

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, December 1, 1981 at 7:30 P.M.

Present: Joseph F. Janoski, Supervisor
Francis E. Menendez, Councilman
John Lombardi, Councilman
Antone J. Regula, Councilman
Victor Prusinowski, Councilman

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

BILLS

Bills submitted on abstract dated December 1, 1981 as follows:

General Town	\$26,515.87
Street Lighting	\$ 472.75
Highway Item #1	\$ 2,180.71
Highway Item #1A	\$ 1,120.74
Highway Item #3	\$ 4,915.77
Highway Item #4	\$ 853.41

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

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

General Town	\$26,515.87
Street Lighting	\$ 472.75
Highway Item #1	\$ 2,180.71
Highway Item #1A	\$ 1,120.74
Highway Item #3	\$ 4,915.77
Highway Item #4	\$ 853.41

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

REPORTS

Supervisor's Financial report for September, 1981. Filed.

REPORTS - continued
Recreation Department - monthly report dated October, 1981. Filed.

Town Attorney's status report as of November 30, 1981. Filed.

Building Department - month of November, 1981. Filed.

American Appraisal - report of Town properties as of August 6, 1981. Filed.

APPLICATIONS & PETITIONS

Parade Permit - Chamber of Commerce, for December 4th at 6:00 P.M. Filed.

Parade Permit - Lions Club, for December 6th at 1:00 P.M. Filed.

Petition - signed by 18 residents within walking distance of proposed Labor Camp in Wading River, listing 6 objections. Filed.

Special Permit - Suffolk Garden Restaurant Corp., to have live music at premises on Route 25, Calverton. Filed.

CORRESPONDENCE

Norman Jacobs, 11/08/81 - listing objection to Labor Camp in Wading River. Filed.

Southampton Town, 11/25/81 - notice of public hearing to be held on 12/15/81, re: zoning change creating use classification of "Horse Farm, Academy, Stabling Facility"; and for application re: Chapter 69 of Zoning Map. Filed.

Corps of Engineers, 11/20/81 - re: Broad Cove, Inc. application to dredge freshwater creek off Great Peconic Bay, Aquebogue. Filed.

Lilco, 11/18/81 - submitting indemnity bond of \$1,000 for two year period. Filed.

Kevin Duffy, 11/19/81 - submitting resignation as Town Attorney, effective November 30, 1981. Filed.

CORRESPONDENCE - continued

Board of Elections, 11/20/81 - certifying votes cast for proposition #1, (re: Town Clerk's 4 year term) as: 2,928 NO, 1,664 YES. Filed.

Shoreham-Wading River School District, 11/19/81 - submitting equalization rates for district and monies to be raised. Filed

Rausch Brokerage Corp., 11/20/81 - advising that agency will be unable to quote insurance for Town of Riverhead. Filed.

Photocircuits, 11/25/81 - urging permit for Riverhead Airpark be granted. Filed.

East Hampton Town, 11/20/81 - copy of resolution adopted re: offshore drilling. Filed.

Steve Tsontakis, 11/19/81 - re: construction bond, Stotsky Park building. Filed.

County Planning Dept., 11/19/81 - that application of Ovas Realty Corp. is a Type II action. Filed.

Garsten Motors, Inc., 11/16/81 - supporting re-opening of Riverhead Airpark. Filed.

Bistriian Gravel Corp. , 11/19/81 - supporting re-opening of Riverhead Airpark. Filed.

Northville Corp., 11/19/81 - supporting Riverhead Airpark as important asset. Filed.

Kinney Chevrolet-Olds, 11/16/81 - in favor of granting Riverhead Airpark license. Filed.

Planning Board, 11/20/81 - recommending that application of Stanley & Gladys Udel be approved, with conditions. Filed.

Riverhead Townscape - expresses appreciation to Town Board for Country Fair. Filed.

CORRESPONDENCE - continued
Peconic Travel Bureau, 11/24/81 - supporting Peconic Jitney service for North Fork. Filed.

Alpha Travel, 11/24/81 - supporting Peconic Jitney application for North Fork. Filed.

County Planning Dept., 11/24/81 - that amendment to zoning ordinance re: recreation facilities and overlay district are matters for local determination. Filed.

Morris Segal, 11/16/81 - request that Town re-open Riverhead Airpark. Filed.

John Foley - re: health Committee meetings to be held on 12/01/81 & 12/07/81. Filed.

Environmental Review Board, 11/19/81 - that application of Ovas Realty Corp., is a Type II action. Filed.

Supervisor Janoski: "There is one additional piece of correspondence, I believe should be read into the record. It's a request that I received from the Town Board today. Mrs. Pendzick, do you have a copy of that?"

Irene Pendzick: "No, not with me. That was for Town Board members. That's not a public . . ."

Supervisor Janoski: "Well, I think it should be public. We are going to have a Special Town Board Meeting on Friday, this Friday at the request of Councilman Regula and Councilman Menendez, which forces me to call this special meeting at 3:00 p.m. on that afternoon to replace the Receiver of Taxes."

CORRESPONDENCE - continued
Councilmen Regula and Menendez - Special Town Board meeting, Friday, December 4, 1981 at 3:00 P.M. Filed.

Supervisor Janoski: "The time has not yet arrived for the first public hearing. I have to do the unfinished business."

UNFINISHED BUSINESS

Riverhead Airpark - special permit for general aviation airport.

Cablevision - request for rate increase (.30¢).

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

Leonard Moore - special permit for Type 6 Labor Camp.

Stanley & Gladys Udell - special permit amendment (remove restrictions).

Ovas Realty Corp. - special permit to construct kitchen cabinet showroom.

Supervisor Janoski: "Riverhead special permit for general aviation airport, we will now be calling a special hearing upon receipt of the Environmental Impact Statement.

Cablevision request for a rate increase of .30¢, pending Town Board action.

Special permit application of Joseph and Linda Sullivan for a special permit for a mobile home park, under consideration by the Town Board.

Leonard Moore special permit for a type 6 labor camp, also under consideration by Town Board.

Stanley and Gladys Udell special permit amendment to remove restrictions, we have just received that it has been noted in the correspondence received from the Planning Board.

Ovas Realty the special permit to construct kitchen cabinet showroom, before the Planning Board.

There are six minutes remaining before the first public hearing. I would open the meeting to anyone who wishes to be heard at this time. It's all yours Bill."

William Kasperovich, Wading River; "It continually comes to me when I come to this nice town hall and compare it, mentally with the town hall we came from. I always have come to my mind a Greek Poem and in light of the times and incidence of recent days. It's a sort of thing that I would think would be appropriate in our outer vestibule and I will read. This is titled "The City".

PERSONAL APPEARANCES - continued
William Kasperovich continues:

'Not by her houses neat
Nor by her well built walls
Not yet again
Neither by dock nor street
A city stands or falls
But by her man
Not by the joiners skill
Nor work in wood or stone
Comes good to her or ill
But by her men alone'

All these fancy trappings and structure and interior decor means nothing except for the people that are in it. I think we lose sight of this on occasion. Thank you."

Supervisor Janoski: "Thank you Bill. There is still three minutes remaining before the first public hearing. Would anyone else wish to address the Town Board? Jim."

Jim Cooper, Wading River: "I would like to ask, in other words, it is my opinion that the parks, mobile parks that are in the Town of Riverhead — is the only place you can put mobile homes? Do any of you gentlemen . . ."

Supervisor Janoski: "You can put them on privately owned property. If you own the property."

Jim Cooper: "You can put it on privately owned property. You can?"

Supervisor Janoski: "Yes."

Jim Cooper: "Because there is one being put up on Sound Avenue and that's the reason why I'm asking the question. How do you get it up there by going to the Town to get a permit, or is it just a matter, of course that you can put them on a piece of property?"

Supervisor Janoski: "You can. They're allowed in the Town of Riverhead and if there's anything to be added to by the Building Department. Do you have anything Ray to add to that?"

PERSONAL APPEARANCES - continued

Raymond Wiwczar from the audience: "You have to go to the Board of Appeals."

Supervisor Janoski: "Okay."

Jim Cooper: "What's that?"

Supervisor Janoski: "It has to go to the Board of Appeals."

Councilman Regula: "Zoning Board of Appeals."

Jim Cooper: "In other words, you could buy a piece of property and put a mobile on it and it's not against the law in the Town of Riverhead."

Supervisor Janoski: "If the Zoning Board approves."

Jim Cooper: "Okay, thank very much."

Supervisor Janoski: "Thank you Jim. There are two minutes remaining before — Hank?"

Hank Fioto, Riverhead; "On this thing, over here, you have a special permit by the Suffolk County — Suffolk Garden Rest Corp. Is that the old diner up on 25? Aren't they under special permit right now? Original was a non-permitted use. It was residential."

Supervisor Janoski: "That's to have the restaurant in an area zoned residential. It's been — you were the original owner?"

Hank Fioto: "I understand that, but I understand that it was — the permit was granted with the subject because it was being used for a restaurant and no other purpose. But — now he's applying for a special permit to override his original special permit."

PERSONAL APPEARANCES - continued

Supervisor Janoski: "No previously you were not allowed to have live entertainment in a restaurant in the Town of Riverhead. What the Town Board did at the last Town Board Meeting was to allow live entertainment by special permit of the Town Board and that is the permit he's seeking."

Hank Fioto: "But must he maintain food? Cause I had spoken to some people — they had approached me in regard to the said premises. And they wanted to know how come he had live music down there and that he wasn't serving food? That it's more or less a bar and he just — so I had said to him to find out if he has a tavern license or an RL license. If has an RL license and he's not serving food, go to the State Liquor Authority."

Supervisor Janoski: "By law, he's required to serve food with the license that he has. If he's not, he's in violation of his license."

Hank Fioto: "Well that's what I had said. But to me, I understand it's like I say, if he's under a special — if he's granted from what I understand an originally, a special permit because it was a restaurant, not a bar, but restaurant. In other words there's alcohol sold, go in collusion with, he'll be selling food. And then he eliminated the food and he was running it as a bar."

Supervisor Janoski: "I'm not aware of that. And if that's the case, he's in violation of his license."

Hank Fioto: "See and this is basically — now he's applying for a permit that live entertainment, so he's eliminating his special permit. He's overriding his special permit."

Supervisor Janoski: "I don't agree with you on that last part. He's applying for a special permit for live entertainment in a restaurant."

Hank Fioto: "As long as he maintains the restaurant."

Supervisor Janoski: "Well we've already discussed that part. And you're right. If he is not serving the food, he's in violation. Let the record show that the hour of 7:45 p.m. has arrived."

Supervisor Janoski recessed the meeting to hold the 7:45 p.m. public hearing in regard to Roanoke Sewer connections. See the Sewer Minutes of 1981.

RESOLUTIONS

#565

RESOLUTION OF CONDOLENCE - WALTER FLANAGAN

Supervisor Janoski offered the following resolution which was unanimously adopted by the Entire Town Board.

WHEREAS, the sudden and untimely passing of Walter Flanagan is a great loss to the Town of Riverhead, and

WHEREAS, Walter Flanagan devoted his career in service to the community as a member of the Riverhead Town Police Department and as Receiver of Taxes, 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, and

WHEREAS, the Riverhead Town Board wishes to add its sincerest condolences to those of the many who knew and admired him and whose lives he touched,

NOW, THEREFORE, be it

RESOLVED, that the members of the Riverhead Town Board, at its meeting assembled on the 1st day of December, 1981, on behalf of the people of Riverhead hereby express our sadness at the passing of Walter Flanagan, and in acknowledgement of his great contribution in service to the Town of Riverhead, do hereby extend our deepest sympathy to his family, and be it

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

#566

TRANSFER OF FUNDS

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

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

FROM: A3120.416 Traffic Tickets \$40.00

TO: A3120.409 Flares \$40.00

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#567

AUTHORIZES OVERTIME COMPENSATION-RECREATION DEPARTMENT & OFF-STREET PARKING

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

RESOLUTIONS - continued

RESOLVED, that the following employees of the Riverhead Recreation Department and Off-Street Parking be paid time and one-half overtime compensation as follows:

<u>Employee</u>	<u>Overtime hours</u>	<u>Rate</u>	<u>Amount</u>	<u>Account #</u>
James Gadbois	23.5	9.8713	\$231.98	A7310.104
Oliver Miles	45.0	8.5050	\$382.73	A7310.103
Merrill Nelson	36.5	9.9831	\$364.38	A7310.101
Gustave Olson	15.0	9.8713	\$148.07	A7110.110
James Woodson	8.0	8.0495	\$ 64.40	A7110.110

FURTHER RESOLVED, that the explanatory report relating to aforesaid overtime submitted by the Superintendent of the Recreation Department, be filed in the Office of the Town Clerk.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#570 AUTHORIZES INCREASE PER COMPLETION OF PROBATIONARY PERIOD

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

WHEREAS, Caroleen Naugles was appointed to the position of Mini-Bus Driver for the Dial-a-Ride Program on a probationary basis effective June 10, 1981, and

WHEREAS, Caroleen Naugles has satisfactorily completed her six (6) month probationary period,

NOW, THEREFORE, be it

RESOLVED, that Caroleen Naugles be appointed to the position of Mini-Bus Driver on a permanent basis effective December 10, 1981 at an annual salary of \$8,750.08.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#571 ACCEPTS RESIGNATION OF TOWN ATTORNEY, KEVIN DUFFY
Councilman Regula offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Kevin Duffy has submitted his resignation, effective November 30, 1981, as Riverhead Town Attorney, and

WHEREAS, this Town Board would like to express their gratitude to Mr. Duffy for his dedication and conscientiousness in fulfilling the duties of Town Attorney,

RESOLUTIONS - continued

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby accept the resignation of Town Attorney, Kevin Duffy, with regret. The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

- #572 TERMINATES TEMPORARY HELP - HIGHWAY DEPARTMENT
Councilman Lombardi offered the following resolution which was seconded by Councilman Menendez.
WHEREAS, Milton E. Nielson and Larry Gorman were hired on a temporary basis to assist on the Highway Department,
NOW, THEREFORE, be it
RESOLVED, that the above men are hereby terminated as of November 27, 1981.
The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.
The resolution was thereupon declared duly adopted.

- #574 AUTHORIZES TIME AND ONE-HALF OVERTIME FOR ARTHUR DANGELMAIER
Councilman Prusinowski offered the following resolution which was seconded by Councilman Regula.
RESOLVED, that the following employee be paid time and one-half overtime compensation.

Arthur Dangelmaier ----- 7½ hours @ \$8.7326--\$65.41

FURTHER RESOLVED, that the explanatory report relating to aforesaid overtime be filed in the Office of the Town Clerk. The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.
The resolution was thereupon declared duly adopted.

- #575 TRANSFER OF FUNDS - COMMUNITY DEVELOPMENT FUNDS
Councilman Regula offered the following resolution which was seconded by Councilman Prusinowski.
RESOLVED, that the Supervisor be, and hereby is, authorized to transfer the following Community Development Funds:

		<u>FROM</u>	<u>TO</u>
SMC 79-8668.31	Home Improvement Loans	\$12,325.16	
SMC 79-8668.32	Direct Grants		\$12,325.16

RESOLUTIONS - continued

		<u>FROM</u>	<u>TO</u>
DSG 79-2170	Community Development Income	\$20,000.00	
DSG 79-8666.31	Doctors Path Water Ext.		\$20,000.00
CD 2660	Sale of Real Property	\$53,335.82	
CD 78-8668.3	Loans & Grants		\$53,335.82
SMC 80-8690.400	Contingency Fund	\$ 5,000.00	
SMC 80-8686.400	Administration		\$ 5,000.00

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#576 APPOINTS CHARLES BROWN AS TEMPORARY LABORER
Councilman Lombardi offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, this Town Board finds it necessary to expedite the renovation of the Juvenile Aide Bureau and Community Development offices,

NOW, THEREFORE, be it

RESOLVED, that Charles Brown be appointed to a 30-day temporary position of laborer at \$5.80 an hour, effective November 16, 1981.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#577 ADOPTS BUDGET FOR HOME AIDE PROGRAM
Councilman Menendez offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Town of Riverhead is in receipt of a totally funded Grant from the New York State Office of the Aging for a Home Aide Program,

NOW, THEREFORE, be it

RESOLVED, that the following Budget is adopted:

	<u>FROM</u>	<u>TO</u>
H3804 NYS Office of the Aging	\$14,310.00	
H7611.100 Personnel--Home Aides		\$10,464.00
H7611.401 Staff Travel		908.00

RESOLUTIONS - continued

	<u>FROM</u>	<u>TO</u>
H7611.402 Advertising		\$ 200.00
H7611.403 Office Supplies		\$ 800.00
H7611.800 Fringe Benefits		\$ 1,938.00

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#578 RESOLUTION OF CONSENT - PECONIC JITNEY
Councilman Prusinowski offered the following resolution which was seconded by Councilman Regula.

WHEREAS, the Town of Riverhead realizes the importance of efficient mass transportation between the Town and the City of New York; and

WHEREAS, the Hampton Jitney, Inc., an east end corporation which currently makes numerous runs to the City of New York from the east end of Long Island, proposes that a new "Peconic Jitney" be established to provide daily bus service between the Town and the City of New York; and

WHEREAS, the Hampton Jitney has filed a Petition with the Commissioner of Transportation of the State of New York seeking a temporary certificate of public convenience and necessity to operate such a service; and

WHEREAS, the Town Board of Riverhead believes it is in the best interests of the people of Riverhead to enable all parties interested in providing such services to present their petition with the consent of the municipality involved;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Riverhead shall, and does hereby, give consent to the proposal of the Hampton Jitney, Inc. to establish the "Peconic Jitney" service between the Town of Riverhead and the City of New York.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#579 RESOLUTION OF CONSENT - SUNRISE COACH
Councilman Regula offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Town of Riverhead realizes the importance of efficient mass transportation between the Town and the City of New York; and

WHEREAS, the SUNRISE COACH LINE, an east end corporation which currently makes numerous runs to the City of New York from

RESOLUTIONS - continued

the east end of Long Island, proposes that SUNRISE COACH LINE be established to provide daily bus service between the Town and the City of New York; and

WHEREAS, the SUNRISE COACH LINE has filed a Petition with the commissioner of Transportation of the State of New York seeking a temporary certificate of public convenience and necessity to operate such a service; and

WHEREAS, the Town Board of Riverhead believes it is in the best interests of the people of Riverhead to enable all parties interested in providing such services to present their petition with the consent of the municipality involved;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Riverhead shall, and does hereby, give consent to the proposal of the SUNRISE COACH LINE to establish the service between the Town of Riverhead and the City of New York.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "Let the record show that the hour of 8:00 p.m. has arrived."

Supervisor Janoski recessed the meeting to hold hold the 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, December 1, 1981 at 8:00 P.M. to hear all interested persons concerning the creation of a Recreational Overlay District.

The affidavits were ordered to be placed on file.

Supervisor Janoski: "Mr. DiPietro are you here to testify for this particular — Mr. McNulty are you here to testify as to this public hearing?"

John McNulty from the audience; "Well I'm here to urge the passage of the amendment."

Supervisor Janoski: "If you would do so, thank you."

PUBLIC HEARING - continued

John McNulty: "Mr. Supervisor, Members of the Board, I represent Riverhead Flag Corporation and as you know, I met with the tri-board, the Town Board, the Planning Board and the Board of Appeals in mid-October. And at that time, I had indicated to the Boards that Riverhead Flag Corporation had contracted to sell its property at Baiting Hollow, subject to obtaining an approval from the Town of Riverhead and the Health Department and other municipal agencies for the construction of condominiums. Without going into the details that we went into at the tri-board meeting, I would say that Riverhead Flag Corporation urges the passing of this amendment and it is an amendment which from our view point seeks to enhance and develop the resort (the tape ended) (tape began) and at the same time, it increases the control that the Town Board has over the development of those uses and without boring you, I would just say that it's our position that we recommend passage of that amendment. Thank you."

Supervisor Janoski: "Thank you. Is there anyone else present who wishes to speak to this issue? Bill."

Bill Nohejl, Wading River; "In the past, I've always said that this was quite a place to develop into a recreational facility in the Town of Riverhead because it has great potential, but I would like to see it develop in a proper and orderly way. The Town Board have control over it and again, I say it has great potential and will bring tourism and I think added money to the Town of Riverhead. Thank you."

Supervisor Janoski: "Thank you Bill. Is there anyone else present who wishes to address the Town Board on this matter?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:05 P.M.

RESOLUTIONS

#580

TRANSFER OF FUNDS - DOG WARDEN ACCOUNTS

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

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

	<u>FROM</u>	<u>TO</u>
A3510.100 Personal Services	200.00	
A1010.410 Ordinance Codification	\$1,800.00	
A3510.410 Propane Gas		\$2,000.00

RESOLUTIONS - continued

The vote, Prusinowski: "John did you approve of this transfer?"

Councilman Lombardi: "Yes."

The vote continues, Prusinowski: "Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#581 AUTHORIZES HIGHWAY SUPERINTENDENT TO PURCHASE TWO SAND SPREADERS

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

RESOLVED, that the Highway Superintendent is hereby authorized to purchase from Trius, Inc., 369 Duffy Avenue, Hicksville, N.Y. 11802, under Suffolk County Letting No. 3-81.1.22, Item #17, two (2) dump body mounted 11' sand spreaders, model #2020, at the Bid price of \$8,132.00 each making a total of \$16,264.00.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "We have four minutes remaining until the next public hearing. Is there anyone who would wish to address the Town Board on any matter? Maureen."

Maureen Perrella, 420 Main Street, Riverhead; "I'd just like to go on record and state that I am sorely disappointed — I'm sorely disappointed that our County Executive vetoed Mr. Sorli bill that would have aided pre-rental inspection in Suffolk County even though Suffolk County Legislature approved it fifteen to one. I'm also disappointed that presiding officer Mr. Richard's changed his vote. He previously voted to support the bill, he changed his vote to a no vote and I'll let you know what the Board feels about this and where we stand as far as cleaning up some of our slums that exist on Main Street."

Supervisor Janoski: "I'm disappointed too. First of all, I'm disappointed that the resolution that was introduced into the Suffolk County legislature was as weak as it was, but it was a step in the right direction. I'm also disappointed that Mr. Sorli who introduced the resolution before the Suffolk County Legislature was the very same person who I had appeared before many times supporting pre-rental inspection who at that time absolutely refused to consider it and seemed to indicate that he didn't even know what we were talking about. He's the

PERSONAL APPEARANCES - continuedSupervisor Janoski continues:

same chairman of the Human Services Committee who I invited to Riverhead to observe first hand the conditions at 414, who never bothered to reply to that request. The whole thing is a disappointment and it's really a shame that the County ignores the problems that we face here in the Town of Riverhead. From my part and I'm sure the rest of the members of the Town Board agree that we will do everything possible to combat this problem within our means."

Maureen Perrella: "Would the Town consider re-inviting Suffolk County executive and the new Legislature come 1982 to view some of our problems?"

Supervisor Janoski: "I sure would."

Maureen Perrella: "Thank you."

Supervisor Janoski: "Thank you. We have a minute."

Cathy Casey, Wading River; "First question. Do we get another opportunity to come back?"

Supervisor Janoski: "Oh sure."

Cathy Casey: "Because it's one minute and it's no good. This Suffolk Garden's Restaurant. . ."

Supervisor Janoski: "Yes."

Cathy Casey: "Is that or was that the Tri Lounge?"

Supervisor Janoski: "It is."

Cathy Casey: "It is. Oh, so now we have another name. I mean did they change it or is this . . ."

Supervisor Janoski: "It may be a corporation name. I — obviously, it is because that's the name under which the special permit application is filed."

PERSONAL APPEARANCES - continued

Cathy Casey: "Okay, now correct me if I'm wrong. He is supposed to be serving food in order to have his entertainment? Is that not correct?"

Supervisor Janoski: "He has a restaurant license for alcohol, yes."

Cathy Casey: "He also has received, has he not a permit for his entertainment?"

Supervisor Janoski: "No he has not. What he is doing is applying for that special permit."

Cathy Casey: "In other words, he doesn't have it as yet."

Supervisor Janoski: "No he does not."

Cathy Casey: "Oh. What I would like to know, however, is what does the Board do to ensure the fact that places such as Suffolk Garden — the Trio Lounge, do stay within the guidelines for their entertainment by serving food?"

Supervisor Janoski: "Well we put restrictions on the — pardon me, say that again."

Cathy Casey: "In other words . . ."

Supervisor Janoski: "Serving food?"

Cathy Casey: "Well in other words, that's what a restaurant does? Doesn't it?"

Supervisor Janoski: "Well actually that's not in our — within our purview to enforce. That is the ABC Board if, in fact, he is not serving food, he is as I stated before in violation of his license. Victor, who's in a similar business probably knows more about it than I do. Would you like to add anything to it?"

PERSONAL APPEARANCES - continued

Councilman Prusinowski: "The Liquor Authority gives you your license and the Liquor Authority is the ultimate body in New York State, except for the courts that'll take you license away. If you go into an establishment and you see that he's supposed to be serving food and he does not, you can report them to the Liquor Authority and they will investigate."

Cathy Casey: "Okay. My question, though, is in that if you were made aware of it, does this Board see to it that the Liquor Authority — do you get involved since you essentially want restaurants to have their entertainment."

Supervisor Janoski: "If someone advised us that food was not being served there, was not functioning as a restaurant, it would be incumbent upon the Town Board to inform the Liquor Control Board."

Cathy Casey: "Okay, so then you would follow through in other words."

Supervisor Janoski: "Absolutely."

Cathy Casey: "Very good. Thank you."

Supervisor Janoski: "Let the record show that it is 8:11 p.m."

Supervisor Janoski recessed the meeting to hold the public hearing.

PUBLIC HEARING - 8:10 P.M.

The Town Clerk submitted affidavits of publishing and posting of a Public Notice for a Public Hearing to be held at Town Hall on Tuesday, December 1, 1981 at 8:10 P.M. to hear all interested persons regarding the proposed addition of definitions to Section 108-3 of the Town Code.

The affidavits were ordered to be placed on file.

Supervisor Janoski: "Thank you Mrs. Pendzick. Does anyone present wish to address the Town Board on this matter?"

No one wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:12 P.M.

Supervisor Janoski: "We have . . ."

Irene J. Pendzick: "Eight minutes."

Supervisor Janoski: "Is that all? We've got until 8:20 P.M."

Supervisor Janoski recessed the meeting for eight minutes after which the meeting reconvened.

The tape recorder was not on at this time.

PUBLIC HEARING - 8:20 P.M.

The Town Clerk submitted affidavits of a Public Notice for a Public Hearing to be held at Town Hall on Tuesday, December 1, 1981 at 8:20 P.M. to hear all interested persons regarding the amendment to a Special Permit to permit reducing the number of tennis courts from two to one.

The affidavits were ordered to be placed on file.

At this time, Supervisor Janoski asked if anyone present wished to address the Town Board on this matter.

No one wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:25 P.M.

RESOLUTION

#582 APPROVES TRADEWINDS AMENDMENT

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

RESOLVED, that the application of Peconic United Methodist Housing Development Fund Co., Inc., to amend its application to install two paddle tennis courts, reducing the two tennis courts to one, is hereby approved.

RESOLUTION - continued
The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.
The resolution was thereupon declared duly adopted.

(The Tape Began:)
Cathy Casey, Wading River: "With regards to the trailer camp by the request by the Sullivan's, is that still in litigation?"

Supervisor Janoski: "The charges are, yes."

Cathy Casey: "Okay, now do I read this correctly that therefore the Board has not made a decision?"

Supervisor Janoski: "The Board has not made a decision. We have a recommendation from the Planning Board placing certain restrictions and allowing, as I recall some ninety days for Mr. Sullivan to correct, actually to remove certain trailers there that are not presently permitted under the old permit."

Cathy Casey: "Okay, but again that's not . . ."

Supervisor Janoski: "That has not been the subject of a formal discussion and we have not reached a decision as to whether to approve the permit."

Cathy Casey: "Okay, but there is still — the time is still — will be coming and therefore you will be having another public hearing. Your attorney said last meeting that there would be."

Supervisor Janoski: "Did he? Well if that's what he said, then that's what we'll do."

Cathy Casey: "Mr. Duffy said. . ."

Supervisor Janoski: "Well whatever he said, that's what we'll do."

Cathy Casey: "Okay, so there will be before you make your decision?"

PERSONAL APPEARANCES - continued

Supervisor Janoski: "Yes."

Cathy Casey: "I mean really before you make your decision."

Supervisor Janoski: "Honest."

Cathy Casey: "You're going to hear us. Now, with regards to the labor camp."

Supervisor Janoski: "Yes."

Cathy Casey: "What — Where does it stand with — on the part of the Board . . ."

Supervisor Janoski: "Consideration by the Town Board. We have recommendations once again from the Planning Board. There has as of yet no serious discussion looking at these recommendations once again from the Planning Board. There has as of yet been no serious discussion looking at these recommendations and them weighing our decision. But we are still in the process of . . ."

Cathy Casey: "Okay, now are you still going to have another public hearing for me then before you make your decision or what?"

Supervisor Janoski: "No we had a public hearing on that as I recall."

Cathy Casey: "Yeah."

Supervisor Janoski: "Okay, we are not going to have another public hearing."

Cathy Casey: "Okay and how are we going to find out what your decision is, the newspaper?"

Supervisor Janoski: "No."

PERSONAL APPEARANCES - continued

Cathy Casey: "It's not up front yet?"

Supervisor Janoski: "It will be placed on the agenda if the Town Board is going to take action on it. Why don't you call me and leave me your telephone number and I'll give you a call."

Cathy Casey: "Will do. You can count on it. You can have my address too."

Okay, since Mr. Nohejl is present, okay, I would like to ask a question to see if perhaps he can clarify it. Beyond the big barn on Wading River-Manor Road two to three hundred feet in off the road, I would estimate is a small building and we have been observing that there are lights on it—that building and I was wondering if perhaps Mr. Nohejl knows if or perhaps whom is living or residing in that small little building and frankly, whether or not it's his laborers at this particular time?"

Supervisor Janoski: "You have to come up here Bill, so that we can get it on the record please."

Bill Nohejl, Wading River; "I have a migrant camp where I have four men living there for the last six, seven, eight years and they live there with the lights on."

Cathy Casey: "I'm just — I questioned the lights."

Bill Nohejl: "They use lights."

Cathy Casey: "I'm glad. I hope they have indoor plumbing also. But — is it your laborers that are living in that building? In other words — or sleeping in that building at night, is what I'm trying to find out from you? Is that where they're living when they're not working?"

Supervisor Janoski: "I believe he did answer the question by saying he does have laborers that live there."

Cathy Casey: "In that small building. Okay. Now he does have a permit for a labor camp or a certificate of occupancy then. Does he or does he not?"

PERSONAL APPEARANCES - continued

Bill Nohejl: "I am under the Suffolk County Supervision of Migrants because I have four or less in that labor camp. It is not a Town Board permit. When it goes over four, it must go to a Town Board permit. Am I correct?"

Supervisor Janoski: "You probably know more than I do Bill. You usually do."

Cathy Casey: "So it's called the Suffolk County what?"

Bill Nohejl: "Suffolk County Labor Camp."

Supervisor Janoski: "Okay."

Bill Nohejl: "They have jurisdiction over it. They come and check it."

Cathy Casey: "I'm just looking to clarify a few of these things. I have one other question please."

Supervisor Janoski: "Couldn't you talk with him in the hall?"

Cathy Casey: "No, I like it better this way. This way you all know."

Bill Nohejl: "She wants it on the record."

Cathy Casey: "Yes right. Correct me if I'm wrong, I understood from previous meetings that the migrant workers would be here six maybe eight months, okay."

Bill Nohejl: "Yeah."

Cathy Casey: "And I presume your people came sometime in March or am I off there? And if they did come in March, how come they're still here?"

PERSONAL APPEARANCES - continued

Bill Nohejl: "I have two of them now. The rest of them are going . . ."

Cathy Casey: "Okay, but I'm just asking how come if it's supposed to be six to eight months which, of course, I'm saying to myself you're going to give me twelve to maybe fifteen others or Mr. Moore would like to and that's not six or eight months."

Bill Nohejl: "I'll have an answer for you. One lives across the street, he has a permanent residence, he rents, he pays his rent, he is with me."

Cathy Casey: "Okay what about the other one then."

Bill Nohejl: "The other one."

Cathy Casey: "Yeah."

Bill Nohejl: "He's going to leave shortly."

Cathy Casey: "I'm trying to clarify. It seems everybody's telling us six maybe eight months and I'm talking about twelve people unsupervised for apparently like nine to eleven months and that's my question."

Bill Nohejl: "You see that we are still harvesting in the Field."

Cathy Casey: "Yeah right."

Bill Nohejl: "And the man agreed to stay a week or two longer."

Cathy Casey: "Okay."

Bill Nohejl: "Good. I'm glad you don't object to it."

Cathy Casey: "No I don't."

PERSONAL APPEARANCES - continued

Bill Nohejl: "Okay good. Thank you."

Cathy Casey: "All I am saying, however, is again it was supposed to be six to eight months and we're pushing a year right now. Thank you very much."

Bill Nohejl: "Better unsaid."

Supervisor Janoski: "Wait."

Cathy Casey: "I guess so."

Supervisor Janoski: "Well then without objection, I will adjourn this meeting."

There being no further business on motion and vote, the meeting adjourned at 8:30 P.M.

Irene J. Pendzick

Irene J. Pendzick, Town Clerk

IJP/vlv