereby,--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-the-twenty-days-after-the-date-of-such publication,--or

3)--Such-obligations-are-authorized-in-violation-of-the provisions-of-the-Constitution;

Section-3.--The-bond-resolution-dated-March-17,-1981,-as amended-hereby,-shall-be-published-in-full-in-the-News-Review, the-official-newspaper,-together-with-a-notice-of-the-Town-Clerk in-substantially-the-form-provided-in-Section-18.00-of-the-Local Finance-Law.

Section-4.--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-5.--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-bonds-as-the same-respectively-become-due-and-payable.--To-the-extent-moneys are-not-available-from-sewer-rents-or-contractual-payments-collected-for-the-aforesaid-improvement-there-shall-be-annually-apportioned-and-assessed-upon-the-several-lots-and-parcels-of-land-within-said-Town-of-Riverhead-Seavenger-Waste-Improvement-No.-1 benefitted-area-which-the-Town-shall-determine-and-specify-to-be especially-benefitted-by-the-improvement,-and-amount-sufficient to-pay-the-principal-and-interest-on-said-bonds-as-the-same-become-due,-but-if-not-paid-from-such-source,-all-the-taxable-real property.--In-said-Town-shall-be-subject-to-the-levy-of-ad-valorem taxes-without-limitation-as-to-rate-or-amount-sufficient-to-pay the-principal-of-and-interest-on-said-bonds-as-the-same-shall-become-due.

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

- 1)--Such-obligations-are-authorized-for-an-object-or purpose-of-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.

RESOLUTIONS Continued

~~Section 7. -- This resolution, which shall take effect immediately shall be published in full in the News -- Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 18.00 of the Local Finance Law.~~

~~BY ORDER OF THE RIVERHEAD TOWN BOARD
IRENE J. PENDBICK, TOWN CLERK~~

~~DATED: June 7, 1983~~

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

The resolution was thereupon declared duly adopted.

#313-A A RESOLUTION AUTHORIZING THE ACQUISITION OF LAND AND THE CONSTRUCTION THEREON OF A SCAVENGER WASTE TREATMENT FACILITY AT A MAXIMUM ESTIMATED COST OF \$5,500,000, AND AUTHORIZING THE ISSUANCE OF \$5,500,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD SUFFOLK COUNTY NEW YORK.

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

Section 1. The acquisition of land and the construction thereon of a Scavenger waste treatment facility to serve the Town of Riverhead Scavenger Waste Improvement No. 1 benefitted area, such facility to contain sufficient capacity in excess of the needs of the aforesaid Town of Riverhead Scavenger Waste Improvement No. 1 benefitted area to serve, by contract, certain area within the Town of Southampton, Suffolk County, New York all as more fully described in the aforesaid proceedings relating to the establishment of the Town of Riverhead Scavenger Waste Improvement No. 1 benefitted area and in a plan, report, and map prepared by H2M Corp, Holzmacher, McLendon and Murrell P.C., on file in the office of the Town Clerk, including incidental expenses in connection therewith at a maximum estimated cost of \$5,500,000 is hereby authorized.

Section 2. The maximum estimated cost of such specific object or purpose is \$5,500,000 and the plan for the financing thereof is by the issuance of \$5,500,000 serial bonds of said Town, hereby authorized to be issued pursuant to the Local Finance Law; provided, however, that the amount of serial bonds ultimately to be issued shall be reduced by the amount of any Federal and/or State grants in aid received by the Town of Riverhead for such improvement. Further details concerning said bonds will be prescribed in a further resolution or resolutions of this Town Board.

RESOLUTIONS Continued

Section 2. The validity of the bonds and bond anticipation notes authorized by the aforesaid bond resolution dates March 17, 1981, as amended hereby, 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 3. The bond resolution dated March 17, 1981, as amended hereby, shall be published in full in the News-Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 18.00 of the Local Finance Law.

Section 4. 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 5. 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 bonds as the same respectively become due and payable. To the extent moneys are not available from sewer rents or contractual payments collected for the aforesaid improvement there shall be annually apportioned and assessed upon the several lots and parcels of land within said Town of Riverhead Scavenger Waste Improvement No. 1 benefitted area which the Town shall determine and specify to be especially benefitted by the improvement and amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property. In said Town shall be subject to the levy of ad valorem taxes without limitations as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

RESOLUTIONS Continued

Section 6. The validity of such bonds and bond anticipation 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. This resolution, which shall take effect immediately shall be published in full in the News-Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

The resolution was thereupon declared duly adopted.

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

RESOLVED, that the Minutes of the Town Board Meeting held on June 7, 1983 and the Special Board Meeting held on June 15 are dispensed and without objection and be approved.

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

The resolution was thereupon declared duly adopted.

BILLS

Bills submitted on abstract dated June 7, 1983, as follows:

Discretionary	\$ 3,296.73
Capital Projects	38,551.75
General Town	142,772.38
Highway	59,579.63
ST-SL	546.14
CF	4,691.68

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

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

Discretionary	\$ 3,296.73
Capital Projects	38,551.75
General Town	142,772.38
Highway	59,579.63
ST-SL	546.14
CF	4,691.68

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "The heads of the departments of Town Government are with us tonight should you have any questions of them. The time for the first Public Hearing has not yet arrived so we will have reports."

REPCRTS

Open Bid - Street improvement on Railroad Avenue. Filed

OPEN BID REPORT - STREET IMPROVEMENT ON RAILROAD AVENUE

After being duly advertised the bids for the improvements on Railroad Avenue, Riverhead, New Ycrk were opened by the Town Clerk on Tuesday, June 28, 1983 at 11:00 A.M.

Three bids were submitted

#1 NAME: LARCHWOOD CONSTRUCTION CORP.
 ADDRESS: 5534 EXPRESS DR. SOUTH HOLTSVILLE, N.Y. 11742
 TOTAL BID: \$ 125,456.50

#2 NAME: PAV-CO ASPHALT INC.
 ADDRESS: 615 FURROWS ROAD, HOLTSVILLE, N.Y. 11742
 TOTAL BID: \$ 153,547.30

REPORTS Continued

#3 NAME: MUIRFIELD CONTRACTING INC.

ADDRESS: 16 HEATH PLACE, GARDEN CITY, N.Y. 11530

TOTAL BID: \$ 135,158.50

Town Clerk's report for the month of June, 1983. Filed.

Building Department's report for the month of June 1983. Filed.

Conservation Advisory Council minutes of June 23, 1983 meeting. Filed

Irene J. Pendzick, "That concludes reports."

Supervisor Janoski, "Thank you Mrs. Pendzick. Petitions."

PETITIONS

Special Permit-William Miller, to construct a residence in Bus. "B" district, located at Rte, 25A and Sound Avenue, Wading River. Filed.

Exhibition Permit-Howard Rosenthal, to exhibit outdoor sculpture at Edwards Avenue, Calverton, New York. Filed.

Site Plan-S.A.S. Industries, Al Stekis, for a business of manufacturing gaskets on Route 58, Riverhead, Filed.

Supervisor Janoski, "Thank you Mrs. Pendzick. The time for this 7:45 Public Hearing has not yet arrived. Correspondence."

CORRESPONDENCE

Greg, Thos. & David Lessard, 6/24/83-withdrawing request for a special permit. Filed.

N.Y.S. Dept. of Transportation, 6/21/83-advising that Riverhead will continue to receive funds under the CHIPS program. Filed.

Environmental Quality Review Bd., 6/23/83-recommendation that the application of Milton & Wm. Miller is a Type II Action also the application of Elizabeth & Jeanne Pelis (with comments re:beautification) Filed.

CORRESPONDENCE Continued

Farm Bureau, 7/5/83-opposing land use controls proposed by Suffolk County. Filed.

Jos. Anderson, 6/21/83-suggesting that only residents of the Town be permitted to use the Iron Pier boat ramp. Filed.

Brookhaven Town, 7/17/83-re:adoption of amendment to Chapter 36-3 of Town Code. Filed.

Landmarks Preservation, 6/30/83-requesting designation for two properties. Filed.

LILCO, 6/27/83-protesting and objecting to special franchise assessments for 1983. Filed.

Southampton Town-notices of public hearings re:amendments to Chapter 69 Zoning. Filed.

Lakeview Bulkheading-requesting permission to install bulkheading in Wading River. Filed.

Irene J. Pendzick, "That concludes correspondence."

Supervisor Janoski, "Thank you Mrs. Pendzick."

UNFINISHED BUSINESS

Louis Debenedittis-special permit for gas station on Pulaski Street. That is the subject of a resolution this evening. Filed.

Synergy Gas-special permit for additional 18,000 gallon gas tank. That is presently under consideration by the Town Board. Filed.

Cablevision-request for renewal of franchise and rate increase. Presently under consideration by the Town Board. Filed.

Daniel White-special permit to extend a non-conforming use on Pulaski Street. That will be addressed this evening in a resolution. Filed.

Geo. & Mary Klatt-special permit for non-nuisance industry on Hubbard Ave. That is before the Planning Board. Filed.

Fred & Mildred Cowan-special permit for oil, coal and gas burner business. Public hearing was held on that at the last meeting and is presently before the Planning Board. Filed.

John Pelis-special permit to operate a non-nuisance industry in Calverton. Before the Planning Board. Filed.

UNFINISHED BUSINESS Continued

Malvese Co.-site plan for sales and service of auto machinery on Route 58. The Town Board is awaiting the submission of the final site plan before action. Filed.

Supervisor Janoski, "There are some five minutes remaining before the first scheduled public hearing. I will recognize anyone who wishes to be heard. That being the case we will move on to the resolutions."

RESOLUTIONS

#378 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS ON ONE HUNDRED (100) TAPERED ALUMINUM LIGHTING BRACKETS-STREET LIGHTING DISTRICT

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

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of One Hundred (100) Tapered Aluminum Lighting Brackets for the use of the Town of Riverhead Street Lighting District, and be it

RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 a.m. on July 18, 1983, and be it further.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on July 18, 1983 at 11:00 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on One Hundred (100) Tapered Aluminum Lighting Brackets."

ADVERTISEMENT FOR BIDS

Sealed bids for the purchase of One Hundred (100) Tapered Aluminum Lighting Brackets for the use of the Town of Riverhead Street Lighting District will be received by the Town Clerk of the Town of Riverhead for the Town Board, at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York up to 11:00 a.m. on July 18, 1983, at which time and place they will be publicly opened and read aloud.

RESOLUTIONS Continued

Detailed specifications and forms for bidding may be obtained at the office of the Superintendent of Highways, Osborn Avenue, Riverhead, New York during the usual office hours.

Plainly mark envelope containing bid "Bid on One Hundred (100) Tapered Aluminum Lighting Brackets."

The Town Board reserves the right to reject any and all bids.

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

The resolution was thereupon declared duly adopted.

#379 AUTHORIZES TIME AND ONE HALF OVERTIME FOR BUILDINGS EMPLOYEES

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

RESOLVED, that the following employees be paid time and one half overtime compensation:

Lawyer Jackson-----	6hours	\$11.2100-----	\$67.26
Charles Brown-----	6hours	\$22.2100-----	\$67.26
Dominick Pantaleo-----	16hours	\$8.9859-----	\$143.77

FURTHER RESOLVED, that the explanatory report relating to aforesaid overtime be filed in the Office of the Town Clerk.

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

The resolution was thereupon declared duly adopted.

#380 AUTHORIZES CHIEF PALMER TO ATTEND NYS CHIEFS OF POLICE TRAINING CONFERENCE

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

WHEREAS, the State of New York is offering a Chiefs of Police Training Conference to be held at the Marriott Inn, Rochester, New York, from July 31, to and including August 4, 1983

NOW, THEREFORE, BE IT RESOLVED, that Chief of Police Roscoe Palmer be and is hereby authorized to attend said conference and that all related expenses shall be paid from the Police Training Account of the Town Budget and that all expenses shall be fully receipted upon his return.

RESOLUTIONS Continued

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

The resolution was thereupon declared duly adopted.

#381 APPOINTS LIFEGUARD TO RECREATION DEPARTMENT

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

RESOLVED, that James Q. Hirsch be and is hereby appointed to serve as Lifeguard effective June 25, 1983 to and including September 5, 1983, to be paid bi-weekly at the hourly rate of \$5.40 and is to serve at the pleasure of the Town Board.

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

The resolution was thereupon declared duly adopted.

#382 APPROVES SPECIAL PERMIT APPLICATION OF LOUIS DeBENEDITTIS

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

WHEREAS, by application dated February 14, 1983, Louis DeBenedittis, through his attorney, Albert A. D'Agostino, Esq., did apply to this Town Board for a special permit for the continued use of a gasoline service station located at the south-east corner of Pulaski Street and Griffing Avenue, Riverhead, New York, and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation, and

WHEREAS, by letter dated March 4, 1983, the Planning Board did recommend to the Town Board that the special permit application be approved, subject to the condition that the tanks meet with all applicable State, County, and Town regulations, and

WHEREAS, Albert A. D'Agostino, Esq, attorney for Mr. DeBenedittis, by letter dated April 21, 1983, did forward to this Town Board a photocopy of a tank test obtained by Chevron, U.S.A. with respect to the tanks at the subject premises, which test was certified on August 3, 1982, and

7/5/83

RESOLUTIONS Continued

WHEREAS, Albert D. D'Agostino, Esq., attorney for Mr. DeBenedittis, by letter dated May 4, 1983, in accordance with Section 108-41 of the Riverhead Town Code did forward to this Town Board an affidavit and certified list of the names and addresses of all assessed owners as shown on the Suffolk County Tax Assessment Roles of premises that lie within 1,000 feet of the subject premises, and

WHEREAS, Irene J. Pendzick, Town Clerk, by affidavit sworn to on the 15th day of June, 1983, did state that she mailed, by certified mail, return receipted requested, a copy of the Notice of Public Hearing, with attachments, to all property owners as provided by applicant's attorney under cover of May 4, 1983, and

WHEREAS, a public hearing was held on the 21st day of June 1983, and all those persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the special permit application of Louis DeBenedittis, through his attorney Albert A. D'Agostino, Esq., to re-establish the use of a gasoling service station located at the intersection of Pulaski Street and Griffing Avenue, Riverhead, New York, be and is hereby approved, subject to the following conditions:

1. The permit shall be conditioned upon the lot's being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the lot.
2. Subject to site plan review by this Town Board.
3. Subject to any and all restrictions and/or limitations as outlined in the Riverhead Town Code, Chapter 108.
4. Subject to there being no more than five (5) vehicles stored on the premises.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Albert A. D'Agostino, Esq., Attorney for Louis DeBenedittis.

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

The resolution was thereupon declared duly adopted.

7/5/83

Supervisor Janoski, "Let the record show that the hour of 7:48 has arrived. The Town Clerk will please read a notice of Public Hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, July 5, 1983 at 7:45 p.m. to hear all interested persons regarding the special permit application of Aida Danstrup, owner of a mobile home on premises owned by Stanley & Gladys Udell, for permission to construct an addition on the mobile home.

CORRESPONDENCE:

Suffolk County Dept. of Planning, 6/30/83-
The application is considered to be a matter for local determination.

Supervisor Janoski, "Thank you Mrs. Pendzick. Is there anyone representing the applicant? Yes sir."

Keith Danstrup, "Keith Danstrup sir."

Supervisor Janoski, "And your address."

Keith Danstrup, "83 Forge Road."

Supervisor Janoski, "Say what ever it is that you think will give us the information that we need to make a decision on this application."

Keith Danstrup, "Well, about a year ago, right in the Mobile Home Park adjoining the one I'm in, this is right over the fence about 100 feet away, a similar structure was made on a Mobile Home and it doesn't entail anyone else buy the applicant itself. It's a nice job and I intend to do the same thing. Very few people will be able to view what I'm going to put up. It will not disturb anyone in any way what so ever. The property adjoining is wooded. The Reynold's property, the lateral half is a bog with woods on it right next to me, and there's a fence behind me. It's just a room, an addition and it will not interfere with anyone what so ever. No more than the other room did 100 feet away."

Supervisor Janoski, "Thank you."

Keith Danstrup, "Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Is there anyone else present who wished to address the Town Board on this application? That being the case I we will adjourn this. Close it and continue with the resolutions."

RESOLUTIONS#38³ APPROVES SPECIAL PERMIT APPLICATION OF DANIEL WHITE

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

WHEREAS, Daniel White, through his attorney, Susan Post Rogers, Esq., did submit an application to this Town Board dated May 6, 1983, for an extension of a non-conforming residential apartment use to allow construction of a third apartment and pitched roof at property located at the corner of Hamilton Avenue and Pulaski Street, Riverhead, New York, and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation, and

WHEREAS, by letter dated June 3, 1983, the Planning Board did recommend that the application of Daniel White be approved,

WHEREAS, a public hearing was held before this Town Board on the 21st day of June, 1983, and all those persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the special permit application of Daniel White for extension of a non-conforming residential apartment use to allow construction of a third apartment and pitched roof at property located at the corner of Hamilton Avenue and Pulaski Street, Riverhead, New York, be and is hereby approved, subject to any restrictions, requirements, and/or limitations as detailed in the Riverhead Town Code, Chapter 108 and be it further

RESOLVED, that this special permit is granted subject to site plan review by this Town Board, and be it further,

RESOLVED, that the Town Clerk be authorized to forward a certified copy of this resolution to Mr. Daniel White and Susan Post Rogers, Esq.

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

The resolution was thereupon declared duly adopted.

7/5/83

RESOLUTIONS Continued

Resolution #385 see page

#386 AUTHORIZES TOWN CLERK TO PUBLISH ADVERTISEMENT

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

WHEREAS, the Town of Riverhead has a HUD approved Small Cities Program and,

WHEREAS, projects comprising the Small Cities Program require certain environmental clearances, and

WHEREAS, the Riverhead Community Development Agency has completed an Environmental Review Record for the Economic Development Project Year 5,

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to publish the attached legal notice in the Thursday July 7, 1983, edition of the Riverhead News Review and the Long Island Traveler Watchman.

LEGAL NOTICE

NOTICE OF FINDING OF NO SIGNIFICANT EFFECT
ON THE ENVIRONMENT AND REQUEST FOR
RELEASE OF FEDERAL FUNDS

TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS:

On or about Monday, July 25, 1983, the Town of Riverhead will request the U.S. Department of Housing and Urban Development to release Federal funds under Title 1 of the Housing and Community Development Act of 1971 (PL 93-383) to be used for the following project:

1. Economic Development Program - Year 5

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and, accordingly, the Town of Riverhead has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190). The reason for such decision not to prepare such statement is as follows:

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RESOLUTIONS Continued

(1) The analysis required for the development of an Environmental Review Record for the subject projects did not point to any impact that would significantly affect the human environment. The basis for this determination lies in the fact that all identified adverse impacts are not intractable and can, through project design, be either minimized or avoided.

An Environmental Review Record respecting the aforementioned project has been made by the Town of Riverhead which documents the environmental review of the project and more fully sets forth the reasons why such statement is not required. The Environmental Review Record is on file at the above address and is available for public inspection and copying upon request, at the Community Development Office between the hours of 9:00 a.m. and 4:00 p.m.

No further environmental reviews of said project is proposed to be conducted prior to the request for release of Federal funds.

All interested agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration by the Town of Riverhead to the Office of the Supervisor. Such written comments should be received by the Supervisor on or before Friday, July 22, 1983. All such comments received will be considered and the Town of Riverhead will not request the release of Federal funds for the subject project prior to Monday, July 25, 1983.

The Town of Riverhead will undertake the subject project will Block Grant funds from the U.S. Department of Housing and Urban Development (HUD) under Title I of the Housing and Community Development Act of 1974. The Town of Riverhead is certifying to HUD that the Town of Riverhead and the Town Supervisor, in his official capacity as Supervisor, consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce the responsibilities in relation to environmental review, decision making, and action, that these responsibilities have been satisfied.

The legal effect of the certification is that upon its approval, the Town of Riverhead may use the Block Grant funds, and HUD will have satisfied its responsibilities under the National Environmental Policy Act of 1969. HUD will accept no objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases (a) that the certification was not in fact executed by the chief executive officer of other office of the applicant approved by HUD; or (b) that applicant's Environmental Review Record for the project indicate omission of a required decision, finding, or step applicable to the project in the environmental review process. Objections must be prepared and submitted in accordance with the required procedure (24 CFR Part 58), and may be addressed to:

RESOLUTIONS Continued

U.S. Department of HUD
 New York Area Office
 26 Federal Plaza
 New York, N.Y. 10028

Objections to the release of funds made on bases, other than those stated above will not be considered by HUD. No objection received after Friday, August 12, 1983 by:

Mr. Joseph Janoski
 Town Supervisor
 200 Howell Avenue
 Riverhead, N.Y. 11901

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

The resolution was thereupon declared duly adopted.

#387 ACCEPTS RESIGNATION OF HOME CHORE HANDYWORKER

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

WHEREAS, Thomas Weigel did submit his letter of resignation from his position as Home Chore Handyworker with the Town of Riverhead Home Chore Program.

NOW, THEREFORE, BE IT RESOLVED, that the resignation of Thomas Weigel be and hereby is accepted effective June 29, 1983.

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "Let the record show that the hour of 7:55 has arrived. The Town Clerk will please read a notice of Public Hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, July 5, 1983 at 7:55 p.m. to hear all interested persons regarding the special permit application of William Homer to extend a non-conforming auto repair facility at the intersection of Pulaski Street and Osborn Avenue.

CORRESPONDENCE:

Suffolk County Dept. of Planning 6/30/83
 the application is not within the jurisdiction of the Suffolk County Planning Commission.

PUBLIC HEARING Continued

Supervisor Janoski, "Is there anyone representing the applicant?"

William Bates, "Hello, good evening. I'm William Bates, Smith Finklestein, Lundberg and Yakoboski, representing Mr. Homer and Duratrans Inc., which is this corporation. Duratrans is the tenant currently operating a business in Aamco transmission repair business on the parcel. Mr. Homer's business has been there five years and as you know, this is a request to the Board to extend a non-conforming use. The parcel is in business "D" on the corner of Pulaski Street and Osborn Avenue. Back in May, on May 16th, we submitted an application to your Board which you of course, referred to the Planning Board and the Planning Board has returned its recommendation to you recommending approval of the application subject to certain conditions. Of course, one of which is placing a fence around the outside edges of the parcels which of course, is acceptable to Mr. Homer. What the applicant requests is an extension of his building."

Supervisor Janoski, "Excuse me. For the record would you repeat your name?"

William Bates, "My name is William Bates, B-a-t-e-s-, and this survey, we did not have a complete site plan at this point. We are here to obtain your recommendations and suggestions as to how we should go about this extension. What Mr. Homer would like to do is build an extension upon the southern edge of his building. The extension is roughly 36 feet deep and 50 feet in length. It's approximately the size of the existing building and a little bit similar. In this extension he would like to have three lifts, three bays for the repairs of automobiles. At this point, he anticipates that the additional, that the addition to the building would be about roughly the same height, same type of construction, same depth and as you can see, a frontage of about 50 feet on Osborn Avenue. He needs this kind of expansion to his building so he can conduct his business efficiently. As I said, he has been there five years. His business has done very well but he is unable to take care of the present business with three bays. What's happening here is; you will bring a car in, put it up on a lift, start to work on the transmission, and then if, for example, he might not have a part or something, he then has got to take the car down and push it out into the street. Put another car on the lift. Put it up. Take it down. Push it out into the street. Put the first one back up and so forth. The existing building is just no longer sufficient to take care of his business. I think this would be a good place to extend this non-conforming use. Well, first of all, there are other similar businesses in the neighborhood. As a matter of fact, you just had a resolution about a gasoline station down Pulaski Street, a block down Pulaski Street. There's a garage, Codis garage, Adam's garage, just around the corner on Lincoln Street. Similar, if this business was defined a little bit differently, it would be permitted in the area. For example, a used car dealership where there are repairs going on at the same time,

PUBLIC HEARING ContinuedWilliam Bates Continued

would be permitted in this area. For example, a gasoline station would be permitted in this zone with a special permit from the Board. It's just in the particularities of the code and that a vehicle repair business is defined a little bit differently and therefore is non-conforming. I think, very similar businesses would be permitted in this area. Further, I can't think of another use for this parcel, if it were not used for Mr. Homer's business. Certainly, this type of parcel is no good for residential. It's on two busy streets. It probably would not be a good location for say; a retail store or something like that because there is an open lot across the street, on Pulaski Street and on the other side of Osborn Avenue. If someone would likely to put in a retail store, they would put it on the vacant lot and not on this place and the general store across the street, Nadjirs of course has ceased business. So I think if someone were to put in a retail business, they would probably put it at one of these other locations and not at the Aamco location. So I think this is the best use for this particular parcel. Further, I think if you have any questions of me or Mr. Homer, I think the expansion of this business could make this business a better neighbor for this particular area."

Supervisor Janoski, "You know Mr. Bates, that's exactly what we have in mind."

William Bates, "I'd be happy to answer your questions."

Supervisor Janoski, "The building was formerly a gas station. It was originally constructed as a gas station. It is not only in a business area but it is in the area of the old former Riverhead High School which is now called Pulaski Street School, which quite honestly is one of the loveliest buildings in Riverhead. I have to be quite honest with you and say that with the Town Board is interested in goes beyond our desire to promote business in this Town and certainly we appreciate everything that you're doing here and I mean in the meaning understand. However, the Town Board, we expect that when we discuss this, and we will discuss this, that we are going to talk about landscaping and we are going to talk about facade improvements and we are doing to talk about color because the electric blue that that building is at the present time, is certainly not an attractive addition to the corner that it's on I would say that the fencing proposed by the Planning Board is a good idea. We will look to see if you have sufficient area to store automobiles that are being held there while they're there for repairs. But landscaping, screening, facade improvements, and color signage, these are the things that the Town Board has in the past year, become very demanding on and of course, is something we feel an addition to make a better business community, also we want to

PUBLIC HEARING ContinuedSupervisor Janoski Continued

achieve a more attractive community. Anybody have any comment?"

Councilman Artale, "Yes. Mr. Bates if I may. I can't see it's too light over here. How far is the corner of that property to the Merkel property? It looks to me like it's seven feet."

William Bates, "It's seventeen."

Councilman Artale, "Seventeen, is that it? Ok thank you."

William Bates, "17.9, I think on that survey."

Supervisor Janoski, "Does your client have an evaluation of the building? The proposed, what it will look like when it's completed."

William Bates, "Not at this point. I gather you're just anticipating a building the same height as the present building."

Supervisor Janoski, "As I say, the idea of promoting business is certainly, all five of us and I will take that liberty, are in agreement with. However, we're very much concerned about the appearance and the attractiveness of an area as it is developed. I, as a matter of fact, along with the Town Clerk, have had the experience of cleaning that lot next to your clients on Riverhead Clean Up Day and quite honestly we came out of there with a whole truck load of stuff. From filters and oil cans and that kind of thing. So that's the kind of thing that we're addressing here and we're very much concerned about that. Let me ask if anyone in the audience has any comment on this special permit application. Do you have anything to add?"

William Bates, "No, but I'm sure that Mr. Homer wants to be a good neighbor and would in connection with his expansion would definitely clean up the lot and make it much more attractive and so forth."

Supervisor Janoski, "If you'd like to address you have to come up to the microphone, name and address."

William Homer, " My name is William Homer. I'm the owner of Aamco in Riverhead. The only thing that I'd like to ask, we had a meeting down at the Civic Club Association the other day and there was an architect down there. He had come down. He had talked about new facades in the whole area. Well I'd probably be willing to go along with anything. In other words, if he had some input on this thing on what they would like on the frontage of that, I would be more than willing to go along with that."

Supervisor Janoski, "Fine, thank you Mr. Homer. Thank you Mr. Bates. This meeting, this hearing is declared closed. Move on to the resolutions."

RESOLUTIONS#389 DESIGNATES LANDMARKS

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

WHEREAS, the Landmarks' Preservation Commission, under letter dated June 30, 1983, has requested this Town Board to designate various structures in the Town of Riverhead as landmarks.

NOW, THEREFORE, BE IT RESOLVED, in accordance with Article IV Section 7(6) of Town Ordinance #44 (Landmarks' Preservation) Chapter 73, the Town Board does hereby designate the following structures as "Landmarks":

1. Paul Hulse House
North Wading River Road
Wading River, N.Y. 11792
(Application #44)
2. The Riverhead News Building
215 Roanoke Avenue
Riverhead, N.Y. 11901
(Now American Data and Office Products, Inc.
Application #46)

and be it

FURTHER RESOLVED, that said Commission be and is hereby authorized to purchase two (2) "Landmarks" plaques at a total cost not to exceed \$100.00.

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

The resolution was thereupon declared duly adopted.

#90 APPROVES TEMPORARY OPEN AIR EXHIBITION APPLICATION

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

WHEREAS, by application dated June 23, 1983, Howard Rosenthal did submit to this Town Board an application for an exhibition of a temporary open air sculpture titled "Sky Disk" to be held at Edwards Avenue, Calverton for the period of July 15, 1983 to January 15, 1984.

NOW, THEREOFRE BE IT RESOLVED, that the application of Howard Rosenthal for a temporary open air exhibition be and is hereby approved, and be it further

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RESOLUTIONS Continued

RESOLVED, that Howard Rosenthal be licensed to conduct such exhibition upon the payment of the statutory \$100 fee, and be it further

RESOLVED, that Howard Rosenthal shall file with the Town Board a Certificate of public liability insurance naming the Town of Riverhead as an additional insured in the coverage amount as required by the Town Code, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to send a certified copy of this resolution to Howard Rosenthal and to Jonathan Brown, as attorney for Mr. Rosenthal.

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "I would recognize at this time who wishes to be heard. Mr. Kasperovich."

William Kasperovich, "Gentlemen, I wish you would hear me and pay some attention to what I say, not how I say it or the wordage that I use. It was a great effort that I was able to leave the house and get here. It sort of disturbs me that I ran an overheated engine to get here to talk to you people. I'll start by saying this much. It is essential to the maintenance of a democratic society that the public business be performed in an open and a public manner and that the citizens of this state be fully aware of and able to observe the performance of public officials and attend and listen to the deliberations and the decisions that go into the making of public policy. This is the legislative declaration for the open meetings law section 95. It was in effect on October 1, 1979. The conduct of the Town Board in their work sessions have over looked the fact that shortly after, this will come into effect that a court case was presented and went up as high as the Court of Appeals and work sessions were included to be open meetings. Special meetings, executive sessions, manner of notifications and hosting to the public which has never been done in this township. It was gone into by many people and many townships in this state. Therefore, I publicly request that you comply with this law and that you post all your meetings and so advise the secretary outside your office, that the office is being used as a meeting hall for open meetings. The recourse to a citizen in this township to maintain the compliance of this law is not a pleasant one and so I am doing everything possible to influence the people and whatever I can, that you do comply to the law. Nobody gains anything in any direction forcing you to comply. Thank You."

Supervisor Janoski, "Thank you Bill. Mrs. O'Hare."

PERSONAL APPEARANCES Continued

Dorothy O'Hare, "I really would like to thank each and everyone of you for everything that you have done because quite a lot has been accomplished. However, Union Carbide will not give us a filter. So now to quote the man, we are between the rock and the hard place. The Board of Assessors has finished the total assessed evaluation of Reeves Park and I just came to really ask you to please do everything you can to pass this along as quickly as possible because we're stuck. The main thing in the beginning and still is; the health problem. I mean, I read everything there that Union Carbide has and it will never hurt us but I do have conflicting information. But there are other problems that are cropping up. People that Real Estate agents will not bring anyone to look at the houses. People who normally rent their houses who haven't been able to. So it's not only the health problem now, it's become a matter of economics. So what I really came here tonight and a lot of other people too, was; we're still interested and will keep coming back until we get what we want."

Supervisor Janoski, "Well, as you know Mrs. O'Hare, the area has pretty much been mapped out for the extension of the District. So I'm aware there were three meetings with the people on my staff. Mr. Ehlers is unfortunately, away this evening. The petition now must be circulated."

Dorothy O'Hare, "First we have to get the petition."

Supervisor Janoski, "Well yes."

Dorothy O'Hare, "That's the main thing. We have to get the petition before we can circulate it and Mr. Ehlers has really been, as you all were, very co-operative and will push it but it doesn't solve our problem."

Supervisor Janoski, "Well we're working towards that solution and you know this extension that we passed tonight we've been working....."

Dorothy O'Hare, "Are there any short cuts that can..."

Supervisor Janoski, "No. As a matter of fact, we're moving quite rapidly, as I was about to say, this extension that we passed tonight, we've been working on for three years. We hope that we can move this one by in a few months."

Dorothy O'Hare, "Thank you."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Thank you. Now the hold-up, I heard a lot of voices on that, the hold-up on that was of course, that it was a different type of situation and that the extension was being paid through Small Cities Block Grant money, being designed and so forth and now it can go through. Your extension, you know as quickly as you operate and help us along as we help you, the quicker the project will become completed. Circulating petitions, getting out there, getting those signatures and of course, your willingness to become part of the Riverhead Water District is essential. Then we must send it to Albany for the approval of the controller of the State of New York, come back, design it for real. I think what we're talking about is a number of months. Certainly not years. By co-operating together, I think we will cut the time down. Is there anyone else who wishes to be heard? Yes sir."

Cyril Wulforst, Baiting Hollow, "I'm in a local affairs committee of the Long Island Farm Bureau and I'd like to present a petition to the Town Board of the Town of Riverhead. We the undersigned, are the owners in fee of land located and adjacent to Sound Avenue, in the Town of Riverhead, Suffolk County, New York. We understand that the Town of Riverhead is considering an upzoning of our lands to a minimum of five acres. I have here 110 signatures of land owners on both sides of Sound Avenue. Can I present this?"

Supervisor Janoski, "Present it to the Town Clerk Mr. Wulforst."

Cyril Wulforst, "Will we be well informed and kept up to date?"

Supervisor Janoski, "As a matter of fact, we wanted to give you an update as to what's happening so far. The Planning Board has, in a letter to me, requested, that along with our Master Plan Revisions, that this Sound Avenue corridor be included in the investigation that is going on. I believe the Town Board will take that under consideration very soon and would, from my guess, move in that direction as to including it in that Master Plan updating which would require investigating and of course, those ideas which would generate from people like yourself would be put before the public for discussion, (I guess discussion is good enough.) before anything is implemented."

Cyril Wulforst, "All right. We would be very much opposed to this five acre and because it's so irradical, that it's just unthinkable. We, I'm sure, will go quite far with more petitions, but these petions, these are the people that were involved with it and it and I got, I would say, nearly 95% of the land owners. So we would like to hear more from the Town."

PERSONAL APPEARANCES Continued

Councilman Prusinowski, "Mr. Wulforst, nobody on the Town Board wants to hurt the property owners economically. Certainly we were in farming, my family, for many years and we know what it is to pay a lot of taxes. I just want to make one point of information. This discussion arose out of several discussions held with some of your fellow residents on Sound Avenue and we only reflect people's views. We do not make a policy for the sake of making policy say on a whim. There were several residents up there that were concerned about preserving the Historical corridor and the open space of Sound Avenue. Through that we asking the Planning Board to take a look at this five acre zoning. It's not something that's immanent. It's something that is being looked at as a long range maximal of five acres, before anything is done. In other words, this is something planners, we look to Consultants and the public will certainly have all of it's input. I don't think the Town Board is going to do anything irradical. So set your mind at ease."

Cyril Wulforst, "Chairman sir."

Supervisor Janoski, "Mr. Wulforst, Councilman Boschetti."

Councilman Boschetti, "I'd just like to expand a little bit upon on what Councilman Prusinowski has presented. In as much as we never, it was never the intent of us to make a minimum of five acre zoning. I just want to stress what Councilman Prusinowski pointed out. It was a maximum. We asked the Planning Board to look at up-zoning that area up to five acres, not beyond. Certainly they may come back and say; leave it the way it is or they may say go to two. They may say go to to five but it was never our intent to injure anybody and say look; we want a minimum of five acres zoning, but we did want to reflect the feelings that were demonstrated on another issue which concerned Sound Avenue. In whereby, many residents of that area told us that they wanted to preserve the openness and the agricultural stetic of that corridor, That's why we brought this up."

Cyril Wulforst, "I can't agree with you when you said residents of Sound Avenue, the immediate people. We have 95% of the land owners signatures here. We missed about five people out of the entire owners on that street. So I can't see where someone would...."

Councilman Boschetti, "I agree. It might be interesting to compare the signatures on this petition with those that said kept it open. I don't know if that's been done yet but it might be interesting to do that."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Mr. Wulforst, I think what you have to be told and I think those people here with you, is that this Town Board has no intention of taking away your property rights. We are, I think, genuinely concerned about Sound Avenue but we reconize that you own the property and that the use of it is something, that it's, (I don't know how to put this other than) it's money in the bank for you. It seems to me that it's your property and something that you've had in your family, in many cases, over many many years. In referring the matter to us, back from the Planning Board and asking for the inclusion in the Master Plan of revisions and the study. I think they were demonstrating that it has to be approached in a very careful way that certainly the Town can fulfill it's obligations, the Town Board of trying to promote and do rational planning which has to be done in any community and also protecting the rights of those people owning the property. I think there's probably ideas that will be generated, that I hope that people who own property on Sound Avenue, can agree with and support but we are not going to take any action without letting you know about it, without your input and quite honestly, I think this whole subject of five acre zoning has become more than it's intended to be."

Cyril Wulforst, "Thank you."

Supervisor Janoski, "Is there anyone else who wishes to be heard?"

Lyndon Hallock, Sound Avenue, "When I first heard about this five acre zoning I was rather shocked."

Irene J. Pendzick, "Lyndon, say your name for the tape."

Supervisor Janoski, "And your address."

Lyndon Hallock, "My name is Lyndon Hallock, Sound Avenue, Riverhead. It just seems unbelievable and that it would even be thought about about but when I see the picture on the wall, I see that the thought in mind was for everybody to have a small farm and even in front of the school and church but that isn't what we really want. One point I'd like to bring out is that; when the County program, the County offered to buy the development rights from the farmers, a number of farms on the northerly side of Sound Avenue were submitted and they were denied because this was to be a residential area being close to the Sound and no farms were taken north of Sound Avenue and now we're saying that with five acres zoning, it's just going to be unsellable. There are many many facets of this. I've been told that the Town Board inserted this five acre zoning in there to make this two acre zoning more palatable. Well I wouldn't be surprised if maybe that was in the back of your minds and I don't think we need two acre zoning either. One acre is more than most folks will maintain and I can see no reason to up-zone that area and I hope that you'll have second thoughts along with what you're

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PERSONAL APPEARANCES ContinuedLyndon Hallock Continued

saying you will do and any Master Plan should take into consideration that this has been set aside from the County program and that should be a strong factor. Thank you."

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

Steve Haizlip, Calverton, "Tonight Joe and the other Board members, I said I'm going to come and be a spectator and not say anything but as I'm traveling along that beautiful road, 58, that's just been completed, I see, what appears now, many many bags of garbage and I think that we have had some people come out to the country and on their way back, may have stopped and conveniently packed them up along the road. So it's on a County road but it's in the Town. Have you had any input on this?"

Supervisor Janoski, "I didn't see, did you see anything? Today Steve?"

Steve Haizlip, "Just coming down tonight, 7:15."

Supervisor Janoski, "It must have been after I drove here in the morning because on the way out I didn't see anything but we will certainly take a look tomorrow."

Steve Haizlip, "Thank you."

Supervisor Janoski, "I hope they're not grass clippings and leaves. Is there anyone else who wishes to address the Town Board at this time? Yes sir?"

Charles Martin, Linda Lane, "My name is Charlie Martin. I live up on Linda Lane. I'd like to ask the Town Board how you actually feel about this five acre zoning."

Supervisor Janoski, "Do you want each of us to answer?"

Charles Martin, "Yes, I'd like to know."

Supervisor Janoski, "Do I get to go first or last? I'm trying to phase this Charlie, in a way because as this idea developed, there was really no intention, I don't think, on the part of the Town Board to zone the entire length of Sound Avenue five acres. What Vic had mentioned before was; for a period of years we were beaten over the head by a group of people that were telling us; you've got to preserve that Historical Corridor. We have been doing some Master Plan Revisions within the Town of Riverhead and I think that is what we should be doing, because as Riverhead develops, we do want to have good planning in place. I would say

PERSONAL APPEARANCES ContinuedSupervisor Janoski Continued

that five acre zoning would not be an acceptable remedy to me, but I do believe that we have to identify some ideas and strategies to try to protect Sound Avenue. Perhaps set backs, buffer zones, that kind of thing and those ideas we develop as we proceed and we are not in a great hurry to implement five acre zoning. I'll let them answer for themselves."

Charles Martin, "In other words, you're not in favor?"

Supervisor Janoski, "No, I'm not in favor."

Councilman Lombardi, "I'm not in favor of five acre zoning."

Councilman Artale, "I will say, as Lou had mentioned, there are quite a few people from that area that did say they wanted to preserve Sound Avenue and the Historical Corridor. The five acre, that number five, did crop up. We had heard two, we had heard 4, we had heard five, and that's where the number five came from. It didn't really come from anyone of us. But as Joe said, we did turn it over to the Planning Board and said check it out. See what you feel."

Supervisor Janoski, "But what you've got to understand and I think Vic made this point and Lou did too, but I don't think it was understood. That was; let's talk about some ideas for Sound Avenue. But this is the limit of the idea that might be implemented. That limit was five acre zone, but anything between what it presently is now and that is what we want to talk about."

Councilman Prusinowski, "This is a good issue to really get down to it, and I've, my family and I, have lived in this Town all my life. It's easy to say preserve things but economically there's a reality to the situation. It's easy to come up here and say don't do this and don't do that and don't do this, but somebody's got to pay for it. Now I was involved in a little..."

Charles Martin, "I don't think the land owners should have to pay for it."

Councilman Prusinowski, "Well what I'm saying is..."

Charles Martin, "Just to beautify the Town."

Councilman Prusinowski, "I'm agreeing with you."

Charles Martin, "Let the tax payers pay for it. Let them vote on it."

PERSONAL APPEARANCES CONTINUED

Councilman Prusinowski, "In other words, it's easy to say that but when you look at the reality, you have a lot of people who have a lot of investment. Sometimes a life time and it's easy to say; don't give them this but it's ok if I can do it but don't let him do it. Everybody has rights and what I think that the job of the Town Board, the planning and the elected officials, as we rotate through the years, is to put a balance between the property rights of all people because everybody who is involved in the business of this Town, affects somebody also and I don't like to hear people say; my business doesn't effect because farmer's business effects other people. Other people's business effects the farmers and people who own large tracks of land, a lot of them who have been inherited for hundreds of years. It's a tough situation when you mortgage your property to the hilt to pay Agway, the Chemical companies, and the people you do business with and then somebody turns around and says preserve all of Sound Avenue by up-zoning it and you can wipe somebody out. A lot of people have their property mortgaged up there to pay bills. People come here and preach to me and say, preserve it, preserve it. Let them take over the mortgage and they'll preserve it. So I think what the idea was to take a look at transforming some ideas about the Historical Corridor and say, is there something that we can do that we're not doing now to preserve what Sound Avenue is. Five acre zoning might not be the answer. One of the answers is the farm program which has, at the end of Phase II, well over 4000 acres in Riverhead in the Farm Program and some of the parcels north of Sound Avenue happen to approve of Phase II. So there will be a few up there. Of course the County does not buy waterfront property so they buy everything else."

Charles Martin, "You're not really in favor of it."

Councilman Prusinowski, "No."

Charles Martin, "Is there anyone in favor?"

Councilman Boschetti, "Well I haven't spoken yet. Again and I think this was important to keep on stressing because since it came up, there's been some confusion with that. We are talking about a limit, a maximal, no more than five acres and as has been pointed out already, we really started all of this in order to get a feel of what could be done in that area. Five acre zoning is just one aspect of the overall picture we're trying to look at and we decided to let the Planning Board look at that. In the interim time, there is Master Planning going on which hopefully will bring up their ideas of maybe preserving, without going to the five acre up-zoning. One thing I'd like to point out also and I don't think has been mentioned; is that any up-zoning that might be done in that area would not effect present land owners. I know that I had come up once or twice in discussion whereby, people felt that, if I only own 1 acre or $\frac{1}{2}$ acre in that area, means I'm going to have to buy an additional 4 acres. No. It doesn't mean that. It

PERSONAL APPEARANCES ContinuedCouncilman Boschetti Continued

simply means that from here on out, anybody that might want to, if it goes to five acres, which I also am not really all that in favor of. I think five acres is probably much too excessive but we gave that latitude to the Planning Board in Riverhead to generate some kind of recommendations from that and some kind of thoughts. If they, even if they said they wanted to go to five acres, doesn't lock us into that. It just gives some ideas to work with and that's what we're looking for, some ideas."

Charles Wulforst, "So you're in favor of it?"

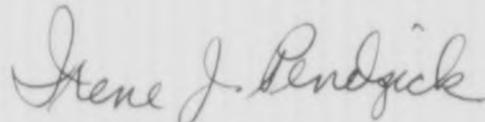
Councilman Boschetti, "Five acres? No. I think it's excessive but we did it in order to give them latitude in which to work."

Charles Wulforst, "I'd like to say one other thing. Something like this isn't fair to the young people, young people starting out. They want to live up on the Sound there. It's nice up there. How are they going to afford five acres to maintain? Let's be sensible. They want a piece of pie too. What are you going to do? Keep them someplace else. They want to get up near the water. I think it's only right. It's only fair that they have a chance too. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Town Board on any matter? That being the case and without objection, adjourn."

There being no further business on motion or vote,
the meeting adjourned at 8:37 P.M.

IJP:nm



Irene J. Pendzick
Town Clerk