

Minutes of a Public Hearing for Terry Place, held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, August 25, 1992, at 7:00 P.M.

Present:	Joseph F. Janoski,	Supervisor
	Frank Creighton,	Councilman
	Harriet Gilliam,	Councilwoman
	James Stark,	Councilman
Absent:	Victor Prusinowski,	Councilman
Also Present:	Patricia Moore,	Town Attorney
	Barbara Grattan,	Town Clerk

Supervisor Janoski called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

-----

Supervisor Janoski: "Under the provisions of the Padovan Law which governs the placement of group homes in communities, there is a Section that allows the Town government to conduct a Hearing to elicit comments from the public concerning a proposed siting of such a group home. This Hearing is being held under that provision. We have representatives from New York State who are present and seated to the front of the Town Board and will listen attentively to your comments and concerns. Let me say that this is not an adversarial arena. I appreciate as does the Board the concerns that will be raised here. It is not a contest. It is, in fact, an opportunity for residents of the community to state specifically those things that are of concern to them regarding the siting of this facility. In a Public Hearing, we generally try to adhere to the five minute rule which means that each speaker will have five minutes to address the Board. We do, however, after everyone who wishes to be heard has said what they would like to, we will again recognize anyone who wants to come back again, and we will be here and take the time as long as it takes so that you have the complete opportunity to express your thoughts and concerns. But we adhere to that five minute rule so that everyone does have an opportunity who wishes to speak to address the Town Board. I will recognize the representatives of the State to make a presentation concerning the proposal and also to give you an opportunity to find out who they are. So recognize, wait a minute, we have a bit of business. The business is, yes, for the technical part of this, let the record show that the hour or 7:06 has arrived, and the Town Clerk will please read the notice of public hearing."

8/25/1992minutes

P U B L I C   H E A R I N G   7:00 P.M.

Barbara Grattan: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:00 P.M. on Tuesday, August 25, 1992, to hear all interested persons who wish to be heard regarding:

TO CONSIDER THE ESTABLISHMENT OF A COMMUNITY RESIDENTIAL FACILITY OPERATED BY THE LONG ISLAND DEVELOPMENTALLY DISABLED SERVICES OFFICE LOCATED AT 25 TERRY PLACE, RIVERHEAD."

Supervisor Janoski: "Thank you. I will recognize the spokesperson for..."

Denise Ridge: "Is this working? No. It is working? Okay." Good evening, as the Supervisor mentioned, we are here to represent the New York State Office of Mental, you can hear me?"

Supervisor Janoski: Yes, please state your name."

Denise Ridge: "My name is Denise Ridge. I am the Director of Program Development for Long Island for the New York State Office of Mental Retardation Developmental Disabilities. All of the people here tonight are also obviously representing the New York State Office of Mental Retardation and Developmental Disabilities. Before I introduce the individuals that are sitting to my right, I'd like to first thank everyone for coming this evening, and for giving us the opportunity to explain to you a bit about our program and the proposed program that we would like to develop at the projected site at 25 Terry Place, Riverhead. To my immediate right is Mrs. Helen Zingale. She is the program developer and she's responsible for the development of this specific site. To her right, is Mr. Mark Davis, who's a Director of Program Operations for the State programs, and to his right, is Tony Marino, who is the team leader for the day to day operations of the existing programs of the State of New York. They would like to give a brief presentation about the program, and then would like to respond to any questions and other concerns that you might have. Thank you."

Supervisor Janoski: "Pass it down unless you'd like to take the podium. It would probably be better facing the audience."

Helen Zingale: "Okay, can you hear me? I'm Helen, can you hear me?"

8/25/1992minutes

"That's the recording mike. The other mike is the public."

Helen Zingale: "Hi, I'm the program developer on this and I would like to tell you a little about our program of developing group homes for the disabled, developmentally disabled, in New York State. It's an ongoing program which has been going on for about 20 years, and I would like to tell you a little bit about the process. We identify a site, we have a feasibility report that we have assigned to an architect to determine whether it's practical for us to use a particular home for a particular program. And we also have an independent appraisal made to determine the fair market value of the home. Once these reports come in and they're reviewed by various people, the owner is requested to sign an option while we go through the rest of the process. The rest of the process includes the 40 day notice which we give to the municipality, to your Town Board. We have done this and we are at that point. And the Town, as Mr. Janoski has indicated, has opted to have this public information hearing to answer any questions you have, to listen to your concerns and your comments. After the, during the 40 day period, or by the end of the 40 day period, the municipality has one of three ways in which they can respond. They can respond by indicating that they think this is a good place for this house and accept the project. They can offer an alternative site to us for our review and consideration, or they can indicate that this is not a good place for the house to be because that particular house would impact on the neighborhood and change the character of the neighborhood. Once that process is completed, there are many reviews that take place within the Office of Mental Retardation, and within and definitely must be approved by the Division of Budget, which is a State agency that has financial guidelines for these programs. And, at some point, the house is purchased if we go along with it, it is purchased and if there are any renovations that have to take place, there are renovations that are made, and at the completion of those renovations, the residents move in. This is a house for four non-ambulatory people who will be living there. I will say that we have over 200 homes, group homes, scattered throughout Nassau and Suffolk County, and at this point, we have over 2,000 people who are served in these homes. I'd like to turn the mike over to Mark Davis, who will tell you

8/25/1992minutes

about the homes that New York State operates."

Mark Davis: "Good evening, ladies and gentlemen. My name is Mark Davis and I am the Director of the State operated community based residential services. The Long Island Developmental Disability Services office provides a wide range of services to individuals with developmental disabilities. Developmental disabilities include the following five categories: mental retardation; autism; cerebral palsy; epilepsy, and neurological disorders. The Long Island Developmental Disabilities Services office began its community based operation in 1980 and has since grown to 22 group homes throughout Nassau and Suffolk County. We have six in Nassau County, and 16 throughout Suffolk County. Our homes meet a variety of residential needs by providing structured and supervised community residences designed specifically for the designated population. These homes include barrier-free residences for persons with developmental disability who are also blind, deaf, and/or physically challenged. The homes are designed to insure that the developmentally disabled are afforded the same opportunity to live in the community as their non-disabled peers. Community residences are beneficial because they provide for the development of new skills and the opportunity to experience community activities, and the opportunity to travel into new environments. We are also committed to making these homes available to serve individuals who have lived at home with their natural families, when circumstances prevent the families from continuing to be able to provide that kind of care. Once open, we provide the opportunity for community input through the development of a community advisory board. We encourage participation of our neighbors and all local citizens to sit with us and join in the development and review of our programs. We would also like the opportunity to provide you with a tour of any of our existing group homes at your earliest convenience. At the end of the hearing, I'll be available to sign up any individual who would like to come with me and visit some of our existing homes. As Helen had indicated, the individuals who are proposed for our group home at Terry Place, are two males and two females between the ages of 33 and 46 years old. They are profoundly mentally retarded, they are non-ambulatory, and they need assistance in all activities of their daily life. Mr. Tony Marino is our treatment team leader who is presently supervising

8/25/1992minutes

a number of group homes in Suffolk County and he is going to give you a description of day to day activities the individuals would be involved in."

Tony Marino: "Okay, thank you. I thought it might be helpful if I gave you an overview of what a typical day would be like in the life of a developmentally disabled person who lives in the community. Right now, I operate four group homes in the community, three of them in Ridge, New York. They're each 16 beds apiece, and one of them in Old Field, New York, which is a 12 bed facility. Old Field has been open for 11 years. It's gone very successful in the community and we blended in very nicely there. The Ridge ICFs have been open for seven years and, likewise, we fitted in very nicely into that community. Basically, during the week, we get the individuals up somewhere around 6:00 in the morning, and go through a routine that we call ADL training, adult daily living skills training, trying to afford each individual the opportunity to maximize their skill potential by teaching them to the best of their ability to learn to care for their own needs. So, typically we'll start the day somewhere around 6:00 a.m., and we'll go through that ADL training which will include showering, toilet training, preparation for dressing, mealtime, and basically doing tooth-brush and things like that. All of the individuals that live in group homes do go out to full time day treatment programs, Monday through Friday from roughly the hours nine to three, like a typical school day for any of your children that live at home. Basically, a bus comes to pick them up like they do in any other neighborhood, a school bus will come, pick up the individuals and take them out to the day treatment program for the six hours of training. Upon their return in the afternoon, we usually try and do some leisure activities when they come in, you know, we'll get them out of their school clothes, put them in leisure clothes, and do some recreational activities. Then we'll do some more ADL training for dinner preparation, and dinner somewhere between five and six o'clock in the evening. And then generally after dinner we do, again, recreational kinds of activities, we participate in everything that's available in the community. Right now, in the other homes that we operate, all of the people that live there are participants in the Town of Brookhaven recreational programs. They're all participants in the Suffolk County Special Olympic programs which offers about 10 or 12 events a year plus training

8/25/1992minutes

programs. We go to the movies. We do everything that anybody else in the community does. On the weekend, again, we do some training, you know, we maximize everyone's skill potential in terms of what we can teach the individuals. We'll have barbeques, trips, sporting events, and we utilize what's available in the community pretty much that everyone else in the community will utilize. Basically, our staffing package, you have in an ICF or in an home that's being developed like this, you have a treatment team leader who, someone like myself, who oversees the day to day operations and insures for the program, the medical needs for the people that live there. Then you have 24 hour supervision, seven days a week, where you have an awake staff person that's always there to care for the needs of the people. Generally, we have a community residence director, who's the on site supervisor for the home that's available to foresee any problems to the staffing packages and so on and so forth. All the clinical services that these people would require are available to them based on what their need deficits are. Sometimes we plug in from the community, we'll go through HMO services, some state personnel, but if someone requires psychological services, they'll receive that. If someone requires physical therapy, they'll receive that service. So basically everything that is needed, is afforded these people based on what their particular needs are. Support services, we do have maintenance people that upkeep the house. We do have some grounds staff that, you know, make sure that our house looks as good as or better than the houses that are already in the community, so they are well maintained. And also we do contract some services out. You know, sometimes we'll use local businesses in terms of providing oil burner service, or what have you, so we try to bring back to the community things that we can purchase from them, and services that we can contract. In the case of any emergency, we do like anyone else does. We'll utilize the hospitals and facilities that are available in the community. Central Suffolk Hospital is a stone's throw away from this particular home and we've operated other homes in the East End of Long Island that have utilized those services and we've been well received in that area. Basically, all of the staff that work for the home, will be extensively trained prior to going into this home. We have a lot of people that currently are employed in New York State that are long term employees. They've been on staff for many, many years. Some

8/25/1992minutes

up to 20, 25 years. So by and large, it's not like you're getting a brand new staff person that's going to come in there and not be trained. By the way, all new employees that we do hire, do receive extensive training prior to us letting them work with these particular individuals. So, that's an ongoing process. In addition to that, all of the clinical services that are available to these people also make themselves available to do in-service training to the staff, so that as needs are identified and we work on particular goals to address individuals' needs, we'll also have the staff trained in those particular areas so that we can have a continuity in the delivery of services that we provide the individuals. Transportation. Every home that we operate has its own transportation. In this particular case, my guess would be that we'll have a van that will be equipped to carry four non-ambulatory individuals, that will have hydraulic lifts so that the people will be able to access onto that vehicle, you know, for our outings or whatever in terms of any transportation need we have, it's always available there. As Mr. Davis said, this will be a barrier-free environment. We'll have the doors that will be wide enough for wheelchairs, the toilets and sinks will be modified so they can accompany that. And one of the other things that Mr. Davis alluded to that's a very important of our operation I can speak firsthand of it, is our Community Advisory Board. In the homes that I operate right now, our CAB which is the acronym we use for it, is very active. They're very much a part of our organization. We meet monthly with them. They're sometimes very good and right on in terms of giving us ideas to improve the services we deliver and they're also very supportive of us. You know, they transition us into the community very nicely. We do a lot of fund raising events with them. Some of them have even signed up to become advocates for some of the people that live there. So I encourage you to come and visit any of the homes I operate, pardon me. Mr. Davis can set that up and I'd be happy to answer any questions for you. Thank you."

Supervisor Janoski: "Thank you. Are you..."

Mark Davis: "Yes I am. I was just going to add something. I just wanted to clarify for you that the Long Island Developmental Disability Services office presently has an institution on the grounds at Melville, New York. That institution has been designated as a closure facility which is one of the reasons we

8/25/1992minutes

are here talking to you tonight. Mental Hygiene Law and certain Court orders which is one of the reasons we're here talking to you tonight. Mental Hygiene Law and certain Court orders that developed through the 1970s and '80s mandated that the institutionalization system be put in place in the State of New York. Governor Cuomo this year has designated that the Long Island Developmental Disabilities Services office institution facility at Melville be closed by March 31st, 1993. My year straight, 1993. So that's a short time that we have to meet the Governor's mandate to close the facility which is why we're coming to the community to open group homes. So I just wanted to give you a little bit of history to that."

Supervisor Janoski: "Thank you. As stated, the Town Board is conducting this hearing under the Panovan Law and as we are the conductors of the hearing and here to take the testimony of the residents of the community, I've asked Deputy Supervisor Monique Gablenz and the Town Attorney, Patricia Moore, to make a presentation on behalf of the Town."

Monique Gablenz: "Thank you. When the Town received notice from the State of their proposal to locate a group home at Terry Place, included was a list provided by the State of the facilities, nursing homes, and group homes located in the Town of Riverhead. We have located these sites on a map and would like to review the locations and the capacity of the locations with the Board and the audience."

Supervisor Janoski: "Just state your name for the record, please."

Monique Gablenz: "My name is Monique Gablenz, Deputy Town Supervisor. Now we've listed each one and we've located them on this map. We've also put them on sheets for you so that you could follow a little bit easier because I know that you're probably not visible around the rear of the room. The first facility that we have located is a group home on South River Road in Calverton, and that is right here, located right here. And you'll see, we have any institutions showing as a blue dot; group homes showing with a green dot; nursing homes showing an orange, and we have the one facility, the proposed group home which is marked in red. This first site has a capacity of nine

8/25/1992minutes

and is a group home and is a non-exempt facility. So it does pay taxes. We've tried to provide you this information on each site in the Town of Riverhead. The second we have is Central Suffolk Hospital which is located right here. This represents, this has several colors. We have, the State has listed two nursing home facilities and we have one blue institution. For this particular listing, the capacity is 60 for the nursing home, and Central Suffolk Hospital is an exempt facility. It's tax exempt. The third we have is Henry Perkins Home which is located right here. That is a nursing home and that's a capacity of 120 and that is a non-exempt facility. The fourth we have is on Hilton Court and that is located in Aquebogue, that's located right here, and that capacity is 10 and that is an exempt facility. The fifth we have is South Jamesport Avenue, which is located right here. South Jamesport Avenue is a group home, has a capacity of eight and that is a non-exempt facility so it does pay taxes. The sixth we have is Little Flower. Little Flower is located here and, once again, it has several designations. We have it listed as an institution and then it also has several cottages for group homes. This particular listing is a group home and has a capacity of 10. Seven is the Riverhead Nursing Home. The nursing home is shown here. Once again, this facility has several designations, as an institution and as a nursing home facility. In this particular category, it has a capacity of 60, and is listed as a nursing home. We've tried to make very general categories here. The State has very specific definitions of every facility. We have tried to make it very general so everybody can follow. So that it's simple and it's a little bit easier for us to categorize. Number eight is a group home located on Sound Shore Road which is this facility right here. This facility has a capacity of eight and, once again, is a group home and is an exempt facility. Number nine again we go back to the Riverhead Nursing Home which in this particular listing, is a category of an institution with a capacity of 181 and is a non-exempt facility. Next we have a group home at Middle Road, which is located right here. This has a capacity of 10, and is an exempt facility. On the next we go back to Central Suffolk Hospital which we spoke of earlier. In this specific designation, they have it categorized as an institution and has a capacity of 150. Number 12 is Little Flower which we spoke of earlier. In this particular listing, they have it as an institution and it has a capacity of 92

8/25/1992minutes

people. And once again, Little Flower was tax-exempt. Thirteen, we have Riverhead Nursing Home once again and in this particular listing, they have it categorized as a nursing home and it has a capacity of 181. And the Riverhead Nursing Home is a non-exempt facility. Number 14 is 542 Roanoke Avenue which is located right here. This is a group home that has a capacity of seven and is an exempt facility. Number 15 is Lincoln Avenue, which is located right here. That is a group home that has a capacity of eight and is an exempt facility. Number 16 and 17 that the State had listed under the Town of Riverhead, is the Suffolk County Correctional Facility and the Suffolk County Honor Farm, which is shown right here by these two blue dots. We recognize that these two facilities are not within the boundaries of the Town of Riverhead, but do fall within the boundaries of the Riverhead Central School District, and do directly impact the support services which are provided by the Town of Riverhead. These classifications, the Correctional Facility has a capacity of 555 and the Suffolk Honor Farm has a capacity of 410. Our next one, number 18, is Timothy Hill Childrens Ranch. Timothy Hill is located right here, and this is a group home which has a capacity listed as 10. That is the current capacity of that facility, however, they have sought special permit approval to increase their capacity and that is up to 72. The capacity of that facility is 72. We have number 19, is 510 Washington Avenue, and that's located right here. This is a group home which has a capacity of three, and number 19 is a non-exempt facility. Number 20 is 15 Elton Place and that is located right here. That again is a group home and that has a capacity of three, and is a non-exempt facility. Next is 719 Harrison Avenue. This is located right here. This again is a group home which has a capacity of three and is a non-exempt facility. We have included several locations that were not included on the State listing, but are facilities that aid to the developmentally disabled or provide some other service and we wanted to review those as well. We have listed and included the Lovem Shelter which is a group facility that's located on West Main Street in Riverhead, and that is located right there. The capacity for this facility is 26, and that is a non-exempt facility. There is a group home of Aid to the Developmentally Disabled that's located on Main Road in Aquebogue which is this facility here. That's a group home that has a capacity of 10 and is an exempt facility. We have

8/25/1992minutes

what has been know as the Bayview Hotel, which is a group home for disabled veterans which is located in Jamesport, which is right here. This facility has a capacity of 27, and is a non-exempt facility. We have again listed Little Flower on North Side Road up here. This particular listing designates a capacity of 10 as a group home. We also have a group home for young adults that has been known as Madonna Heights which is located on West Main Street, right in Riverhead, and that is located right here. That facility has a capacity of eight, is an exempt facility. The last on our list which is number 27, is the proposed siting of Terry Place, which is right here. And that facility, again, is proposed to have a capacity of four. Well, 27 sites may not be significant to some in a Town the size of Riverhead. The number that has to be looked at is the capacity of these sites. And when you add that all up, the number is significant. Pat, could you just put up that other board right there. The total of all, the capacity of all of these facilities, it means the number of individuals that can be placed in these residences in the Town of Riverhead, is 1979. Now, the comparison that has to be made is how this contrasts to the other Towns that surround the Town of Riverhead. Our population is 23,011. That means 8.6 per cent of our population is represented by people that reside in these facilities. Shelter Island has zero capacity for the residents of these individuals which means they have a zero per cent of their population. East Hampton has a capacity of 36, which means that they have a .2 per cent, that's .2 of 1% of their population that can reside in these facilities. In the Town of Southampton, they have a total capacity of 388 which means that .825 of 1% is their total capacity. Brookhaven has a total capacity of 5,391. Brookhaven's total population is 410,000. Therefore, their percentage of population is 1.31%. The Town of Southold has a total capacity of 311, their total population being 19,836. The percentage of population is 1.567. These are the figures that we would like the Town Board to consider and then question of saturation on the location of this group home and other proposed as well."

Supervisor Janoski: "Thank you. Let me ask a further question. We have figures on other social programs in the Town of Riverhead which have been provided to us by the County of Suffolk. I think it's worth mentioning. The placement of Social Service clients in the Town of Riverhead, do we have,

8/25/1992minutes

while not directly related, it is another kind of placement in the community."

Monique Gablenz: "We did not bring those papers in with us but the numbers are substantial as to the placement of Social Service recipients in the Town. Another figure that probably should be looked at with regard to the location of these facilities is that you noted that many of these facilities are tax-exempt. That means that they do not pay taxes in the Town of Riverhead. We had the Assessor's Office review for us those facilities that are exempt and we asked them to calculate for us the loss in assessed value on property from these facilities that have located and that aren't tax exempt. The number in the loss of assessed value is \$30,182,800. That's a loss in assessed value, that's not dollars, but that's loss in assessed value which equates to dollars. Equates to tax revenue ..."

Supervisor Janoski: "Thank you. Okay as stated, you will now be given the opportunity to state your thoughts and concerns and I would ask that you come up to the microphone as you are recognized, state your name and address for the record, and address those items that are of concern to you or questions that you might have. If you would, and you do have questions, just state them and then we will recognize the representatives of the State to provide the answers. Now, getting the first person is always difficult and it's good to recognize some faces that I have seen so many times but not here and Tommy Block, it's good to see you here. But Walter wants to go first."

Walter Paulick: "Good evening Mr. Supervisor, members of the Board, members of the State, my neighbors. I'd like to reserve my personal remarks for some time later on in the meeting, but I would like to present a Petition to the Town. The Petition is signed by approximately 104 parties who are direct neighbors of this facility. I happen to live at 30 Terry Place, which is directly across the street from this proposed facility. I'd like to read the Petition before I present it to the Supervisor. It says: Dear Supervisor Janoski: Attached please find Petitions signed by area residents opposed to the location of the community residential facility located, excuse me, proposed for 25 Terry Place, Riverhead, New York, by the New York State

8/25/1992minutes

Office of Mental Retardation and Developmental Disabilities. The concern, excuse me, the concentration of New York State operated and/or licensed facilities in the Riverhead area, in addition to the lack of services, makes this site selection less than desirable. Please note that there are no sidewalks, poor lighting, no public transportation, no recreational facilities, and serious concerns regarding snowplowing of these secondary residential streets. The area residents who have signed this Petition, look for the Town Board to support our position and offer the State an alternative site which will better address the needs of the State and the individuals burdened by developmental disabilities. We look forward to your support. I signed on behalf of the 104 Petitioners. And again, I would like to reserve my comments for later on."

Supervisor Janoski: "All right. Thank you Walter. If you would present that to the Town Clerk, it will become part of the record of this Hearing. Phil?"

Philip Kenter: "Good evening, good evening."

Supervisor Janoski: "This brings, the black one is the amplification."

Philip Kenter: "Good evening Town Board and members of the State, and all my fellow neighbors and I see all my neighbors here more than I see them in the neighborhood sometimes. I wanted to address the Town Board at this Public Hearing, as I had sent away for some information, did a little research and I have a few questions I'd like to raise and a few comments. I wrote away for your, the New York State Impact of Community Residences upon Neighborhood Property Values report which is dated July of 1984, of which your Department provided to me after two weeks. I'd like to start off by indicating I truly don't believe 40 days is enough time for the community to research this issue, develop conscientious opinions, and obtain facts, as we all work, jobs, other commitments, and I think that is something that should be looked at as a separate issue. Through your own report and admission on page 3 of that 1978 Wolpert Study that, and just for those that don't know, the Study was conducted in 1977/1978 concerning the impact of these type of group homes in communities, and it's known as the Wolpert Study, so that's what I'm referring to are pages within this Study. On page 3 of that 1978 Wolpert Study, no research or analysis was done locally on Long Island during that Study of

8/25/1992minutes

which you substantiate so many of the facts. In fact, no study was done in Riverhead at all. You state that the method of regression analysis that was used but said it did not include any study on Long Island communities. Therefore, your study indicating that there is no impact on residential values is incomplete and inconclusive. Your own study on page 4 admits that houses in test areas took longer to sell than in areas that did not have such homes. According to page 9 of your study, there are multiple agencies which can place a group home, including the list your provided on that very next page on page 10. Statistics, as we all know, can be manipulated to reflect whatever one wishes to show. However, in your study, using mode, median and mean as well as sampling areas factor variables and skew spread methodology, which were the basis of your primary research compilation, your own statistics are misleading. Your proximity ratio does not reflect Riverhead Town by its census. That census currently includes other New York State obligations and demands that the recent recession and other consideration should be looked at. In 1977/78 when the Wolpert study was performed, economic conditions were substantially different than in 1992. Six out of seven homes that were subject to testing in 1977 on page 19 of your report, show that even then, sales of homes decreased or, at best, remained the same with an increase in the time necessary to sell a home. Your report concluded on page 20, that no adverse affects exist with the establishment of group homes, yet the regression analysis and actual facts show there was a significant impact. The research bibliography on page 21 of your report, primarily came from Michigan, California, Wisconsin, Illinois and Ohio. Why was there nothing from New York other than Wolpert study in 1977 which covered only a few homes? And according to Mental Hygiene Law, Section 41.34 page 26, Subchapter C, paragraph 1, New York State, must disclose exactly the usage of the facility and provide the Town of Riverhead with other alternative site considerations in addition to the one proposed. In other words, it is up to you to provide this, not just rely on the ability of this community to do it for you. I ask does New York State have other site proposals to render to Riverhead Town? The Wolpert study admits on page 39 of its report, that originally five Long Island homes were to be studied to identify the impact of the home on the community over a two year period. This was to be done via telephone to include community attitudes and opinions from a three to four block radius. Four of the five homes which

8/25/1992minutes

were to be included in that study were not due to "various undisclosed reasons." Therefore, the report conclusion results were derived from only one home on Long Island and not five. And looking at the maps provided in the plan, from the west end towns, group homes that are currently in place are located in more densely populated areas that are near major highways, near medical, shopping, education and therapeutic areas. These maps and site locations are not proportionate to the streets and highways in Riverhead. In short, you are not playing on the same level ballfield. In conclusion, it is the obligation of your agency and that of Riverhead Town to look at alternate sites, locate an appropriate amount of homes proportionate to the population of Riverhead, locate those homes in more conducive settings where such residents are closer to the amenities they require while not saturating this community which will also burden the other community services we render, such as fire, police, medical, ambulance, educational and other agencies funded by the citizens of this Town. It is further your agency's obligation to provide highly trained and competent staff to operate this facility and ensure that the rest of the citizens of this Town are not subjected to individuals placed in that home that may be dangerous to themselves or others. Thank you very much."

Supervisor Janoski: "Thank you Phil for that very thorough presentation and a flashback to some of my most unhappiest college days and those were courses in statistics." Who wishes to address the Board? Yes sir. Mr. Bilski."

Pete Bilski: "I'm going to try to keep this short. I live at 100 Meadow Lane, name is Pete Bilski. And I'm within one empty lot and three houses from this site. And I would just like to go on the record as saying that I believe that the Town of Riverhead is overpopulated with this type of home. Thank you."

Supervisor Janoski: "Thank you, Pete. Anyone else wishing to address the Town Board? Tommy, I almost like to save you for the very end, but go on."

Tom Block: "I don't think I can top Phil. Nobody can top Phil. I'm Tommy Block. I live at 21 Flora Lane. I'm just sort of a half a block away from the facility that's proposed. I would like to ask the people toward my left over here, you

8/25/1992minutes

talked about Nassau County. How many houses did they have, facilitywise? Six, I think you said."

Mark Davis: "We have six State operated in Nassau County."

Tom Block: "Suffolk County has how many?"

Mark Davis: "I have 16 State operated in Suffolk County."

Tom Block: "That's a poor ratio, isn't it? I really think it's a poor ratio because you're talking 16 in Suffolk County, six in Nassau County, and they're just as big as Suffolk County. Possibly bigger, okay. I just want to go on record that I'm against that facility being placed here, because again, oversaturation. I think you ought to look at the other facilities in other counties besides Suffolk County. Thank you very much."

Supervisor Janoski: "Thank you, Tom. Who is the other, Mr. Hubbard?"

John Hubbard: "My name is John Hubbard, I've lived in Aquebogue for 50 years of my life, and I honestly believe that this type of neighborhood that this house is being proposed, is not the right kind of neighborhood. It is a very small community. Looking at the size of Riverhead, I think there's many, many other places that could facilitate this much, much better. I have a daughter that is building a house right now a block away from this house, and she has one child that's going to be two in October, another one on the way. I don't think she should live in a neighborhood, and if she knew this before this house was half built, she probably would not be building the house. That's all I have to say."

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

Charles Terry: "My name is Charles Terry. I reside at 114 Meadow Lane, Riverhead. In my good days, I could throw a stone with my left hand or a baseball over to the home that we are talking about. Little old now. I was also interested, Mr. Supervisor, in seeing that my namesake is with Supervisor on three occasions in the Town of Riverhead. I'm proud of that."

8/25/1992minutes

Good evening to those persons representing the New York State Office of Mental Retardation and Developmental Disabilities, to the members of the Town Board, and Mr. Supervisor, and my good neighbors. I fully realize this evening that but for the grace of God, I could be one of these persons to be placed in a group home. It would appear that these individuals who are being placed in a group home, in group homes, by the agency represented here this evening, in lieu of an institutionalized facility is deemed to be in their best interest. I would hope that along with this, a great amount of thought is being given to people such as these in placing them as close to family members as possible. Visits from family relatives, friends, brings sunshine into their lives, and nothing can take its place. Having said this, I must tell you, that I have a strong belief in Judeo-Christian principles. These principles are the basis for the most of our laws and the land of this United States, as well as many established institutions. When learning of this matter that is before us this evening, I came to a decision after much questioning, listening, thinking, and yes, praying. In the best interests of all the severely retarded, my neighbors, my Town of almost 66 years, and myself, I feel that I must raise my voice as feeble as it may be against this proposal of a group home at 25 Terry Place. It will be pointed out that there are alternative sites which provide sidewalks, a Town sewer system, better parking, considerable more space for outdoor activities, easier access to public transportation, and numerous other factors which 25 Terry Place is lacking. In addition, it has or will be pointed out by the Town Board that the Town of Riverhead, our Town, has already taken its fair share of State projects such as this, or variations thereof. Today, there is a common thread which runs through the citizenry of these United States. That thread is one of a vast distrust in government be it federal, state, county, city, or town, and without elaborating a case in point was the peoples trust behind one Ross Perot. I say respectfully to those who represent this agency this evening and to the Commissioner, 25 Terry Place is not the location for said facility. I urge you to carefully review what you have heard and will hear this evening, and the data that will be submitted to you. In so doing, I believe within your heart, you will do the right thing by denying this facility at 25 Terry Place as well as in the Town of Riverhead. I would like to believe, too, that such a decision based on the facts presented would be a small but important

8/25/1992minutes

step in restoring some confidence back in citizens toward their elected officials and those persons they appoint to high offices of responsibility. Thank you for your attention and consideration."

Supervisor Janoski: "Who would like to be next? Is there anyone else present wishing to address the Board? Yes sir."

John Reichel: "My name is John Reichel. I reside at 15 Flora Lane. My name is not on the Petition, but I will sign it tonight. I've been involved with the handicapped for a number of years, the disabled, and with the blind in the community and my feelings are very strong. I do feel, however, that this facility, not because of the proximity to my home, because I strongly disagree with our present Governor so strongly that I changed my political affiliation after 62 years. His taking people out of facilities that are fantastic, adequate good medical coverage, protection, everything, and putting them into facilities that are remote from the needs they have as far as doctors and special attention. I think it is really wrong. I want to thank Monique for the presentation tonight. It was very good, but I hope you guys stand behind us as much as you can, because I don't feel that this is the proper place for it. I feel that the people are going to be deprived of the things they have now, the facilities they have now, the recreation they have now, and whatever. Thank you."

Supervisor Janoski: "Thank you."

Thomas Groneman: "Good evening. My name is Thomas Groneman. I live at 9 Terry Place, the property adjoining the one in question. I oppose the proposal because of the saturation issue, and that as other members here of my neighborhood have suggested, it's not an adequate facility for the mentally impaired no matter how you garnish it as the Board has and how they will be treated and what have you. It seems to me that the underlying issue here is that on March, 1993, something's going to happen that none of the members of the Board would like, although they're proceeding with it as best they can. That is the closure of facilities that are as Mr. Reichel suggested, adequate and more appropriate than the dispersal amongst rural community neighbors. I think that if anything the Board should be a little bit more honest with what is about to happen on March, '93. Do they really believe that community

8/25/1992minutes

neighborhoods are better than a facility that can care for them adequately and more economically. Thank you."

Supervisor Janoski: "Way in the back there."

Elizabeth Wivczar: "Good evening. My name is Elizabeth Wivczar. I'm a life-long resident of Riverhead. I'm currently residing at 31 Wesley Place and I am opposed to using the site at 25 Terry Place as a location for a group home. I am, however, a proponent of mainstreaming the handicapped. For eight years I worked at Riverhead High School facilitating the mainstreaming of educable mentally retarded youngsters between the ages of 14 and 21. As a public high school, Public Law 94492 required us to ensure that students were given every opportunity to learn in the least restrictive environment possible. The Padovan Law clearly seems to be an extension of this philosophy. The question is this. Can this be accomplished at the site at 25 Terry Place? Unfortunately, the answer is an emphatic no. Since the site at 25 Terry Place has no sidewalks or adequate lighting, your clients will be deprived of a walk during the days or a glimpse of moonlight at night. Since the site at 25 Terry Place is stranded away from stores and restaurants, your clients will be deprived of interacting with others, or even in the simple pleasure of dining out. Since the site at 25 Terry Place has no parking available and mass transit is far removed from the area, your clients will be deprived of family and visitation by friends. In short, your clients are being moved from an institutional setting only to be placed in another much smaller, much more restricted institution where they will have fewer freedoms, fewer services, fewer interactions with their loved ones. The only option that would truly comply with the mandate of the Padovan Law is to locate your clients in an alternate site where they can have the rich and full life which they so desperately need and deserve. I thank you."

Supervisor Janoski: "Thank you. Mrs. Anker."

Lana Anker: "Good evening. Lana Anker, 34 Daly Court. I live a few blocks from the house that you're speaking of, and I'm by no way against any kind of group proposal. I came here with a very open mind. Looking at the statistics that the Assistant Supervisor presented, I don't see how the people from the State could sit here and even possibly think of situating another facility in our Township. We are so dreadfully so

8/25/1992minutes

overburdened. We have an obligation to take care of our own people. We have an obligation to take care of family members of people who live in town, some people who are homeless. We have a moral obligation to do that. But to consider putting another facility in our Town when we have 8.6 per cent. We are so far outweighing any other community on the east end and, undoubtedly, any other community in Nassau County where physically we might be the same size, but population, there's no comparison. I don't see how you could sit here and even go one step further and consider this."

Supervisor Janoski: "Thank you Lana."

Bob Ziedel: "My name is Bob Ziedel and I live at 15 Wesley Place. I work at the Suffolk County Nursing Home in Yaphank. We have 235 patients there. We have 200 in wheelchairs. We are well equipped to take people in wheelchairs, but yet we have to go out of State to get people to fill our facility. Why? Why don't you put some down there. We could use them. We have empty beds. Thank you."

Supervisor Janoski: "Is there anyone else wishing to address the Town Board? Rick? I'm sorry, Bob. I always get the two of you confused."

Bob Boden: "My name is Bob Boden and I live at 66 Meadow Lane, which is a block or two away from the facility. I'm basically opposed to the facility for most of the reasons that were already stated here. I mean, after looking at this, I was told if you prove saturation, that that's a way that we could get rid of this. If that doesn't prove saturation, I don't know what does. I'm also, I have two little kids and one on the way. I'm in for the long run. I'm not so sure that the State can guarantee me that four people that are bedridden will be there by maybe somewhere down the road, we'll have a methadone clinic or ex-convicts in there. I'm not sure what kind of guarantees they can give me, you know, I have 30 more years to pay for my house, so. Thank you."

Supervisor Janoski: "Are you coming up?"

Karen Paulick: "Good evening. My name is Karen Paulick and I live at 30 Terry Place, directly across the street from where this group home is going to be proposed to be established."

8/25/1992minutes

I had written some things and Monique had pretty much covered everything I wanted to say about the number of group homes in the Riverhead area, but this will directly impact my life and my son's life. I have a three and a half year old boy who plays in the yard, who plays in the street. We have young children that ride their bicycles around and my concern is with my lifestyle, with people coming in and out with shiftwork, where are they going to park, with people coming to visit these people, certainly they have family, friends, that most definitely will come and visit. And I just see it changing my neighborhood. I have lived here for 40 years. I've had my home for 12 years and I just want to go on public record as being opposed to this establishment of this facility. But I do have one question that I want to ask. Since I've lived here for 12 years, I'm familiar with the house. You say they'll have activities on the weekends and that they're going to take them places. Well, from when I've been in the house, not in the house but in the yard, there is really no backyard. Where are these people going to have their activities. There's, I mean the land, the way the house is situated on the lot, the yard is in the front and the side and there is nothing in the back. So, therefore, are these patients going to do their activities in the front yard? I mean, where are you going to put them? I mean where are they going to do their activities?"

Mark Davis: "There is an area behind the house for outdoor activities. It's, granted it's not a large area, there's only four individuals. But we utilize most of our recreational resources throughout the Town. We go to public parks and recreation areas. We take numerous amounts of trips with the individuals. We will be outdoors, around, we will not be in the front of the house. That will not be our recreation area. We don't intend to sit out on the front porch."

Karen Paulick: "Okay. And I, from what I understand, this is going to be a shift house. So every, how many hours is a shift, and I was also told between one and three people are going to be taking care of these people. So."

Mark Davis: "That's correct."

Karen Paulick: "So where are they going to park?"

Mark Davis: "It's a three shift operation. Every eight hours we change shifts. Shifts change between six, roughly six

8/25/1992minutes

and seven a.m. in the morning. Shift change between three and four in the afternoon, and approximately 10:30 to 11:30 at night."

Karen Paulick: "Where are you going to park these shift people?"

Mark Davis: "They will park in the driveway of the house or in front of the house."

Karen Paulick: "Okay."

Mark Davis: "There's parking for three vehicles. There's a garage as well."

Karen Paulick: "And the van? The van and three people. Isn't that four?"

Mark Davis: "The van, the van will be parked in the driveway."

Karen Paulick: "Okay."

Mark Davis: "And then one or two vehicles of the staff that come to the house."

Karen Paulick: "Well."

Bob: "What about visitors and staff members?"

Supervisor Janoski: "Bobby."

Karen Paulick: "Okay. Anyway, I just want to go on public record. Thank you for answering my questions, as opposed to this facility and I hope the Town Board takes all of our concerns into consideration."

Supervisor Janoski: "Okay, you have been really terrific as far as the way things have gone thus far and Bob later on if you wish to be we will recognize you, but right now I saw two hands over here, is that Bob? Yes."

Robert Hodge: "Mr. Supervisor, members of the Board, members of the State organization. I just wish to stay away

8/25/1992minutes

from the philosophical discussions about this place. My only concern. Oh, I live at 20 Flora Lane. It's right on the corner of Terry Place."

Supervisor Janoski: "And tell us who you are."

Robert Hodge: "Yes, Robert Hodge, I'm sorry. Now, I honestly say that whether I lived where I live or anyplace else in the Town of Riverhead, my objection would be the same. And its based simply on the fact that I don't believe that the State has assiduously searched out the proper facilities in other parts of Suffolk County, particularly our five eastern towns, our four, our other eastern towns. I think that the obviously the record will show, that a facility such as this with all the deficiencies it has, and the few amenities that it affords for this type of operation can be found almost anyplace at the price that you're paying. And I think that it's obvious when the testimony is heard, that there is an undue emphasis on placing facilities in Riverhead as opposed to our eastern and southern neighbors. And I emphasize that in the first instance, I don't think that the proper effort was made on the State's part and I respect, I mean expect, that the Town will put forth its best effort to support the denial of this application based simply on the fact that we are over-saturated and that Riverhead has done its fair share in this effort. Thank you."

Al Birnstein: "My name is Al Birnstein and I live at 14 Terry Place, and I would like to ask anyone of the four people from the State just for a clarification. It was stated that 24 hours a day, seven days a week there would be a team of two people supervising at the house. Is that correct?"

Mark Davis: "No, that's not. There will be 24 hour supervision seven days a week. Anywhere from one to three individuals would be at the house."

Al Birnstein: "All right. So if there's three individuals there at the same time, we're talking at least a team of eight people to cover that period of time, eight supervisors."

Mark Davis: "No, no. Three staff members would be a maximum that would be on duty on a shift operation. During

8/25/1992minutes

the day we might have three people, at the night shift we might--"

Al Birnstein: "But you have to have people with days off. I worked shift work for many years."

Mark Davis: "I'm talking on duty, on duty."

Al Birnstein: "Right, but in the actual employ involved in the employment of that house, you will have at least eight people employed to cover the shift."

Mark Davis: "That's correct."

Al Birnstein: "Days off."

Mark Davis: "Eight is a fair number."

Al Birnstein: "Time off. Eight State employees for four people. That's what you're saying. I find that incredible. What is the ratio at Long Island Developmental Facility? For a patient to employee?"

Mark Davis: "If the question you're asking is, is it cheaper in the community, the answer is yes."

Al Birnstein: "Is it cheaper in this community? You mean, what you're saying is there are 250 people in Long Island Developmental Facility with 500 employees."

Mark Davis: "If you want to know what the cost is, the cost of a bed in the community today is approximately \$80,000 a year. Compared to institutional bed which costs the State \$115,000 a year."

Al Birnstein: "The question I'm asking is, is the ratio at Long Island Developmental Facility or any of the other facilities like in Old Field, the ratio of two to one?"

Mark Davis: "Is the ratio, yes, in some of my other State homes, two to one."

Al Birnstein: "It is. I find that fantastic. Thank you."

Supervisor Janoski: "Is there anyone else present wishing

8/25/1992minutes

to be heard? Walter? Okay."

Jane Groneman: "Hello, my name is Jane Groneman. I live at 9 Terry Place, and I would just like to go on record that I am opposed to this dwelling because of oversaturation in the Town. Thank you."

Supervisor Janoski: "Thank you."

Bob Zagorski: "My name is Bob Zagorski. I live at 27 Wesley Place, and I personally can talk as reference to handicap and what have you. I personally feel that where you are going to put this house, I would not want to be in it because we just don't have the facilities. That's all I want to say about it."

Supervisor Janoski: "I knew you couldn't resist."

Dolly Ziedel: "I'm Dolly Ziedel. I live at 15 Wesley Place. I'm opposed to the house because I've been in the house. It's very small and I don't know where you are going to put all these people. Thank you."

Supervisor Janoski: "Thank you."

John McKavish: "John McKavish, and I just wish to go on record that I oppose this on the grounds that Riverhead is very well saturated with this type of house. Thank you."

Supervisor Janoski: "Thank you. Mr. Podlas."

Paul Podlas: My name is Paul Podlas. I live at 49 Meadow Lane with my wife, Dorothy, and we would like to say we were there in '53, '54. In fact this area was nothing but woodland at that time. And one of the things I would like to point out, we worked hard and all my neighbors have worked hard to develop that area. We take care of it. We have pride in it. Very important to us. I think we have a beautiful community and I'm not all sure that the State in the future to come can put other type of people in this home. I, as an individual, am not against taking care of sick people or somebody who has a disability. But I would like to ask one of the representatives of the State if I'm correct, did you say that there is 16 homes in the County of Suffolk? How many are in Riverhead out of the 16?"

8/25/1992minutes

Mark Davis: "The 16 that I refer to as State operated and State run, there are a number of other homes."

Paul Podlas: "But how many of your homes are in Riverhead?"

Mark Davis: "I have no State operated group homes."

Helen Zingale: "There are in the Town of Riverhead operated and licensed by the, my office, the Office of Mental Retardation, a total of two, five, seven homes with a total capacity of 60 individuals."

Paul Podlas: "Are they all property tax exempt or do they pay property taxes?"

Helen Zingale: "No, they are all exempt."

Paul Podlas: "So basically my wife and myself, we've been there for all these years, we are paying taxes, and the State walks in and takes our facilities, our policemen, Mr. Boden here is a Detective. He's required to answer calls. We have a Fire Department. We have to pay a salary for our Town Board. I think it is patently unfair. And again I'll say it. It is not because it is in my backyard. Nor am I against taking care of sick people. But I am sick and tired of the State and everybody else dumping on the Town of Riverhead. And I honestly consider this a unproportionate portion that we are getting, and like our Assistant Town Supervisor said, I think 8.6. Maybe it's not all you people. But I would hope you people represent the State that maybe it will get back to some higher-ups because we at the grassroot are getting sick and tired of the State walking in, and the County, although you are not County people, walking in and telling us what to do. We have a home I hear through rumor, well like a home is in existence, but I hear through rumor, it had 23 building violations. This happens to be I think is Hilton Court is the last located one, and obviously the State just convinced it's fine. We can do what we want. I've been in construction trade 43 years. I have to work under State laws. Yet I still think it's so unfair. There has to be a better way and a more fair way to take care of these people. And again, not because in my backyard. Not because like I say my wife and I been there since '53, and there was all woodland where we are talking about right now. But I'm just opposed to Riverhead like I said

8/25/1992minutes

before, and it seems we'd be getting all the dredges of the State dumped on us and I think you people should consider that and I wish you would go back to the State and also change this law instead of forcing us to say, well we don't want it in our backyard. Let's put it in Joe Blow's backyard. Then Joe Blow comes up. He says we don't want it. I mean putting the pressure on us, putting the pressure on the Town Board. They represent everybody. There has to be a more fair way, and I don't think it's fair what's happening to us. Thank you very much."

Supervisor Janoski: "Thank you. Anyone else present wishing to address the Board? Walter?"

Walter Paulick: "Hopefully I'm the last speaker so you ladies and gentlemen can go home a little early this evening. But I would like to make the comment is we have had a number of neighborhood meetings. We are not a civic association and I think you have come to the realization that we have a pretty competent and organized group of residents there. We have some very eloquent speakers of which I am embarrassed to follow some of these people here this evening. Enough said with regard to that. I would like to go ahead and ask the State if the State in effect would go back and give serious consideration to the saturation issue. Because I think when you go ahead and look at your numbers, that there's no question that you do have an oversaturation. I would also like to go ahead and tell my neighbors that although we do get frustrated with the State, the Town, the County, et cetera, we should also realize that there were two gentlemen who made a great reputation in the news media by taking care of a news coverage on the facility commonly referred to as Willowbrook. Willowbrook is some 20 years ago, was John Johnson and Geraldo Rivera, both of them came to fame as a result of that investigation. As such, the State is under a mandate to go ahead and place the 225 or 250 residents out into the community. This is something that we cannot change as a community nor can the Town go ahead and change that as a Town Board. I would like the State to go on back and do some more due diligence with reference to the site location, the saturation of the area. Should the State deem that this facility is still warranted in Riverhead, I would also look to our Town Board to go ahead and find alternate sites and work with the State on placing these people. I would

8/25/1992minutes

also like the State to come on back and work with the Town on saying what are the number of facilities that you will ultimately be placing. Of the 225 or 250 remaining patients at this facility, how many will come back to Riverhead and the State will work with the Town in good faith. I know that this community, as you've heard, I've heard some very heart wrenching stories when I've gone by and asked some people with Petitions to sign the Petition, and you find out that there are a lot of people that are affected by disabilities, mental retardation, et cetera. It's heart wrenching. I also agree with some of my neighbors that it's really unfair for us to shift the burden. It's wonderful for me to stand up. I am the most affected of all these residents here and the lovely blonde lady in the back who spoke earlier. Because you literally come out of this driveway and if you don't turn your steering wheel in either direction, you can go right across the street and land at 25 Terry Place. However, I'm also a compassionate person. I work with an organization that the State works with called the Working Order of Retarded Children. I try to assist them in the location of some of their homes. In that case, we'll actually go out and work with the community first instead of being put in a adversarial position. I think there have been some misunderstandings both on the part of the State, and also on the part of the Town Board with reference to the placement of these facilities and working with the State. The State is under a mandate. We must recognize that mandate will be met whether we like it or not. That mandate will be met. It's a matter now of working with these organizations and working with the municipalities on the resolving of this issue. Therefore, in summation, I would like the State to go on back and do some serious due diligence with reference to this location. I also would like the Town Board that should the State come on back and deem this as a area that they will go ahead and continue to place homes, that the Town Board will work in good faith with the State to go ahead and resolve this issue so we don't have these problems coming up time and time again in Riverhead. I thank you very much. Again, thank you very much."

Supervisor Janoski: "Walter, I'm not aware of any misunderstandings that the Town has concerning the Padovan Law, But I'd be happy to talk with you about it. The Town has made a presentation on oversaturation and that's our position. So at this point, we want to say that the Town of Riverhead is

8/25/1992minutes

oversaturated. We don't want to talk about alternatives. Did you say something?"

Mr. Stark: "Yes. I was a little misguided by Walter's statement, too, that we've been misguided here. Walt, we haven't been misguided. I think the whole system has been misguided. This Town has been a balanced community for years and all of a sudden within the last five to ten years we have become an unbalanced community. By group homes, by group services, by social services, et cetera. And I agree with many of the speakers, many of the people who I have grown up with in this Town. We are oversaturated, we are tired of being dumped on, had you come to us first, I think we could have worked something out. I think we could find locations. We had a list of those locations. But we weren't misguided Walter. We know exactly what we are doing. And we're trying to fight it on behalf of our constituents. And that's what we were elected for. Thank you."

Ed Powers: "My name is Ed Powers, 22 Wesley Place, right around the corner from the site. There are two things that haven't been addressed. First of all, is the amount of construction that has to be done inside that house to facilitate it for four people in wheelchairs. The doors are not wide enough, the bathroom is not set up properly, the bedrooms are too small to facilitate the coming in and out. I think it is going to be a very difficult thing. And, one thing that I feel is very important is these people are coming from a large facility. Coming into the Town of Riverhead. Where do these people really come from? Are they anywhere near their families? Are they just being dragged out of this facility and just dumped out someplace else? My feeling is when these people are placed coming out of a facility, they should be placed in an area close to their family background or family ties. They should not be just taken dumped anywhere in the County, in the State of New York. Thank you."

Supervisor Janoski: "Thank you, Ed. Is there anyone else present wishing to be heard? Walter, did you wish to be heard once again?"

Walter Paulick: "I think that should I speak now would be nothing but just tumultuous so I would save those for private conversations."

Supervisor Janoski: "Thank you. Well, once again, I want

8/25/1992minutes

to compliment the members of the neighborhood. Did you wish to? Yes?"

Pete Bilski: "Can I just ask something?"

Supervisor Janoski: "You really have to, it's got to be on the record Pete."

Pete Bilski: "Okay. Nothing spectacular. I'd just like to know what the two new Town Board members feel. We haven't heard anything from them. I heard from Jimmy, spoke to Jimmy. Haven't spoke to you, but I'd like to know what Mr. Creighton has to say and Miss Gilliam."

Supervisor Janoski: "I will leave it up to them. I think it's an unfair question as part of the hearing at this point because as I say, we are here to listen to your positions and your concerns and questions. I think the fact that we're here says something and I think that the presentation on the part of the Town says something. But if the members of the Board would like to address the person's feelings, I will recognize them."

Mr. Creighton: "Peter, I'm overwhelmed, that you're looking out after my interest. Thank you very much. I am surprised, too. I know that the Supervisor intended to give us a chance to ask questions or to make a comment so I thought I'd listen first. I find that always helps. I do have a question and I would like, we haven't I don't think, given the people from the State a chance to address some of these questions, and I would ask that would they please tell us how they got to Terry Place? A little background. There's several hundreds of houses for sale in Riverhead. You know, I would guess somewhere between, around 500 out of the seven or 8,000 residences and I just, can you explain that to me. We were surprised on the 23rd of July, that you had already identified the place among all these houses. Can someone here do that?"

Helen Zingale: "Yes. I'd be happy to. We obtain sites in various ways, through realtors, through homeowners who call us, through the newspapers. For State owned property such as this, there is an arm of the State, the real estate arm called Facilities Development Corporation. They have on staff people who do just this. They go out and they site search. This

8/25/1992minutes

particular house was given to us through the Facilities Development Corporation and a realtor in the Town."

Mr. Creighton: "Does that mean that you also have a large number of other locations that you're currently looking at and have, I understand you signed an option on this house and in the end, you're going to need 40 or 50 of these places for the one facility for the 250 people. So are you this far down the road on a large number of others in other Towns, too?"

Helen Zingale: "Yes, we are. I think it's about 40 to 50 homes that we're looking for and we're close to that number. We're probably somewhere between 30 and 40 at this point, throughout Nassau and Suffolk."

Mr. Creighton: "Specifically for the Melville facility?"

Helen Zingale: "Correct."

Mr. Creighton: "And you have options on that number of houses?"

Helen Zingale: "Perhaps we're not at the point of option on all of them, but on, between 30 and 40, we probably are close, do we, how many. Oh, my supervisor tells me we have options on 34."

Mr. Creighton: "Can you give us the distribution of those?"

Helen Zingale: "I, there're in Nassau and Suffolk Counties."

Denise Ridge: "How many in each County?"

Helen Zingale: "I don't have those figures with me."

Denise Ridge: "I'd like to know how many."

Supervisor Janoski: "All right. Wait a minute. We've done so well up to now."

Mr. Creighton: "Say again please."

Helen Zingale: "One in the Township of Riverhead."

8/25/1992minutes

Mr. Creighton: "And that's 25 Terry Place?"

Helen Zingale: "Correct."

Mr. Creighton: "How many houses in Riverhead were actually looked at?"

Helen Zingale: "Quite a few. I, like I'm not the site searcher, but I know there were at least a half a dozen to a dozen home, maybe even more. This particular house is for non-ambulatory people which means they use wheelchairs which means we look for only ranches for this type of disabled person. So we're limited. We can't use two story buildings."

Mr. Creighton: "Do you know how many are options in Southold?"

Denise Ridge: "We don't have, you want the breakdown of the different Townships? We can give you that information."

Mr. Creighton: "Just, yeah, we'd like to have that and do you know, off hand, about Southold or Southampton?"

Denise Ridge: "No. There are several, we have options in various Townships all throughout Long Island as Mrs. Zingale pointed out. Out of 34 sites that are currently in option, which means that we've negotiated with the owners, we've gotten appraisals in on the houses and the homeowners were willing to sell to us at the cost of the appraised value of the home, then we enter into an option agreement. Out of 34 homes, we have one in Riverhead. Right now I don't believe we have any in Southold, that's not to say we don't have any homes that exist in Southold. We have a list of homes that would be available to any of you at any time of all of the existing homes that are currently operational throughout Nassau and Suffolk Counties, so that you can see the distribution throughout Long Island. I would also like to just clarify one thing because I sometimes think that very often and I understand this because if I wasn't working for the State I would get, I would have the same confusion. That this particular home would be operated by New York State Office of Mental Retardation. However, New York State Office of Mental Retardation unlike, there is New York State Office of Mental Health, there's New York State Office of Social Services, those are different offices. Those

8/25/1992minutes

are not the people that we serve. We don't serve psychiatric clients. We don't serve people that are with Social Services, Division of Youth, whatever. Just retardation, cerebral palsy, epilepsy, the five disabilities that Mark Davis explained. We certify all homes. However, these listing of homes that we've described that currently exist, are not all operated day to day by our office. There are not for profit voluntary agencies that operate these, such as Catholic Charities, United Cerebral Palsy, Association for the Help of Retarded Children, ADD, which is Aid to the Developmentally Disabled. There are a number of not for profit agencies that provide services to the mentally retarded and developmentally disabled. Some of them provide services to Office of Mental Retardation and Office of Mental Health. However, let me..."

Pete Bilski: "Excuse me, he didn't ask about that. He asked about the house."

Denise Ridge: "Well, I'm just, no, I'm trying to explain when you say, no, well."

Pete Bilski: "We understand what you're saying."

Denise Ridge: "I don't know that you do and I just want to make sure that you do. If we talk about."

Pete Bilski: "He asked about where the houses were."

Supervisor Janoski: "Peter."

Pete Bilski: "You're already starting on something else."

Denise Ridge: "Well, no, I'm not. If, then I can tell you we have no houses in the Township of Riverhead if you're going to ask me that question, because we have no State operated homes in the Township of Riverhead. But if you ask me how many homes does the New York State Office of Mental Retardation certify in the Township of Riverhead, then we can say seven. So I'm just trying to tell you that all of these homes that you people have presented to us tonight, which legitimately are certified by our office and are similar type homes, are not operated by us as an agency but are certified. I'm attempting to just try to clarify any confusion that people that have called our office have expressed."

8/25/1992minutes

Mr. Creighton: "When you consider saturation, do you only consider those that you have certified?"

Denise Ridge: "When we consider saturation, we consider any what the law considers similar type homes which are homes that are similar type residential facilities in a residential neighborhood unlike institutional type facilities or nursing home type facilities, or Department of Correction type facilities, but they're homes that exist in residential communities and operate and are certified by the New York State Office of Mental Retardation as residential type facilities."

Dolly Ziedel: "Have you personally been in that house?"

Supervisor Janoski: "Dolly, that's not the way this works. Now I recognize you Dolly, and I want you to walk up to that microphone and identify yourself. This is a public hearing and we keep a record of it, and we have to do it that way."

Mr. Creighton: "While she's on the way up, Mr. Davis, you indicated that it's going to cost less to do this in the Town and you indicated the current cost per person is \$115,000 in the insitution and it's going to be only \$80,000 in the community. Now I know that."

Mark Davis: "That's an average cost, Statewide, specific to Long Island."

Mr. Creighton: "Do you have a document or something that explains how you arrived at that because we realize that part of that we're picking up because the citizens are going to be paying for services."

Mark Davis: "That is you want to know what percentage the Town?"

Mr. Creighton: "No. I'd like to see how you arrived at the numbers because we realize that a large, a portion of the difference is going to picked up by the taxpayers of the Town of Riverhead, and we right off the top are losing the real estate tax for that house, probably in the neighborhood of \$3,000 along with the others we've already lost, and some of that real estate, you know, that money goes to services which you'll now take from the Town as opposed to the ones that were

8/25/1992minutes

provided by the State and the institution and so I would like to see how those..."

Mark Davis: "I understand your question. I'm giving you a total operational cost to the State of New York."

Mr. Creighton: "Is this in a document somewhere, how it was arrived at?"

Mark Davis: "The figures were given to me by our Public Relations Office in New York State. The statistics were arrived at..."

Mr. Stark: "Is that figure \$80,000 per patient?"

Mark Davis: "Yes it is."

Mr. Stark: "\$80,000 per patient per year."

Mark Davis: "That's total operating cost, all costs, food, clothing, shelter, staffing, everything."

Mr. Stark: "So what you're talking about is that is including the supervision and everything else, electricity?"

Mark Davis: "Everything is factored in. Correct."

Mr. Stark: "Water?"

Mark Davis: "Correct."

Mr. Stark: "Insurance."

Mark Davis: "Yes."

Mr. Creighton: "It includes no pro rata payments."

Mr. Stark: "\$320,000 a year to operate this house."

Mark Davis: "Excuse me?"

Mr. Stark: "\$320,000 a year to operate this house?"

Mark Davis: "Yes. Compared to \$115,000 per individual

8/25/1992minutes

living in an institution setting."

Mr. Creighton: "I'm in the wrong business."

Mr. Stark: "Now, most of the residents of Riverhead pay a pro rata share of the cost to upkeep our parks and public facilities that you indicate you are going to use. Is there any procedure in the State where payment in lieu of taxes is made to help pay for the pro rata cost to the Town?"

Denise Ridge: "Unfortunately the voluntary agencies that we mentioned earlier that operate these homes have the choice to make some kind of contribution if they're able or if they chose. The State of New York does not pay taxes."

Mr. Creighton: "In other words we will, the taxpaying residents will subsidize the use of the public facilities of these."

Dolly Ziedel: "We're overtaxed already."

Mr. Creighton: "So that presumably is part of the transfer of cost. You're transferring cost from the State as a whole to residents of the Town and Village that these people go to. You know where I stand, Pete, now?"

Pete Bilski: "Yes, thank you."

Supervisor Janoski: "Dolly?"

Dolly Ziedel: "Yeah, I'm Dolly Ziedel. I live at 15 Wesley Place. Have you personally been in this house on Terry?"

Helen Zingale: "Yes, I have."

Dolly Ziedel: "And how do you propose to have four people in wheelchairs in that tiny little house, plus staff?"

Helen Zingale: "There will be..."

Dolly Ziedel: "You're going to need a policeman."

Helen Zingale: "What do you mean a placement?"

8/25/minutes

Dolly Ziedel: "A policeman to."

Helen Zingale: "Oh, a policeman."

Dolly Ziedel: "Yeah, I mean the house is entirely too small."

Helen Zingale: "It's a three bedroom ranch..."

Dolly Ziedel: "Yeah, I've been in it."

Helen Zingale: "With a kitchen and living room and dining area. Two clients will each have their own bedrooms, and one bedroom is large enough for two clients, so there will be a total of four clients sleeping in the house. The doors are going to be widened for the wheelchairs."

Dolly Ziedel: "Which we're going to pay for."

Helen Zingale: "And the bathrooms as well are going to be made accessible to wheelchairs."

Dolly Ziedel: "Which we're going to pay for."

Helen Zingale: "And there will be ramps from the..."

Dolly Ziedel: "Which we're going to pay for."

Helen Zingale: "From the doors leading out for the wheelchairs."

Dolly Ziedel: "I still don't understand how you're going to have four wheelchair patients in that small house. It's ridiculous. Thank you."

Mark Davis: "If I could just comment to you. I have the floorplan of the house which indicates that a bedroom, one individual bedroom is 107 sq. ft. for one person. That one person presently is living in a space in an institution with only 60 to 80 sq. ft. A bedroom for two individuals is 209 sq. ft. Two individuals live in an institution with 120 sq. ft. bedroom. So they have a lot more space in this house than they do where they presently live."

8/25/1992minutes

Mr. Stark: "What is the required square footage of a bedroom area by the State? I'm not asking what the living space is, but the bedroom space for an individual? Is there a minimum square footage required?"

Mark Davis: "The institution requirement is 80 sq. ft. for a single bedroom, 120 sq. ft. for a double. And that's..."

Mr. Stark: "120 per double."

Mark Davis: "That's what they have in the institution."

Bob Ziedel: "I'm Bob Ziedel and I just went with the State inspectors to the nursing home, and when they did what you're talking about, we don't have enough space for these patients. I don't know what the exact figures are, but we have rooms down there bigger than my room, my house, my large room, and it's too small. You say it's 108 sq. ft.? I'll get some figures and come back to you with what they told me we have to have down there. And why we have to build a new place because it's not big enough. I think you guys are giving us the shaft, really."

Harriet Gilliam: "I'd like to ask the panel from the State, you had mentioned that a feasibility report had been prepared and I would like to know what exactly is contained in that feasibility report. Does it take into account the sentiment of the affected area and the population, or is this something that's done strictly by an architecture in terms of the structural review of the facility, or does it take into account the feelings or the sentiment of the area?"

Denise Ridge: "No, it has nothing to do with the philosophy of the community. The feasibility addresses solely, it's an independent architect that comes in based on the needs of the population. This particular house as we mentioned is for non-ambulatory. Other people might be blind. Other people might have other kinds of disabilities, whether it be epilepsy, whatever the case may be. The program people that are involved with the day to day operations of these people meet with a group of people and the architect. He looks at the house. He listens to the needs of those people. He reviews the home

8/25/1992minutes

based on the structural capacity of the home and he does a what's called a feasibility study and gives us a cost estimate in order to adapt that house to the needs of the population that we've identified for that home. That in conjunction with the appraised value of the home is what we look at as a total package to see whether or not it's a viable program based on what we're allowed and based on the guidelines of the State of New York. It does not take into account saturation issues and whatever else. The feasibility study is only something that's done by an independent architect and that addresses the physical plan kinds of issues."

Harriet Gilliam: "And were there feasibility reports done of other proposed sites within this area or do you identify a possible location and then do the feasibility study?"

Denise Ridge: "Basically every single home that the State of New York operates or that the State of New York certifies has to have what's called an appraisal, appraised value of the home is done and then the feasibility study is done. As Mrs. Zingale pointed out earlier, the first step after we identify a site and we go through our saturation process in terms of what we believe the law provides in terms of where other existing similar type of facilities exist. After we review that process, the next step would be as in if any of us that are shopping for a home, the homeowner is asking a particular cost for the home. We then have to have an independent appraisal done. So an appraisal is done, there's a second appraisal that's done and then we come up with an appraised value. The State of New York cannot by law pay one penny over the appraised value of a home. We then have to go back and negotiate with the homeowner and hope that if the home is suitable, it seems that it would be appropriate for us, the homeowner has to be willing to sell their home to us at that appraised value. Sometimes they are, sometimes they're not. Depending on their individual situation as in any of our lives, they're able to come to some agreement with us and they may come to an agreement in terms of that appraised value. If they do, and we obviously wouldn't get a feasibility study done before that point because it would be worthless if the homeowner is not willing to sell to us. And once we know at that point that the homeowner is willing to sell their home to us, we then enter

8/25/1992minutes

into an option agreement so that that person would take their house off the market while we were doing all of these other things that we need to do as a requirement and as the law states in order to purchase the home. We then get a feasibility study to see if the house would be viable for us at that point. Every home then is ultimately certified and is operated by the New York State Office of Mental Retardation has had an appraisal and a feasibility study done and has to go through several, several reviews all through the different phases of the different bureaus of New York State."

Harriet Gilliam: "Do you have the feasibility report for the proposed site?"

Denise Ridge: "We can share with you the feasibility report and what we're going to do at the house. I just would like to point out to you though that when we have a feasibility study done again, this house is a proposed home, it's not something that we in our offices' eyes look at as though its' a definite thing. So that we have what's called simply that. It's a feasibility study to determine whether or not this home would or might be feasible for us. So that if indeed we end up going with this home, chances are that we may sit again with the people that work with the individuals that would be living in this home to say, well, you know, this person, the two women that are living in this room, one sometimes maybe could do such and such and we have to make an adjustment to something so that what I'm trying to say is the feasibility study might not be the final thing. It may be less, it may be more. This is the initial study to give us a general perspective and a cost estimate to see what we think. It is revised several times later. But anyone that is willing, that would like to come into our office and look at where we are in terms of the appraisal, in terms of the feasibility, in terms of how we looked at the home, in terms of any other homes that exist in Riverhead or any other areas, we welcome you to do so."

Mr. Stark: "Could you tell me the appraised valuation of this house?"

Helen Zingale: "It's \$147,000."

Supervisor Janoski: "Yes, Town Attorney."

8/25/1992minutes

Patricia Moore: "I have a question. How do you determine the saturation and how many of you throughout the process considered the saturation?"

Helen Zingale: "Yes, Suffolk Community Council has a clearing house which does that for us and they provide us with information with maps and facilities that are licensed by various agencies and that's taken into consideration by our office."

Patricia Moore: "Is that available?"

Helen Zingale: "That would be available to you."

Mr. Stark: "What year were those, these maps?"

Helen Zingale: "They're ongoing."

Mr. Stark: "Are they up to date, 1991?"

Helen Zingale: "Yes."

Mr. Stark: "They are? And by that mere fact that you're saying to us that Riverhead is not oversaturated. That you're willing to locate a home in Riverhead?"

Helen Zingale: "Correct."

Mr. Stark: "I think your mathematics went astray somewhere along your education. Thank you."

Supervisor Janoski: "Ed or Phil, whichever one wants to go first."

Ed Powers: "Ed Powers, 22 Wesley Place, Riverhead. I think they just really put this particular house out of their reach anyhow. They said they require 120 sq. ft. for a bedroom for two people. If the largest bedroom there is 107 sq. ft., so therefore, it does not qualify. That's all I have to say."

Helen Zingale: "The bedrooms that are 107 sq. ft. are for one person."

Ed Powers: "He said that the largest bedroom was 107 sq. ft."

8/25/1992minutes

Helen Zingale: "No."

Mark Davis: "No, the largest bedroom is 209 sq. ft."

Ed Powers: "I'll bet on that. I know it's not, okay.?"

Phil Kenter: "I'd like to submit to the Town Board the research that I conducted. I have 15 very pointed questions that the Town Board may want to entertain and then ask the State. That's on the first part and that correlates with this very issue that's being discussed. Ironically, when I asked the State for their most recent report, the most recent report they could render to me is dated July of '84. So I'm a little bit perplexed that I couldn't get a 1991 report. But I also wanted to state that the comment was made that well, this is the only State operated house that will go into Riverhead, though there are other houses or homes, licensed by the State that correlates to me there are six fire companies in Riverhead Fire Department. We all meet a one firehouse. There is two McDonalds, a Burger King, and Friendly's, and Dunkin' Donuts and those are all fast food houses, you could say we have 10 fast food chains but only one is a Dunkin' Donuts. So I think we need to look at the overall. One other thing. Their numbers is supposed to be pretty close because I did a cost analysis as to what this thing would run if we have 250 residents that need to be pulled out of that facility and located. And I just went across the board four residents per home based on the home that we're getting proposed, that equates to 63 homes. If you divide that by the 10 Townships in Riverhead, each Township really should only get six. You said I think at \$80,000 per resident, 250 residents, that equates to \$20,000,000? I quickly calculated it at \$20,000,000. My calculations came to \$22,193,000, so I'm pretty darned close. I'd like to present the Town Board with my numbers so you can see what the costs actually are. They sound like they're fairly close so I'd like to present this at this time."

Supervisor Janoski: "Please give that to the Clerk. It will be made part of the record of this hearing. Walter, did I see your hand up again?"

Walter Paulick: "I'd just like to give one factual statement again. I live at 30 Terry Place. I just recently

8/25/1992minutes

did a refinance on my house. I have a double lot. I have four bedrooms. I have a deck in the back of my house which is roughly 14 x 28. I have a swimming pool, inground, as nicely landscaped as 25 Terry Place. The appraised value of that house is \$157,000. I'd be more than glad to share that with the State. But be that as it may. I'd also like to know who the State uses as an appraiser because I'd love to have him come on back and, again, refinance my house. Thank you."

Supervisor Janoski: "Is there anyone else wishing to be heard? Bob?"

Bob Ziedel: "That information is available, isn't it Mrs. Ridge? I'm Bob Ziedel, 15 Wesley Place and I work at the nursing home and I believe the County says we spend \$5,000,000 a year running that place for 235 patients and they're going to spend what did you say? \$20,000,000? Come on."

Supervisor Janoski: "Thank you Bob. Is there anyone else wishing to be heard? There is a question that I heard a couple of times this evening which was really never addressed. It's the question of the future use of that facility if it were to be approved. What rules govern what could be done at that facility in the future?"

Helen Zingale: "It will be licensed if this group home goes through, it will be licensed by the State of New York, the Office of Mental Retardation and Developmental Disabilities. If in the future there is a proposed use for some other kinds of things, it would have to go on the public market. It cannot just be transferred to another use say for a home for mentally ill individuals or a home for youth from Department of Social Services. It's against the law to do that. There's a public land's act by which we must abide."

Dolly Ziedel: "I have a question for you."

Supervisor Janoski: "You want to tell us who you are?"

Dolly Ziedel: "Dolly Ziedel. I'm not in the real estate business, but I know what that house was bought for \$85,000. The market is down. You're paying \$150,000 for a house when

8/25/1992minutes

the market is down?"

Denise Ridge: "Ma'am, I'd just like to respond. Nor are we in the real estate business. Which is exactly why the New York State Office of Mental Retardation hires independent appraisers that's done not by our office, but it's public information. Anyone is welcome to know who these appraisers are. If anyone is willing to challenge that, then by all means you are welcome to do so. There is a process by which you might do that. If there is some reason that you might feel the appraisal is not valid, by all means we don't, I am a taxpayer as well as you are. I am not looking to pay any more money for anything than I have to today. And we're all in the same boat together here, and if it is not legitimate or valid, then by all means we all have the same right to challenge that. We have to, there is as Mrs. Zingale pointed out. There is a process. The request is made only by our office. But there is a professional branch, another office that handles that. Please do feel free, we will provide you with any of the information either through your municipality or individually. We can give you the information from which you can challenge it. I am not an appraiser nor are any of these people appraisers which is why we contract out as you or anyone else. I can't respond to that. The public market today yes is soft, and we've lost many houses because of that. Because the appraisals are coming in so low versus what people are asking. So I agree with you. Thank you for your concern and we will be willing to follow-up on any challenge that anyone might have with respect to that."

Karen Paulick: "Karen Paulick, 30 Terry Place. My question is after tonight's Hearing, what are the steps that the Town follows and the State follow? I don't know what happens after this, I know, you know, we have this meeting tonight but what follows? Do you get back to us or do you have a Hearing, what are the procedures from here?"

Supervisor Janoski: "It seems obvious that the Town has taken the position that our Township is oversaturated. We have presented that information which will be formally presented to the Commissioner as part of a packet of information. We would hope that the Commissioner would agree with us, that the Town of Riverhead is oversaturated. There are, as has been

8/25/1992minutes

pointed out, three options available to the Town. Let me repeat them because I always talk about the first two. I never include the third one. The third one, of course, is to accept it as proposed. The first is to make the argument on oversaturation. The second is to provide a suggestion for an alternate location. Those are the two things that we can do in this particular situation."

Karen Paulick: "So you present this to the State. What's the time span? Are we going to hear in a week, a month?"

Supervisor Janoski: "This time frame which is given to the Town, is 40 days. I don't know how, September 4th is the end of that period. In that period of time, we must take those particular steps. I hope that we can not worry about the alternate locations. Because it was recognized by many people here that there is a unique situation, and that is a requirement for a ranch house. Ranch houses in this Town are usually situated within fairly new communities. So what we are going to do is revisit the same problem. We would like to believe that our arguments concerning oversaturation will be heard and agreed to. Failing that, we will do our best and have already started on the alternate location scenario."

Helen Zingale: "Excuse me, does this panel make the decision on oversaturation?"

Supervisor Janoski: "No, the Commissioner makes the decision."

Helen Zingale: "Okay and that's done in writing by the Town to the Commissioner?"

Supervisor Janoski: "We provide information, with this Hearing, information has been provided, but we do gather together what we have heard here this evening in a written form and provide it to the Commissioner."

Karen Paulick: "I know with Hilton Court you presented a...how long is the wait to find out?"

Supervisor Janoski: "Why don't we ask them?"

Karen Paulick: "How long is the, I mean, you went

8/25/1992minutes

through this with Hilton Court. So I was just curious how long am I going to have to sit and wait and wonder whether this house is going in or not?"

Helen Zingale: "If, if the Town responds with the issue of oversaturation, then it will be reviewed by OMRDD and we may then have what we call a Commissioner's hearing, and there will be a hearing on the issue of oversaturation."

Karen Paulick: "Who is invited to this hearing?"

Helen Zingale: "The Town Board, or the Town Supervisor or his representative."

Karen Paulick: "Okay, and we can come again?"

Helen Zingale: "Your, yes, you may attend."

Karen Paulick: "And what's the time frame? A couple weeks, a month? Usually."

Denise Ridge: "Basically the time frame is that if the Town as the Supervisor has pointed out, if the objection is based on the concern of oversaturation which certainly is something that we obviously concern ourselves with because it's something that we do want to go on record for as saying that we consider as we do, and we do want to be very fair in terms of equitable distribution throughout Long Island. If that is your objection, then we certainly and when I say we, I don't say we as the four of us, I'm saying we represent the New York State Office so that what the process, the process that's in place is that the Town would say that they do not accept the site and that they object to the site based on the fact that they're overconcentrated. Okay. And now that what would be set up is what's called a Commissioner's hearing. In terms of time frame, we're talking about anywhere from one to two to two and a half to three maybe weeks depending on whatever it has to do with the Town's schedule, the State Office's schedule. You have a State arbitrator. You have a hearing officer, you have the Town representatives. You have the State people that explain how they found the site and whatever. So that that happens almost immediately. After the hearing takes place,

8/25/1992minutes

it's all documented, it all goes in writing, it's all, you have someone that reports the whole thing. It goes up and a decision is made. That may take I guess maybe 30 days, an average of a month, I mean give or take a day or two. So that basically is the process. But the 40 day period, depending upon when that is requested, it could be within the 40 day period, it could be after the 40 day period whatever."

Patricia Moore: "I just want to very quickly go over it. Within the 40 days, is the obligation that the Town has to make its recommendation and the Supervisor has already stated what those alternatives are. Once we've determined that we're not, that it's saturation really aren't going to come to a resolution as an alternative site, then at that point as you say, we're going to have a Commissioner's Hearing. The Commissioner then has 30 days to come, after the hearing, to come to a decision. Once a decision is made, then there is what is called an Article 78 Proceeding, which is we can challenge the Commissioner's decision to the State Supreme Court and we have 30 days in which we can challenge that decision. Statutorily that's the time frame we have. Once the Courts get it, your guess is as good as mine."

Mr. Stark: "Could I ask one question? In your experience in your Department, have many of these locations been challenged with the Commissioner?"

Denise Ridge: "I'm not sure if you're asking about Long Island versus New York State and as you probably all are aware, these are programs that are going to be developed throughout the entire State of New York."

Mr. Stark: "Well, let's just take New York State then."

Denise Ridge: "As far as Long Island is concerned, Suffolk County, no. We haven't had all that many based on the number of homes that have been developed. As far as Nassau County is concerned, then I would say yes. I would say just about almost percentage wise just about every home has gone to Commissioner's hearing."

Mr. Stark: "And, and what is the percentage of homes?"

Denise Ridge: "The percentage is very low. Very low of

8/25/1992minutes

those that, because let me just explain. In fairness, let me explain that in terms of Commissioner, and this is again, this is the law, we're not the people that can change this law. If you have a problem with that, then you have to do what you want to do in terms of dealing with the Legislature. The law states if you're going to challenge this home on the basis of over-concentration, then what you're saying in essence is that to develop this home would mean that it's going to change or alter the nature and character of the community. That is verbatim out of the law. The onus is on the community to do that, and for you to do that has to prove that that is what's going to happen if we establish this home. And that's exactly the definition. I mean by rights, there are all kinds of laws in terms of this entire process, and I can't offer you more than that."

Harriet Gilliam: "Are you saying with that definition of saturation that the Commissioner doesn't take or give substantial weight to the existence of other homes in the Town? It looks at the impact on the particular community as whether it would significantly change?"

Denise Ridge: "No, I don't know that I can say that, again, I'm not an attorney, I don't know that they say that they don't consider that. I think everything is considered. I think everything that was said here tonight is considered. I think that every concern that any individual has, that's why the law is in place. The law is here to protect you as well as to protect the individuals that are being placed in that community. These are, again, I am going to say, these are human beings. As far as we're concerned, they have a right to live in a community. They come from every community. They have a right to live in a community. You also have your rights. If you feel violated in any way, manner or form for any reason, the law is there to protect both sides. You know I don't want to say that anything is not considered. Anything that goes on record has got to be considered and you have your rights as well as these people have their rights. So I must say that any reason that you're presenting to us as something that might hurt the safety of these individuals, that might not be suitable, that might not have been considered, we appreciate hearing these kinds of things and that's the whole purpose of this presentation tonight. Is to hear what you have to say and for us to give you some information because many people, and

8/25/1992minutes

rightly so, are very uninformed about what the program's all about and what it might mean. And again I can only say to you, that for all of the ones that we have, and we have over 200 on Long Island, and you may have much more right near by you and you don't even know about it, the addresses are available and you are welcome to speak to those homes and the neighbors around the communities to see their feelings. That's all we can really offer you."

Harriet Gilliam: "Well I was just going by what you said about your definition of saturation, that it's..."

Denise Ridge: "Well, in terms of saturation, my comment has to do with the fact that nursing homes and whether or not I agree, you agree, is not part of the law. I'm only quoting to you the law. I don't write the law, I'm only representing the State and I'm not so thrilled about it myself, but however the nursing home issue, institutional issues, Department of Corrections, are not considered by law similar facilities. What's considered is residential type facilities in a home, homes that operate and function in a residential community as any other residential home might operate."

Supervisor Janoski: "Mr. Podlas?"

Paul Podlas: "Paul Podlas, 49 Meadow Lane and one quick comment. I see we have members of the press here, and just for the record I hope that the press will put in the papers that you have good, honest, hard-working people here who have good, honest concerns about what's going on, and that our State representatives sit up and take notice of a little grass-root organization which we're talking about our neighborhood here, and that we are addressing our concern, they are our representatives, we vote for them. Maybe they'll read the paper and maybe they'll be on the record here with the Town Board, and hopefully, will open their eyes and see that we are concerned and represent us like they should, and stop this dumping on us without giving us any notifications. Thank you."

Charles Terry: "Charles Terry, 114 Meadow Lane. Quite frankly, the groundrules laid down by the State agency for opposing a group home are grossly unfair to any neighborhood, and yes, to a Town Board. In essence, you say to a neighborhood you don't agree with our selection, suggest alternative sites."

8/25/1992minutes

In effect, you say you don't want it, so try and place it in your neighbor's a few miles away. That's fantastic. If a Town suggests alternative sites, they have absolutely no recourse and any given neighborhood has no hope of even token backing by its own Town Board. They're stuck with what they're seeing. As for a Town having its fair share, who in the final analysis, will make such a determination? Unfortunately, the State. Be that as it may, we the neighborhood must, the Town must, most unfortunately argue our case based on the State agency's groundrules. We have done this this evening with facts, with candor, and with common sense. Deny this facility."

Elizabeth Powers: "Elizabeth Powers, Wesley Place. When she said that they didn't consider the other facilities because they weren't State facilities on saturation, do these people use our hospital, Central Suffolk Hospital, if they get ill or they have an emergency? Are you going to expand our hospital for us? Because the jail uses that, the Correctional Facility uses that for their prisoners. Riverhead Nursing Home uses that for their patients, they don't have any hospital facilities there. And Timothy Hill Ranch uses that for their children, and so does the other children's home. So where are these people going to go when they're ill? I mean even out here, we have a problem in the summertime, I mean, and the people that live here will tell you. If you have an operation or something that you can hold off until after Labor Day, you'll go in the hospital after Labor Day because you might not get any service in the summertime. Just with our summer community."

Denise Ridge: "Ma'am, I can only respond to you by saying that any family that would live in that house that would have a need for any kind of hospital facilities, medical facilities, or any other public facilities, would be the same."

Elizabeth Powers: "And you wouldn't consider that in your saturation that they wouldn't be able to get into a hospital?"

Denise Ridge: "Four adult individuals that are living in a home in a community not... I'm not sure that I understand the question."

Elizabeth Powers: "Well, if they have a seizure, an epileptic seizure and they go into a bad seizure, they have to go to the hospital."

8/25/1992minutes

Denise Ridge: "The use of the facility..."

Elizabeth Powers: "But it's going to be saturating the hospital."

Supervisor Janoski: "Walter."

Walter Paulick: "I'd like to address this Mr. Supervisor to Pat Moore, the Town Attorney, just for interpretation. With reference to the Mental Hygiene Law Section 41.33,"

Patricia Moore: "33 or 34?"

Walter Paulick: "No, 41, excuse me, you're correct, Pat, very good, see that, now you know who's the attorney and who's not. One of the questions I have is the three courses of action, one, approve the site recommended by the sponsoring agency, the second one is suggest one or more suitable sites within its jurisdiction which could accommodate such a facility, or the third, the actual wording reads, object to the establishment of a facility of the kind described by the sponsoring agency because to do so would result in such a concentration of community residential facilities for the mentally disabled in a municipality or the area in proximity to the site selected or a combination of such facilities with other community residents or similar facilities licensed by other agencies of State government that the nature and character of the areas within a municipality would be substantially altered. My question is really the interpretation of other State agencies which, to me, would mean the consideration of the nursing home facilities, and all of the other facilities not under the control of OMRDD."

Patricia Moore: "Well, in researching for the other case we had, you're right. The law does allow for other facilities like criminal complexes and the rest. However, the Courts over time, the few cases that they've heard up to a level where a decision, actually a written decisions are made, they have been chipping away at it to at least one case I can think of off the top of my head, they eliminated facilities that were institutional facilities. I'm not saying that the Court was right and maybe I don't recall at what level that decision was made. I think it was higher than the Supreme Court, it may have been the Appellate Division. Whether or not a Court of

8/25/1992minutes

Appeals would rule differently, I don't know. You get two lawyers and can argue both sides, so I don't know..."

Walter Paulick: "One of the other points I would like to make is I'm proud to be a resident of Riverhead. I don't work in the Town of Riverhead. I work in Ronkonkoma, a real estate developer. One of the concerns I have and I work very closely with various State, County and Townships on economic development, as a matter of fact I also serve as the Chairman of the Riverhead Industrial Development Agency. One of the problems that I have is on a regular basis, people will pick up Newsday, some of our other papers, and find out that some murderer has just been brought to trial in Riverhead, the rapist, where the rape occurred in Huntington, was brought to trial in Riverhead. You have a very, very poor image of Riverhead which does not really represent the community. Unfortunately what that has done, is that now has brought the market down in the area which now makes it much more attractive for other State facilities, again because I hate to say this, but the price is right. Unfortunately, the State does not go ahead and look at it on an overall basis. They look on it on agency by agency, and we should recognize that these individuals are in a very difficult situation and they only represent one agency of State government. But somewhere along the line I would hope that the State goes ahead and looks at the true impact of such a decision on a community. And we do believe that we should have our fair share. We don't want an excessive share of these people, but we should have a fair share and, quite honestly, even if the ratio is half what it was, I think it would be somewhat acceptable to the majority of people in this room. But I would like to think that the State would go ahead and look at the total impact and not say that because we have now driven down the values and we have a number of vacant stores in Town, that we're not to be going ahead and now supplementing the Town of Riverhead because we now have tremendous demands to bring in new people, new economic development in Riverhead and what you are going to be doing, is just pumping money out of one pocket that you normally would pump it out of the other pocket. So I would hope that the true impact of this facility would be taken into consideration again when the State does their due diligence. Thank you."

Betsy Lenzer: "Good evening, my name's Betsy Lenzer. I

8/25/1992minutes

live at 64 Further Lane. Unlike many of the residents here, I am new in the area. It will be three years this September that I moved into the house on Further Lane, and I just have to respond to Walter's comment because when my husband and I were looking at houses in the area, he works on Shelter Island, I work in Ronkonkoma also, we looked in every other Town except Riverhead because of the connotation that Riverhead did have. My husband looked at the house on Further Lane. We, I drove down Further Lane and I said, this is it. Somebody else here spoke about the pride in the neighborhood. I have never seen a more beautiful neighborhood in all of the areas we looked in, Jamesport, Aquebogue, Mattituck, you name it, and nothing in this area I feel compares with the neighborhood around Further Lane, Meadow Lane, Daly Drive, Terry Place. My concern is what more than with the saturation issue, what are the terms of maintenance of this house. And who's going to maintain this house. It looks nice now, is it going to stay nice if these people do come in? Any comments on that?"

Helen Zingale: "An emphatic yes, it will be maintained as well as, perhaps even better than, the way it's maintained now."

Betty Lenzer: "Maintained by whom?"

Helen Zingale: "By the State of New York. There is a special fund for maintenance and Mark and his people are involved in maintaining their home. I wish you would take us up on visiting some of the homes in different neighborhoods and you will see what I'm talking about."

Betty Lenzer: "Okay. The State has a bad rep for maintaining their properties. You know, you go to, the roads, the bridges, the universities, they are crumbling. They have a pathetic track record of maintaining it. And I assume that you will take bids on the construction or remodeling of this house."

Denise Ridge: "Again, I don't disagree with you and I understand what you are saying. I understand your issues, your concerns. I would be a little reticent to also have complete confidence in the total State as a whole. Please do understand. There are many different offices in the State of New York that that may be so with the bridges. It's not true of certain State office buildings or whatever. Again, as Mrs. Zingale pointed out, understand something. As I pointed out,

8/25/1992minutes

we have over 200, if one ever ended up letting itself go and the grass and paint and to be an eyesore in the community, you know and I know and we would welcome that. We ask you. We ask you to get involved on a community advisory board. Get to us about it. Complain about it. You can go to any public media and you could complain about it and it would make the headlines tomorrow. We cannot afford that kind of publicity. We are extremely proud of our track record. Long Island has never had a problem with any of the homes that we certify, compared in terms of track record with the rest of the State of New York. And again I say that in confidence. ~~Any~~ Any one of you that has some concerns as I would, too, we ask you to go and look. We can give you addresses. You can drive by. You tell us if you notice that these homes are any less kept than any of the other homes on their block or in their community, and in many cases, they're some of the nicer homes and we say that with a lot of pride. I would never go public. I would never say it with any kind of media here if that wasn't the case. And in all the years that we've been in business, we have never, never had to be ashamed of any of the homes that we've developed. That's the best I can offer you in terms of that."

Betty Lenzer: "And what would be the turn around time on our complaints that the paint is chipping or the grass is not being mowed?"

Mark Davis: "I would like to add some comments on that area. Our reputation Denise said is based on how we operate, and just as you take pride in your neighborhood, I also take pride in the work that I do and I'm responsible for the operations piece of the 22 group homes. And operations does not just include the care of the individuals, but the care of the property as well. And we have never had a problem with the maintenance and the upkeep of our 22 homes. You need not take my word. You must go and see our homes and, again, our reputation is based on how we operate and what kind of neighbors we are in the community. Regardless of how you feel this evening, and I understand all of your concerns. You need to speak to the communities that we operate our group homes in. You need to speak to the people. They may still harbor grudges and feelings about us coming into the community. But they have no objection to the care of the individuals and the way we keep

8/25/1992minutes

our property. I'm a State employee, but I'm also a taxpayer and I have the same concerns you do. And there is one part of my operation that has never gone short for funding. And that is money to maintain our property and to care for the individuals who live there."

Betty Lenzer: "One more question if you may. These four individuals will be taken out of the home during the day to go where?" Monday through Friday. Is there a facility?"

Mark Davis: "Yeah, there are a variety of facilities throughout Suffolk County."

Betty Lenzer: "Where precisely will they go?"

Mark Davis: "Specific designation is not yet made."

Betty Lenzer: "Any thought as to where they would be bused to? My point is that, how many minutes, half-hour, an hour will they spend on a bus to go from Terry Place to their training facility?"

Tony Marino: "We use a variety of programs from the houses that I operate now, right now in Ridge, we utilize two programs operated by independent group home living, IGHL. One is located in East Moriches and one is located in Southampton. They're both day treatment facilities. My guess is that, you know, it could be one of those facilities. You know, there are many voluntary agencies that operate facilities out here, United Cerebral Palsy operates facilities. AHRC. Setauket, the agency FREE, operates day treatment programs, Setauket, New York. So there are a variety of programs that are available to us. That we access."

Betty Lenzer: "So they may go to East Moriches, Southampton, Westhampton. There is not a group home closer than Terry Place to take these individuals. They will be on a bus for quite a long time in a wheelchair. Is that ever considered as to, you know, you talk about yes they are individuals and yes, we do feel for them too. But are their rights considered, too, when you place them in Riverhead and then ship them off to Southampton, Setauket, East Moriches. That just seems very uncaring for their rights, also."

8/25/1992minutes

Tony Marino: "Well, I'm just giving you a variety of the programs that are available. Now, that's not to say they will travel to those particular locations."

Betty Lenzer: "Well, what would be the closest facility that they would go to from Terry Place in Riverhead to where they would go to?" I'm sorry, I don't mean to badger you."

Denise Ridge: "I understand what you're saying and that's understandable. We get this question all the time. Again, we thank you, we appreciate that and we have to answer the same kind of concerns. That's reality. I'm going to answer that in a couple of ways. Number one, some of the things that Mr. Marino pointed out happen to be the existing facilities that service this population. Non-ambulatory people. There are a limited number of programs. They're also operated by these not for profit voluntary organizations. As much as we like it we wish there were a lot more. But there is what there is. We are as the Office of Mental Retardation, the local office is continuing to work and develop additional programs. We right now have sites identified in Medford, Islandia. We're looking around it happens to be this area out east to service because we are looking for a lot of programs, and understand when we develop, the nature of the program's changing so that we're looking smaller programs based on again the disability and the functioning level of the individuals that we serve. So that obviously we have some planning restrictions. We have to when we identify homes, there have to be, we work in coordination in terms of what these people will be doing. Again, I can only say to you depending on the level of functioning because of the fact that certain individuals might be in wheelchairs, other people might have epilepsy, other people have cerebral palsy, other people are blind, they have various functioning levels and their ability to function in the community is different. Some people now and I won't waste your time, again we would love to sit with you all individually as a group to explain all these programs. We are also putting some of these people in competitive employment. They're working in, people you see in McDonalds, the people you see in airports, the people you see working in the Hiltons and the Holiday Inns folding towels or whatever. These are the people we serve. Those are the retarded population that now we're realizing

8/25/1992minutes

as we go... When you ask us what exactly by the time if and when this home opens and it will be several months from now depending on where those people are at, they will be assessed and they will be evaluated by professionals in the field that will determine the best location for them and all of the things you're addressing will be considered and we believe that we will try to give them the least, the least unpleasant experience. But again, I will also admit to you as it is your kids and I had to travel as I went to a Catholic High School that was about 45 minutes to an hour away from my home, which may be the reality. We, they are supervised. They do, we do the best we can under the circumstances. Hopefully down the road we will have programs that will be in a better geographic location for all the people that we serve."

Betty Lenzer: "What I'm saying is it taken into consideration placing these people in Riverhead when they have a trip on a bus somewhere. It makes no sense to me."

Denise Ridge: "Of the programs that we have in Suffolk and eastern Long Island, are very sensible. We have programs in Riverhead where people are traveling right now."

Betty Lenzer: "But the example this gentleman gave me was in East Moriches and Southampton. To me that is not a pleasant bus ride on a wheelchair every single day."

Denise Ridge: "We have Westhampton Beach."

Betty Lenzer: "But you're the first one to give me Westhampton Beach as an example. Again we're talking about the saturation. We're talking about human beings. What is the best placement for these people, I just can't see it. Thank you very much."

Supervisor Janoski: "I want to, Walter, did you want to be recognized again? Thank God you're busy on Tuesday nights."

Walter Paulick: "You're not blessed with my company too often, fortunately for yourself. One of the concerns that I had and I have been blessed in that I did visit the LIDC facility in Melville which is a magnificent facility. Probably the most impressive part of the complex is the two residential

8/25/1992minutes

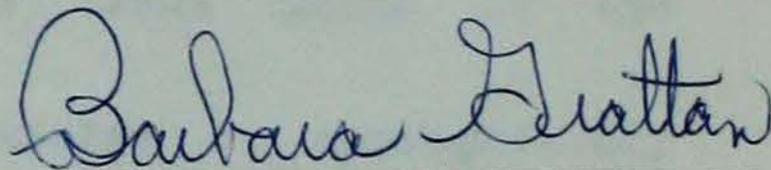
complexes that you have put on the facility which is something that I thought when you take a look at establishing some more programs for the handicapped and the mentally retarded, that this is something where the State can go ahead and work with a local municipality, whether it be Riverhead, Southampton, Southold, whomever, and really cluster these. And when you take a look at clustering, you in turn go ahead and take some raw land, very similar to what you did in Melville. Melville is probably the best kept secret in Suffolk County. Everybody knows about Kings Park. Everybody knows about Central Islip. Everybody knows about Pilgrim. But truth in fact, the LIDC is probably one of the nicest facilities that the State has operated, at least here on the Island. But the question regarding clustering where you can go ahead and build residential facilities and put your support center almost as a community center in a condominium complex, to me makes an awful lot of sense. With reference to timing, I'm a general contractor. I do a lot of stick building. I'm building right now on the old Central Islip State Hospital. We have a project there called Park Row. We also have a Town project called College Woods which is across the street from that. And we deliver a home in probably three months. So if you take a look at the State coming back and saying let's work with the municipality whether it's the County, whether it's the Town. Let's stop taking property off the tax rolls. Let's find a nice community where we can go ahead and buffer it but still interact these people with the community. That to me would be a very sensible approach and not have to go with the large institutional type approach. You would basically have residential facilities that would blend in with the community but yet you would still be able to put your support services there and again lower the State's cost of operating this. I think that's a nice consideration. I think you can still go ahead and do that in a window considering this is August of '92, your mandate is March of '93. I think the real date is probably sometime December of '93 because, again, there's a placement problem. But I would like to think that the State would also consider some other options there. And I'd be more than glad to volunteer my time to work with the State representatives on trying to develop that program. Again, thank you."

Supervisor Janoski: "I'd like to thank the representatives

8/25/1992minutes

of the State for being with us this evening and taking the time to listen and to answer the questions that were posed. This is not a very easy situation. I want to compliment members of the community. These kinds of emotional issues sometimes get out of our control and I think that I'm proud of the neighborhood and the presentations that have been made here tonight expressing your concerns. Certainly nothing like a hearing that we would have with fishermen. So I thank you. I thank you so much for taking the time to be here and for expressing yourself. The members of the Board will act on your behalf, and take every action possible in this case. I would ask the members of the press not to leave, but if you could just come a little forward here, we have the potential of a decision being made here on another matter. Thank you all very much.

Time adjourned: 9:33 P.M.



TOWN CLERK