

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, February 23, 1982 at 7:30 P.M.

Present: John Lombardi, Councilman  
Vincent Artale, Councilman  
Louis Boschetti, Councilman

Absent: Joseph F. Janoski, Supervisor  
Victor Prusinowski, Councilman

Also Present: Richard Ehlers, Town Attorney

Councilman Lombardi called the meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

Councilman Lombardi: "The Supervisor's not here tonight because he is ill and Mr. Prusinowski is out of Town on business."

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

RESOLVED, that the Minutes of the Town Board Meetings held on January 19, 1982 and February 2, 1982, and the Special Town Board Meetings held on December 30, 1981 and February 9, 1982, are dispensed without objection, and be approved as submitted.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

#### BILLS

Bills submitted on abstract dated February 23, 1982 as follows:

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

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

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.  
The resolution was thereupon declared duly adopted.

Councilman Lombardi: "We have department heads here tonight, if anybody wants to question them or ask them any questions. I can't see with these glasses. Do we have the reports?"

#### REPORTS

Police Department for month of January, 1982. Filed.

Recreation Department for month of January, 1982. Filed.

Tax Receiver's report dated February 11, 1982 & February 22, 1982. Filed.

Planning Board, 2/22/82 - recommending that application of Neptune Diner be granted. Filed.

Irene J. Pendzick: "And that concludes reports."

Councilman Lombardi: "Thank you. Go onto applications."

#### APPLICATIONS

Great Peconic Beach Club Hotel - Site Plan for hotel at South Jamesport. Filed.

Anthony Angelelli - special permit for Game Arcade at 312 West Main Street. Filed.

APPLICATIONS - continued

Steven & Josephine Mitacchione - special permit to extend non-conforming use of premises at intersection of Sound Avenue & Route 25A. Filed.

Canterbury Green Construction Co. - request for road section to be 28'. Filed.

CORRESPONDENCE

N.Y.S. Dept. of Transportation - public hearing re: bus lines on 3/18/82. Filed.

George Young, 2/11/82 - withdrawing request for special permit. Filed.

Southampton Town - notice of adoption to Chapter 69 21, and notice of public hearings to be held on March 9th and March 2nd. Filed.

Harvey Arnoff, 2/04/82 - copy of letter to Dept. of Agriculture & Markets re: 1/28/82 letter of Dept. concerning Riverhead Airpark. Filed.

Suffolk County Department of Planning- re: Southampton Zone amendment Section 69 21. Filed.

John Talmage, 2/15/82 - copy of letter to Dept. of Agriculture & Markets concerning Riverhead Airpark. Filed.

Conservation Advisory Council - minutes of meeting held on 2/03/82. Filed.

Suffolk County Dept. of Health, 2/10/82 - agreement that Town of Riverhead should be designated lead agency re: Riverhead Flagg. Filed.

Environmental Review Board, 2/11/82 - that application of S. Mitacchione is a Type II action. Filed.

Conservation Advisory Council, 2/04/82 - advising that CAC membership appointments expire 3/01/82. Filed.

CORRESPONDENCE - continued

Frank & Joan Richardson, 2/05/82 - withdrawing special permit application. Filed.

H2M Corp., 2/05/82 - re: construction of drainage at Parker Road. Filed.

N.Y.S. Dept. of Environmental Conservation, 1/29/82 - re: draft EIS of Riverhead Airpark. Filed.

Landmarks' Preservation Commission, 2/04/82 - requesting landmarks' designation for six (6) structures. Filed.

Flanders-Northampton Alliance, 2/08/82 - inviting Board members to meeting on 2/25/82 - at County Center. Filed.

Twenty-five letters in opposition to the Riverhead Airpark. Filed.

Mr. & Mrs. William Kelly, 2/17/82 - requesting drainage on Harrison Avenue be attended to. Filed.

Fred Rogers, Pres. Riverhead Aviation Assoc., 2/22/82 - re: N.Y.S. Agric. & Markets letter. Filed.

Irene J. Pendzick: "And that concludes correspondence."

Councilman Lombardi: "Thank you."

UNFINISHED BUSINESS

Riverhead Airpark - special permit application for general aviation airport.

Cablevision - request for .30¢ rate increase.

Joseph & Linda Sullivan - special permit application for mobile home park.

UNFINISHED BUSINESS - continues

Stanley & Gladys Udell - special permit application for mobile home park.

Dr. J. Rogers - special permit application to convert barn to residence.

Councilman Lombardi: "Under unfinished business, we have the Riverhead Airpark special permit application for a general aviation airport. That's still pending.

Cablevision request for a .30¢ rate increase, that's still pending.

Joseph and Linda Sullivan special permit application for a mobile home park, that's still at the Planning Board.

Stanley and Gladys Udell special permit application for a mobile home park is still to be discussed.

Dr. J. Rogers special permit application to convert a barn to residence that is one of the resolutions today — tonight.

Does anyone feel — I recognize anyone to speak? Anyone have anything to say? Tony, you want to come up to the mike."

Irene J. Pendzick: "Is it pushed toward you?"

Tony: "Toward me?"

Irene J. Pendzick: "Give your name and address please."

Anthony DeGennaro, 25 Bayfair Drive, Shirely, Long Island, New York; "I am a businessman in the Town of Riverhead. I am before the Board on a question of a town ordinance concerning multiple housing. Be it the knowledge that I have at this point about a law of 1-'80 which is the law that I believe has gone before the Town Board and been adopted by the Board, but has not been published which means that that has not been a law. It is a zero law and people who are in the Town having the residences be inspected under the forcefulness of the Town Building Inspectors. I believe this is totally wrong and improper because you can't have someone do something unless there is an ordinance or law deeming it to be done and the proper passage of this law must be done. Is the Town Board aware of this fact?"

PERSONAL APPEARANCES - continued

Councilman Lombardi: "Well we will be publicizing it. It will be publicized."

Anthony DeGennaro: "It will be publicized now."

Councilman Lombardi: "Correct."

Anthony DeGennaro: "But what about the people that have been scrutinized by this law and having it not a law. I have gone through more than \$60,000 worth of repairs on a building because of this law and the Building Department of the Town of Riverhead forcing to do this work without having a right to say I can't do it. You have to do it Mr. DeGennaro. We're telling you to do it. We have a law that states that you must do it. Do you think this is unfair to the businessmen in the Town, or do you think this is the way business should be handled? I came into this Town with open arms trying to be a businessman and trying to raise a family. I was forced to put a roof on a building that did not need a roof. There were no leaks in the building and I had to put a roof on because the violation said, you have to put a new roof on this building. Each cost to a landlord in repairs alters the price to the tenant of what it cost for rent. Does the Town Board realize that the people of the Town who live in it, carrying the cost of repairs in the buildings that they are demanding to be done? And also the Town takes a person who is a landlord and says, you Sir must do the repairs even though that man broke the door, kicked out a window or busted a wall.

When you rent a building it may not be broken. But you, the landlord, are responsible for it no matter what. The state law doesn't say that the Town of Riverhead does, the state law says that the tenant should be held responsible for what he does and the landlord is responsible for what he does. But the Town of Riverhead tells me, Mr. DeGennaro, no matter who does it, you're still responsible for it and to me as a person, I think that's a very very hard way to make someone come into the Town and be welcome."

Councilman Lombardi: "Mr. DeGennaro, we have a limit."

Anthony DeGennaro: "I am finished."

Councilman Lombardi: "We have a limit of five minutes and it's five minutes."

PERSONAL APPEARANCES - continued

Anthony DeGennaro: "Thank you very much for the time you've given me."

Councilman Lombardi: "Thank you. Does anyone else have anything to speak—Dick?"

Dick Benedict, Fanning Blvd., Riverhead; "Recently, we had a storm as you all know and it wasn't much of a storm, but there were articles appeared in the paper with pictures of the sump on Doctors Path and a statement was made by Mr. Lescenski that he didn't know if we'd have the money to fix that sump, he was looking down in the sump. I would just like to remind the Town Board that that sump was designed by Holzmacher, McLendon. We also paid about \$60,000 for a study and about \$300,000 for that sump and that's the first rain that they've had in about two years and it didn't hold up. I'm not an engineer or a lawyer, but I am a taxpayer and I know that that should hold up a lot better than that. I don't think any town money should be spent even investigating what happened. I think Holzmacher should be investigated. Thank you."

Councilman Lombardi: "Thank you Dick. We have one minute, if anybody has anything to say for one minute."

Mike Campbell: "I'm here to represent Anthony Angelelli in his special permit for a game arcade downtown. I understand by future papers and the News-Review that you have made proposals on keeping this minimum and making it easy for people to be granted permits in order of their business. Well I'm here to represent my father-in-law, Mr. Anthony Angelelli and I understand by proposal in the paper you wish to keep this as you call it a recreational facility in a Business B zone. Well I have checked with the zoning and I found out the only Business B zoning is up in A & P Plaza, north of 58 and there is only one person who owns that and that's Mr. Leonard. And I understand that if the proposals were granted and we were willing to keep it in B zone that it would not lease it out, any stores or any place of his — in his plaza to a game arcade.

I have an application, it's been in for about a month on a special permit to open a game room downtown, just west of Griffing Avenue on the north side. Now I'm trying to understand your ordinances and your proposals that you're wishing to make on these—granting of these permits. But as you know, I'm not familiar with your hearings here and I ask to have a little leniency on me as to be granted an understanding of how your ordinance is going to work this out."

PERSONAL APPEARANCES - continued

Councilman Lombardi: "Mr. Campbell, we're coming up to that now — the public hearing on that and the Town Attorney will explain on what's to be done."

Mike Campbell: "Okay, thank you."

Councilman Lombardi recessed the meeting to hold the public hearing.

Councilman Lombardi: "Town code ordinance, Chapter 108-3 (definitions and additions). Dick would you want to do some explanation on it?"

Irene J. Pendzick: "Well let me read the thing first."

PUBLIC HEARING - 7:45 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, February 23, 1982 at 7:45 P.M. to hear all interested persons regarding the proposed additions to the definitions of the Riverhead Town Code, Chapter 108-3, specifically adding "Game Arcade", "Game Center", and "Game Room".

The affidavits were ordered to be placed on file.

Richard Ehlers, Town Attorney: "I've just been asked to briefly describe to you the gist of the game arcade proposal. What it does, is it breaks down in the number of machines involved assuming that you all understand the definition we're talking about. Foosball type games, air hockey games, ski bowls, video screen games, the type that you see around in the community. We're not talking about the recreational type juvenile rides which might be found in a shopping center where you put a nickel in and the kid rides around in a circle. And we basically divide it down into categories of four or less, between four and ten, and ten or more. Ten or more which is the game arcade, is what Mr. Campbell who is up recently discussing, is the largest amount of games that you could have. And we provide in the code that that can be the only use that the building is put to, so if you have a game arcade that would be the one thing that you would have at the arcade. You wouldn't have a beer hall next to it. You wouldn't have a candy store associated with it. You would just have a game arcade. You would just have the games that it includes.

Now he mentioned that it's only permitted in Business B and that is correct as it's written at the moment. Business B, however, includes more than just the one shopping plaza up on Route

## PUBLIC HEARING - continued

Richard Ehlers continues:

58. It includes a Business B shopping center district in Jamesport. It includes a Business B shopping center district in Wading River and the extent of the Business B shopping center district on Route 58, I believe is much larger than he would have indicated in his comments to you. It does not include the main street of Riverhead. Business B is commonly known as the shopping center district and as we all know, Main Street is not a shopping center district in a sense of a sprawling shopping center. When you get down to the four or less games, the code invisions no requirements for the operation of four or less games, other than type B in the areas indicated in the second portion of the code amendment, that is in the business districts, not in the residential districts.

If the person wishes to have four or less games in their facility and they're in the business district, they just pay a fee which is indicated will be determined by the Town Board and upon the payment of that fee they're permitted to have four or less games at that location. As to four to ten games the control there is on those facilities which commonly cater to older people, people over eighteen and the simplest way to determine who is over eighteen is to permit them only in areas where eighteen year olds are permitted and those are establishments that sell alcoholic beverages. There's a provision that the Town Board may enact rules and regulations governing the use and times of operation of the games in the various facilities. We have to recognize the difficulties, the constitutional invitations on how you can control the actions of people. There's a recent Supreme Court decision that we're hoping to get a copy of which might give us some guidance in that area. That's why those regulations are contained in here at this time. The code does provide, though, for the Board to make those recommendations and adopt those regulations."

Councilman Lombardi: "Thank you Dick. Does anybody have comments? Mr. Campbell."

Mike Campbell: "Are you sure that isn't violating any constitutional rights as far as have a business in a certain area besides a legal requirement of a plaza, instead of a small area as far as a residential business area as much as downtown? I mean I can understand grocery stores, bigger stores that wouldn't be able to hold the parking that would be needed in downtown as it would be down on 58. Now I understand — I only want to operate twenty machines as a total business of my own. No food, no liquor. I'm willing to — in order to get my permit granted, it's only going to be good for a year. I asked to have my permit granted for a year on the basis to find out how it would work out, as experimental.

The building that I'm going to lease would be leased only for one year with one option of five years if my — if I get a

## PUBLIC HEARING - continued

Mike Campbell continues:

renewal for the permit. But I understand there are no arcades out here as far as maybe Shirley and I know it's very hard for the Town Board to try to cope with something that they aren't normally used to, as far as making recommendations on where the machines could be and where they could be. I'd like to make a proposal that if I'm granted this one permit, I would leave a large margin for rules and regulations which is stated on my application and the permit as far as trying to make the Town Board happy as far as what their proposals would be, except for the only problem I have it's in Business B zone and I ask to be made an exception just for this one year that my permit be granted. Thank you."

Jess." Councilman Lombardi: "Thank you. Is there anyone else?"

Jessie Tomlinson, Wading River; "Mr. Ehlers, am I to understand that Business B District in Wading River would permit an arcade or some sort of an establishment of ten, twenty — is that what you're saying? In other words, you can come in for a permit for a shop or an arcade in areas in Wading River for ten or more, is that right?"

Richard Ehlers, Town Attorney; "If you'll notice, the provisions is that by special permit you can have a game arcade or a game center in the indicated areas so it's not a blanket approval without the Board having the ability to oversee and hopefully match the appropriate locations inside the business B sector. So if the question is, will all of Business B automatically become a game arcade? I would presume that the Board would not grant the blanket applications (the Town Attorney was not talking into a microphone, the rest of the sentence was inaudible)."

Jessie Tomlinson: "But they could, in effect, in other words if you grant it to one, it would be pretty hard to come up with justification of saying I don't want another one? Is that true?"

Richard Ehlers: "That's true. I think the special permit procedure is recognized by the state law as an appropriate land use and zoning technique and the special permits can be granted or denied as the Board sees fit based on the appropriate findings of fact."

PUBLIC HEARING - continued

Jessie Tomlinson: "Has there in the ordinance that's proposed, is there any plans — are there any plans for age limitations? In other words, do you have any other restrictions aside from where the arcades would be, would say that you'd have to be sixteen or over? Or would you have to be you know whatever age? Have you gone into that at all in the ordinance?"

Richard Ehlers: "I believe the Board has gone into that quite a bit with their own discussions and I can't speak for them. But as far as what it says in here, is that they may establish regulations and things deemed appropriate and when you apply for the permit, when you pay the fee, you will agree to abide by those regulations. Now if somebody does not abide by the regulations, obviously, there's a remedy, in taking away the permit and that is the standard type of litigation."

Jessie Tomlinson: "But in other words, there are no restrictions at this particular time? It would have to come out on individual applications, whether or not there would be aging restrictions on each individual . . ."

Richard Ehlers: "This invisions general rules and regulations to be adopted at the pleasure of the Town Board which would then be incorporated into each applicant's application. But it would not be different from one applicant to the other unless they were to determine something in the regulations."

Jessie Tomlinson: "Was there any contact with the other Towns who have already established, you know, Brookhaven, for example, and East Hampton, I think has a moratorium or has now decided to deny gameroom permits. Is that true in East Hampton?"

Richard Ehlers: "I'm not familiar with East Hampton at this moment. I know that there are many towns with moratoriums at the moment, just as we have one presently."

Jessie Tomlinson: "Well obviously, you know that they are going into or suggesting moratoriums because there is a problem with the arcades that presently exist, Brookhaven Town, for example. I think Babylon's got a lot of problems. Has there been any thought in this Town to just restrict arcades period?"

Richard Ehlers: "I can't answer questions about any thought. I can answer questions on this document."

PUBLIC HEARING - continued

Councilman Artale: "Jessie, if I can, we have been regulating hours, regulating ages and so forth, but right now this is just for the public hearing. Okay. We haven't established that particular thing yet."

Jessie Tomlinson: "No, but once you have it in an ordinance that yes, you can apply for a special permit in this Town, then it's already too late to say no you cannot have arcades in this Town."

Councilman Boschetti: "Before this piece of legislation ever gets passed, we will have such rules if we decide on them in place. So that before any permit is granted, there will be rules and regulations that will have to be agreed to by the applicant before such a permit is in fact given."

Jessie Tomlinson: "I know I understand that, but in other words, you are saying now that — yes you will permit arcades in this Town. I mean isn't that what you're saying?"

Councilman Boschetti: "Under certain regulations, perhaps, but that's what we're having the public hearing for to find out what the public is thinking about this particular issue."

Jessie Tomlinson: "Oh, in other words, this legislation may never be approved? Is that what you're saying?"

Councilman Boschetti: "It's possible."

Councilman Artale: "That's what we're saying. That's why there's a public hearing."

Jessie Tomlinson: "I see. Okay, thank you."

Councilman Lombardi: "It could go down."

Bart Morrison, Wading River; "A group of people, a fairly large group of people, as a matter of fact, voted an administration into Washington, a fairly conservative administration right now and part of it was, I think they were voted in with — they had

PUBLIC HEARING - continuedBart Morrison continues:

promised to keep government out of the hair of the people. And it seems to me, I don't understand, I'm no proponent of the video games or arcades, but I just don't think it's the place of town government or the place of government to be legislating what our kids should be doing and I think this is part of the crux of the problem as far as the video games go and how a businessman should run his business. I think that as far as the kids go, it's up to the parents to bring their children up and see how they spend their money and I think we should be encouraging the businessmen in the community and when they're trying to make a living, it's not very encouraging to restrict them to certain areas and by doing this indicates the business they're running is not really desirable.

We've — a group of us from Riverhead and Wading River have been trying to encourage the school district for one thing, if it's a problem with the children in the arcades, spending their money, it's mainly to restrict them during their lunch hours to the school grounds. We haven't gotten any cooperation with the school district. This seems to be one of the problems that people have been saying they're spending their money on these games and everything. Well this is the problem of the parents, you know, getting it across to their kids and if we get the school district to cooperate, keep the kids on the school grounds so that they're not running across 58 to the shopping center in these forty-five minute lunch hours, we might not have a problem really.

I would ask the Board to really consider this before you start ordinating and legislating ourselves to death. We have a bicycle ordinance. We have an ordinance so that the refuse collectors can't collect it at a certain hour and we have an ordinance for this and an ordinance for that and for God sake, let's stop a minute and think before we go ahead and do these things."

Councilman Lombardi: "Thank you."

No one else wishing to speak and no communications having been received thereto, Councilman Lombardi declared the hearing closed at 8:00 P.M.

Councilman Lombardi recessed the meeting to hold the next public hearing.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, February 23, 1982 at 8:00 P.M.

PUBLIC HEARING - continued

to hear all interested persons regarding the proposed additions to the Riverhead Town Code, Chapter 108, Sections 27, 34, 39, and 42, subject to the adoption of the definitions entitled "Game Arcade", "Game Center", and "Game Room".

The affidavits were ordered to be placed on file.

Richard Ehlers: "We had to break it down into two sections. We were amending the definitional section which was the first portion of the public hearing and that we also had to amend the various sections that deal with the different zones in the Town. Residential A, B, C, D and what not. And these second sections is how it fits in and is intergraded into that. We discussed it, it's the Business B for the arcade, the business districts for the game centers and game rooms with the accessory use being the four or less games in any of the business district areas."

Councilman Lombardi: "Thank you Dick. Does anyone else have anything to say on that?"

No one else wishing to be heard and no communications having been received thereto, Councilman Lombardi declared the hearing closed at 8:03 P.M.

RESOLUTIONS

#97

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE FOR PUBLIC HEARING RE: LILCO FRANCHISE AGREEMENT

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following Notice of Public Hearing with regard to the application of Long Island Lighting Company to renew its gas franchise for service to the residents of Riverhead Township.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 16th day of March, 1982 at 7:45 P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the application of the Long Island Lighting Company to renew its gas franchise for service to the residents of Riverhead Township.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued  
 #98 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT OF SALE,  
RE: VAN KURIN FROM THE TOWN OF RIVERHEAD  
 Councilman Boschetti offered the following resolution  
 which was seconded by Councilman Artale.

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 23rd day of February, 1982, the Town Board of the Town of Riverhead duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

WHEREAS, the Town of Riverhead, through the Community Development Office, has rehabilitated various houses throughout the Town of Riverhead, and

WHEREAS, a house is now ready to be sold by the Town of Riverhead in accordance with the rules and regulations established by HUD, and

WHEREAS, Schuyler and Lorraine Van Kurin have expressed their desire to purchase said house,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute the subject contract wherein said sale is subject to a permissive referendum, and wherein the selling price of said premises is \$29,000.00, and be it

FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post this resolution.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

#99 TRANSFER OF FUNDS  
 Councilman Artale offered the following resolution  
 which was seconded by Councilman Boschetti.

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

FROM: A1010.460 TOWN BOARD LITIGATION \$500.00

TO: A1010.420 TOWN BOARD TRAVELING EXPENSES \$500.00

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

#100 RESOLUTION APPROVING THE SPECIAL PERMIT, PERMITTING  
RESIDENTIAL USE IN INDUSTRIAL ZONE A - ROGERS  
 Councilman Boschetti offered the following resolution  
 which was seconded by Councilman Artale.

RESOLUTIONS - continued

WHEREAS, an application has been filed by Dr. Jerome Rogers, contract vendee, to subdivide a certain parcel on West Lane, Aquebogue, New York, into four (4) lots, more particularly described on the filed subdivision dated October 14, 1981, with the Planning Board, and

WHEREAS, such minor subdivision was granted by the Planning Board on December 18, 1981, and

WHEREAS, a special permit application was filed with the Town Board dated December 8, 1981, seeking a special permit to convert the northern barn on Lot #1 to residence and to permit lots 2, 3, and 4 to be used for residential purposes, and

WHEREAS, the special permit application was referred to the Planning Board for review and recommendation, and

WHEREAS, that Board has recommended that the special permit application be granted, and

WHEREAS, the Environmental Quality Review Board has recommended to this Board that the application be considered as Type II pursuant to SEQR regulations, and

WHEREAS, a public hearing was held before the Town Board on the 2nd day of February, 1982, and all those wishing to be heard were heard, and

WHEREAS, the use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood, and

WHEREAS, the hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town, and

WHEREAS, the health, safety, welfare, comfort, convenience, and order of the Town will not be adversely affected by the authorized use, and

WHEREAS, such use will be in harmony with and promote the general purposes and intent of this chapter,

NOW, THEREFORE, be it

RESOLVED, that the special permit be issued to Dr. Jerome A. Rogers to permit a residential use on Lots 2, 3, and 4 of the subdivision filed pursuant to Planning Board resolution dated December 18, 1981, that a special permit be issued to Dr. Jerome Rogers to convert a barn to a residence on Lot 1 of the aforementioned subdivision, and be it

FURTHER RESOLVED, that such special permit shall be subject to any restrictions, requirements, and/or limitations as detailed in the Riverhead Town Code, Chapter 108.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#101 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT OF SALE,  
RE: POLLACK

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

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 23rd day of February, 1982, the Town Board of the Town of Riverhead duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

WHEREAS, the Town of Riverhead has expressed its desire to purchase property located on Osborne Avenue, Riverhead, New York, for the purpose of relocating residents and clearing dilapidated buildings in that area through the Community Development Office, and

WHEREAS, Henry A. Pollack has expressed his desire to sell his real property located in that area,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute the subject contract wherein said sale is subject to a permissive referendum, and wherein the price of said parcel is \$2,500.00 to be paid from Community Development Funds, and be it

FURTHER RESOLVED, that the Town Clerk is authorized to publish and post this resolution.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

#102 AUTHORIZES OVERTIME FOR HIGHWAY DEPARTMENT

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

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for the period January 16, 1982 thru January 31, 1982 for a total of 879 hours in the amount of NINE THOUSAND FOUR HUNDRED NINETY SIX and 83/100 (\$9,496.83) DOLLARS, in accordance with personal services abstract submitted and filed in the Office of the Town Clerk.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

#103 AUTHORIZES SUPERVISOR TO ENTER INTO CONSULTING CONTRACT

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

WHEREAS, the Town of Riverhead Conservation Advisory Council has received funding approval from the New York State

RESOLUTIONS - continued

Department of Environmental Conservation in the form of reimbursement of costs associated with consulting services within State fiscal years 1981-82 and 1982-83, and

WHEREAS, the Town of Riverhead has requested a proposal from the firm of Raymond, Parish, Pine and Weiner, Inc. to provide a work plan and budget for an update of the Town's master plan as well as special study efforts, and

WHEREAS, these materials have been provided by the firm and reviewed by the Town Board, and

WHEREAS, the Town Board has prioritized the elements of the work plan submitted by the firm, and

WHEREAS, the State of New York has been notified of the Town of Riverhead's priority items,

THEREFORE, be it

RESOLVED, that the Town Board of the Town of Riverhead authorized the Supervisor to enter into a contract with the firm of Raymond, Parish, Pine and Weiner, Inc. to complete a coastal zone management plan and a development plan for the Route 58 corridor in an amount not to exceed \$27,000.00.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

#104 DESIGNATES STRUCTURES IN WADING RIVER TO BE LANDMARKS  
PURSUANT TO THE REQUEST OF THE LANDMARKS' PRESERVATION  
COMMISSION

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

WHEREAS, the Landmarks' Preservation Commission, under letter dated February 4, 1982, has requested this Town Board to designate various structures in Wading River as "Landmarks",

NOW, THEREFORE, be it

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

1. "Four Chimneys" Woodhull-Danby House  
Sound Road  
Wading River (Application #29)
2. "Friendly Hall" Tuthill-Lapham House  
Sound Road  
Wading River (Application #30)
3. The Miller Homestead  
N. Wading River Road  
Wading River (Application #35)

RESOLUTIONS - continued

4. The Miller Cottage  
N. Wading River Road  
Wading River (Application #36)
5. Reppa "1812 House"  
Sound Road  
Wading River (Application #37)
6. The Davis-Chester House  
Sound Road  
Wading River (Application #38)

AND BE IT FURTHER RESOLVED, that said Commission be and is hereby authorized to purchase six (6) "landmark" plaques at a total cost not to exceed \$300.00.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

#105 AUTHORIZES USE OF STREET FOR POLISH TOWN STREET FAIR & FESTIVAL

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

WHEREAS, the members of the Polish Town Civic Association wish to hold an annual "Street Fair & Festival" in the area of Pulaski Street, and

WHEREAS, this Town Board encourages civic participation of the residents of the Township, and

WHEREAS, the Police Department and Fire Department will be advised by letter of the plans and arrangements of the "Street Fair & Festival", and

WHEREAS, obstructions will not be permitted in the street for the passage of emergency vehicles, if necessary, NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 6403 of the Town Law, this Town Board grants permission to the Polish Town Civic Association to conduct the "Polish Town Street Fair & Festival" and that Pulaski Street be closed to vehicular traffic from Marcy Avenue to Osborn Avenue; and the length of Osborn Avenue from the High School Parking lot south to Lincoln Street; and Lincoln Street from Osborn Avenue to Griffing Avenue; during the hours of 10:00 A.M. to 6:00 P.M. on Saturday, August 21, 1982; for the purpose of a community "Street Fair", and on condition that a certificate of insurance in the amount of \$1,000,000 (one million) dollars be filed with the Town Clerk, and be it

FURTHER RESOLVED, that permission is hereby granted to hold said "Polka Dance Festival" on the aforementioned dates at the corner of Lincoln Street and Osborn Avenue, on condition that a certificate of insurance in the amount of \$1,000,000

RESOLUTIONS - continued

(one million) dollars be filed with the Town Clerk.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

#106 AUTHORIZES INCREASE AS PER COMPLETION OF PROBATIONARY PERIOD - Sharon Tinervin

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

WHEREAS, Sharon Tinervin was appointed to the position of Stenographer in the Community Development Office on August 4, 1981, and

WHEREAS, Sharon Tinervin has satisfactorily completed her six (6) month probation period, and

WHEREAS, the Town Board has considered her performance to be commendable,

NOW, THEREFORE, be it

RESOLVED, that in accordance with the CSEA Contract, Sharon Tinervin is entitled to an increase of salary to \$10,206.73 in accordance with Group 4, Step 1 of the Salary Administration Schedule.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

#107 AUTHORIZES OVERTIME COMPENSATION - ACCOUNTING OFFICE  
Councilman Artale offered the following resolution

which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following employees be paid overtime pay for the period from January 1, 1982 to and including February 19, 1982.

BE IT FURTHER RESOLVED, that said overtime be charged to the Accounting Department.

Victoria Vourakis	34.0 hours	\$308.95
Barbara Blass	4.0 hours	37.09
Karen Heppner	5.0 hours	42.55
William Heard	52.0 hours	659.17
Janice Carney	54.25 hours	503.07
Denise Hansen	34.0 hours	392.49
Monique Cawley	15.0 hours	167.88
Victoria Martin	4.75 hours	54.00
Dolores Waalkes	3.5 hours	28.15

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#108 RESOLUTION OF CONDOLENCE - FRED KAFFKE

Councilman Boschetti offered the following resolution which was unanimously adopted by the Entire Town Board.

WHEREAS, the Riverhead Town Board wishes to express its sadness at the untimely passing of FRED KAFFKE, an Emergency Medical Technician for the Riverhead Volunteer Ambulance Corps, and

WHEREAS, the Riverhead Town Board wishes to add its sincere sympathy to that of the many who knew and admire him, and

WHEREAS, the Town of Riverhead is diminished by the loss of a man known for his genuine regard for its citizens as well as an unselfish devotion to duty,

NOW, THEREFORE, be it

RESOLVED, by the Members of the Town Board of the Town of Riverhead, at its meeting assembled this 23rd day of February, 1982, that we hereby express our sorrow at the passing of Fred Kaffke, and in acknowledgement of the great contribution of his service to the Town of Riverhead, extend to his family our most sincere condolences; and be it

FURTHER RESOLVED, that a suitably engrossed copy of this resolution be prepared and presented to the family of Fred Kaffke.

#109 TRANSFER OF FUNDS - General Town Accounts

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

RESOLVED, that the Supervisor be, and hereby is, authorized to transfer the following General Town Accounts:

	<u>FROM</u>	<u>TO</u>
A1990.400 Contingency Account	\$35,000	
A9961.900 Transfer to Gasoline Storage Facilities		\$35,000

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.

The resolution was thereupon declared duly adopted.

#110 TRANSFER OF FUNDS - Gasoline Storage Facilities Budget

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

RESOLVED, that the Supervisor, be and hereby is, authorized to establish a Gasoline Storage Facilities Budget:

RESOLUTIONS - continued

	<u>REVENUE</u>	<u>EXPENSE</u>
MF2801 Transfer from General Town	\$35,000	
MF1670.400 Contractual Expenses		\$35,000

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Absent.  
The resolution was thereupon declared duly adopted.

Councilman Lombardi: "Does anyone else have anything to say before we adjourn?"

No one wished to be heard at this time.

There being no further business on motion and vote, the meeting adjourned at 8:21 P.M.

IJP/vlv

*Irene J. Pendzick*  
Irene J. Pendzick, Town Clerk