

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Riverhead Town Hall, Riverhead, New York, on Tuesday, March 16, 1993, at 7:00 p.m.

Present:

Victor Prusinowski,	Councilman
James Stark,	Councilman
Harriet Gilliam,	Councilwoman
Frank Creighton,	Councilman

Also Present:

Monique Gablenz,	Deputy Supervisor
Patricia Moore,	Town Attorney
Barbara Grattan,	Town Clerk

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

Deputy Supervisor Gablenz: "We'd like to take a few moments at the beginning of the Board Meeting-- we have a few invited guests here tonight that we'd like to introduce to you and introduce to the viewers at home. We have a new recreation program that we're beginning that we're really very proud of because we have received some great cooperation from the community and the local businesses. And I'm going to ask Councilman Jim Stark as the Chairperson of the Recreation Committee to introduce that program and to let you know who our invited guests are tonight."

Councilman Stark: "Thank you, Monique. Several months ago, I was basically introduced to a boat building program, a 25 hour program that would allow our youngsters to build canoes, their own canoes. I thought it was so interesting that I contacted a couple of our local businesses, Suffolk County National Bank and Riverhead Building Supply because we do need wood, and the bank because we do need money. It's a pilot program, I thought it was a program that we actually would like to get started and show the end results. So we asked the cooperation of the Riverhead Middle School District School, St. Isidore's and St. John's, we had several applicants, we were very difficult to choose who was going to build these replicas of canoes, an old Indian hunting canoe. We kind of basically had a lottery. We've

chosen 10 children; two from St. Isidore's, two from St. John's, and six from the Middle School, with two alternates that also come from the Middle School. This program will be of no cost to the Town. It will be run by a master boatbuilder from Bath, Maine who runs this program up in Maine summer camps, and is also a master boatbuilder who builds boats 80, 90, 120 feet long. He will be arriving here sometime the week of the 25th of March, and then these children in 25 hours will actually build a replica of a canoe, and we will try to launch it that following Saturday down at Grangabel Park to actually see the end result. This is a program that I think we hope will be picked up by a local carpenter who can continue this and we're pressing Bobby hard to find us somebody that's semi retired or retired who would like to come out and work with our youth. So with this, I would like to one, introduce Bobby Goodale and ask him to come up-- the President of Riverhead Building Supply and who is supplying all the materials for this project and Linda Tarro is out here who is representing the Suffolk County National Bank who is putting up the money for us to pay this instructor to come down from Maine, and Eddie Hudgins, Director of the Town Recreation Department who will really basically announce the names of the children who kind of won the right to participate in this program. So if you will all come up, we'll get this project off and started. They will start a week from Saturday, is it not, Ed? Ed, why don't you go right to the microphone there? Bobby, on behalf of the Town Board and the Recreation Department, we surely thank you for your support, and Linda, from the Suffolk County National Bank. Now, you are going to meet the people who are going to take your generosity and maybe put it to work."

Ed Hudgins: "Okay. I'd like to just say that I'm excited about this program for a couple of reasons, too. One is we are searching to find programs that will be attractive to kids in this age group, 13, 14 and 15 years of age, and we think this one will certainly do that. And secondly, we are also trying to find programs that will promote Riverhead's natural resources. And using the Peconic and the Peconic Bay, certainly does that. So I would like to take just another moment to explain a little bit about the lottery process. We asked the kids to fill out an application and to explain in 75 words or less why they want to build their own canoe. I'd like to just read a couple of them to you. A young boy says I would like to build a canoe because I enjoy fishing and just being on the water in a boat. And hopefully I will be able to teach my children so they can enjoy this as

well. Dynamite. Another little boy says, I would like to build my own canoe because I like to create things with my hands. So, we went through the selection process and if the 10 kids, if you are all here, please come on up and save your applause until I finish. From St. Isidore's, Philip Kess. I think George Grimaldi is not here tonight. From St. John's, Renee Landon and William Huber. From Riverhead Middle School, Gary Abrahamsen, Joseph Crammond, if he's here, Jonathan Eckels, Jim Gevinski, if he's here, Francis Walsh, if he's here, and David Rickert."

Deputy Supervisor Gablenz: "Thank you, Ed. Congratulations to all of you. We wish you the very best and we hope you enjoy this program and we're sure that you will enjoy the canoe for many years to come."

Councilman Stark: "Ed, why don't you read the two alternate names in case somebody-- "

Ed Hudgins: "Just in case of sickness or other reasons, we have picked two alternates from the Middle School, Joseph Gallo and Nicholas DiGaudio."

Deputy Supervisor Gablenz: "Thank you very much."

Councilman Stark: "Boys and girls, if you want to turn around and thank these two lovely people here. They're the ones that are donating the project to you. These young people will, at the completion of this course, get to keep this canoe and take it home and enjoy it for the summer."

Deputy Supervisor Gablenz: "Okay, I'd like to have a motion to approve the minutes of the Regular Town Board Meeting of March 7, 1993."

Councilman Stark: "So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Deputy Supervisor Gablenz: "Would the Town Clerk please read the Reports."

REPORTS:

JAMESPORT HAMLET STUDY TASK FORCE

Offering a Farmland Preservation Plan

RIVERHEAD SEWER DISTRICT

A Discharge Monitoring Report for the month of February, 1993

MANORVILLE FIRE DEPARTMENT

Their annual report to the Fire District for 1992

RECEIVER OF TAXES

Statement of tax collections \$22,635,097.56

OPEN BID REPORT

An open bid report for 1 used Ford 1987 F-700 Dump Truck Opened on March 3, 1993, one bid was received from Otis Ford \$22,400.00

Deputy Supervisor: "Thank you. Would the Town Clerk please read the Applications."

APPLICATIONS:

EAST END COMMONS

Site plan for two major retail stores and five smaller retail stores

AFRICAN AMERICAN LEADERSHIP COUNCIL

Celebration of African and Native American Cultures on August 1, 1993, at Riverhead High School football field

POLISH TOWN CIVIC ASSOCIATION, INC.

Polish Town Fair for the dates of August 21, 1993 and August 22, 1993

Deputy Supervisor: "Thank you. Would you please read the Correspondence."

CORRESPONDENCE:

TRACY CHILDRESS

A letter of resignation

AMY MADELUNG

Praises the Director of the Recreation, Ed Hudgins, and his staff at the Recreation Department for being so obliging to the public and for the very interesting recreation program

POLISH TOWN CIVIC ASSOCIATION

Having no objection to a carnival during the weekend of the Polish Town Fair on August 21 and August 22, 1993

DENNIS G. KENTER

Offering comments on the Public Hearing of Casilen Corp.

MARY RANDALL

A letter of resignation

COUNTY OF SUFFOLK

Receive notice of the enactment for the Town of Southampton's Local Law 4 of 1993 (License for Place of Public Assembly). Objections will be received until March 16, 1993

SOUTHOLD TOWN CLERK

Notifying Riverhead of a Public Hearing to be held at Southold Town Hall on March 23, 1993, at 4:30 p.m., regarding a Local Law in relation to Affordable Housing

LONG ISLAND FARM BUREAU

Congratulates the Jamesport Hamlet Committee for their show of commitment to keeping agriculture the favored economy in their Farmland Preservation report within the Jamesport Hamlet Study

Barbara Grattan: "That concludes correspondence."

Deputy Supervisor Gablenz: "Thank you. Let the record show

that the hour of 7:18 has arrived. Would the Town Clerk please read the Notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:10 p.m. on Tuesday, March 16, 1993, to hear all interested persons who wish to be heard regarding the consideration of whether the property owned by Ralph Naso located on Route 25, Calverton, known as the Trio Lounge, is to be designated as unsafe buildings and collapsed structures as described in Chapter 54 of the Riverhead Town Code."

Deputy Supervisor Gablenz: "Thank you. Is there anyone who wishes to address the Board on this particular subject? Mr. Naso. Why don't you come up to the microphone and if you could just state your name and address for the record?"

Ralph Naso: "My name is Ralph Naso, Route 25, Calverton, Town of Riverhead. I own the piece of property that Trio Lounge (inaudible)."

Deputy Supervisor Gablenz: "I'm sorry, Mr. Naso, I just didn't--"

Ralph Naso: "We got a plan to build (inaudible). We are going to build it again."

Deputy Supervisor Gablenz: "To do renovations to that building?"

Ralph Naso: "Yes, I got a plan right here."

Deputy Supervisor Gablenz: "Okay."

Ralph Naso: "And, in the meantime, my lawyer said, he's going to come next time because he's on vacation right now."

Deputy Supervisor Gablenz: "Okay. Have you made an application to the Building Department for a building permit?"

Ralph Naso: "I was there and a lot of baloney, say, you can't do, you can't do this, that. I was go to my lawyer, say you have to do because this on law books. Can't do anything."

You (inaudible) have to listen."

Deputy Supervisor Gablenz: "Okay. Mr. Naso, why don't we accept some comment from the public with regard to this matter, but I can only tell you that I recall this same Public Hearing being held in Jamesport, probably a year ago, when you told us at that same time, or two years ago as I'm being told by people in the back-- Mr. Naso, just let me finish, okay. When you told the public then that you were going to be making the necessary renovations to that building. So we recall those things and I hope that your comment that the Building Department told you a lot of baloney is that you're not telling us a lot of baloney. Okay?"

Ralph Naso: "We got a plan here. Everything (inaudible) was here last week."

Deputy Supervisor Gablenz: "Well, we look forward to your building permit application then."

Ralph Naso: "Okay, I got to go tomorrow."

Deputy Supervisor: "Okay. Is there anyone who wishes to address the Board on this subject? Mr. Kasperovioch. Mr. Naso, why don't you just step aside so we can have the public make some comments?"

William Kasperovich: "William Kasperovich, from Wading River. This little affair here brings me back to where we used to meet to go fishing many years ago. We used to meet at the Calverton Diner. And you'd meet everybody and anybody there. It was a nice social gathering especially Sunday mornings. The woman that owned the place and ran the diner made real good breakfasts. Now, here we come to a point in time where we now have a building that has stood empty, not occupied, in a rather remote area. There aren't any residents or homes close by, and no particular pedestrian traffic that could be noticed. Now, there is no public there. In all the years that I've seen it stay empty, I have never seen anybody that might be considered the public. Now, your ordinance in the Township is to safeguard the public. And there is no public here. Consequently, I think you're manipulating the (inaudible) for some unknown reason that's not being revealed to the public. If the building isn't secured enough, which it from driving by

seems to be secured at all times, isn't satisfactorily secured, well, that's another story. And when the ordinance requires an inspection, that inspection should be posted publicly as well as to the owner. Now, since this spot could be used and somebody takes an interest to use it, and everybody that does anything, does it for the dollar, I can't see bringing this to a Public Hearing. And as far as reprimanding the man for his previous conduct, I say, Mrs. Gablenz, that you are completely out of order."

Deputy Supervisor Gablenz: "Mr. Kasperovich, that was not a reprimand. It was merely an observation-- "

Mr. Kasperovich: "Well, if you (inaudible) out in the audience, that's what it sounded like."

Deputy Supervisor Gablenz: "-- to remind Mr. Naso of a situation-- "

Mr. Kasperovich: "The only way you are going to know what it sounded like to the audience is by somebody saying something."

Deputy Supervisor Gablenz: "Mr. Kasperovich, I allow you to speak at the microphone and to make your point. I would ask you to provide me the same courtesy."

William Kasperovich: "You don't allow me. I have a citizen's right to appear before a Public Hearing. It's not your permission by which I stand here."

Deputy Supervisor Gablenz: "Mr. Kasperovich, I take it that you are not in favor of the Town Board taking this action."

William Kasperovich: "Not the way you describe it, and to give the man consideration so that something could be done with this rather than destroy it."

Deputy Supervisor Gablenz: "Okay, thank you very much. Is there anyone else who wishes to address the Board on this subject? Mr. Haizlip?"

Steve Haizlip: "Steve Haizlip from Calverton. I remember this Public Hearing coming up in Jamesport and (inaudible) was

running for office then. So, I don't know where the Public Hearing to bring this forth to the public started from or who initiated it, but I do definitely remember that the gentleman that owns it says I need a while longer to clear it up. And I will clean it up. So, at one of the Hearings, I had mentioned about there was talk about properties that should be removed or renovated. And I brought it to light that two years went by. Now, in the two years, nothing happened to this property. Now, that it's back before the Town Board again, I don't know if that's a delaying tactic or not. But here's the way I feel about the building. Two girls just took off from Father Fagan's home. They went out. They took shelter. They got a little cold, they burnt the place down. What is to say that we're not going to have this type of activity from people or groupies coming into here, into those places and burning it or using it for other means, sleeping or what have you? So, I think that it should be cleared away or, as he said, he's going to present those plans tomorrow for a new building. So what good is the old building standing there? Thank you."

Deputy Supervisor Gablenz: "Thank you, Mr. Haizlip. Does the lady in the back-- yes, please."

Linda Detrieht: "I'm Linda Detrieht, Wading River. I grew up in this area and I remember the Trio Lounge opening when I was a teenager, and it was open for a short time and it was never well kept. The area had many weeds around it. It looked terrible from the outside. I left the area for many years, nine years, and I came back and the Trio Lounge is still there looking just as bad as it ever did. It just-- it looks absolutely terrible. It's an eyesore. So that's what I want to say. Thank you."

Deputy Supervisor Gablenz: "Thank you. Yes, Kathy?"

Kathy Casey: "Kathy Casey, Wading River. First of all, I agree with what you stated because everything you stated was fact. Two years ago, he did come up and say the same thing. He pleaded for some time. Okay? I think at this point, this man as far as I'm concerned, I don't know time limits that the Town can put on him, but as far as I'm concerned, if he doesn't do something with this building within three, top six months, if that's legal, then I personally believe you should go in and tear it down. The man has not done anything with it. I mean,

he doesn't even try to clean it up. It looks like something, as you say, that could attract people, in particular children. We've talked about this before where children could be maimed or hurt and he pointed out something where children went to a place that wasn't abandoned, and wasn't in shambles and an accident or whatever occurred. I don't know enough of the details. But, again, I would stress that if this man does not make a substantial change to that property within three to six months, if we can do that legally, then I say pull it down. Thank you very much."

Deputy Supervisor Gablenz: "Thank you. Mr. Benedict?"

Dick Benedict: "Dick Benedict, Fanning Blvd. I, too, was at that Public Hearing and I remember Mr. Naso saying that if he wasn't Italian, he probably would be treated different. However, in the Town of Riverhead, if I was to take a camera, I could find you 20 places that are as bad or worse and it may be an eyesore, but I drove by the old Sajewski (phonetic) place for close to 20 years with the porches falling down and everything. It's just now being boarded up. But, until you go through the whole Town and get everybody, I don't think it's fair. Thank you."

Deputy Supervisor Gablenz: "Is there anyone else who wishes to address the Board on this particular subject?"

Councilman Creighton: "May I say something?"

Deputy Supervisor Gablenz: "Sure, certainly."

Councilman Creighton: "You know, the impression that this is a willy-nilly process is not quite accurate. There are citizens out there who come to us, you know, we don't-- I don't think we-- I don't and I don't think the others have time to sit around and decide who we are going to pick on this time. The fact is that in this case I received a crescendo of complaints about this particular location, and as a result inquired with the Town Attorney as to where the process was and, frankly, it's a matter of having time to process it, to be willing to go to Justice Court and follow through on a particular case. And it only is done when we hear from the residents and citizens who complain about a particular location and then we follow through and take action, and that's the case here. This is not something we dreamed up but, in fact, is a reaction to complaints that

at least I received, and I think others have received from the Wading River and Calverton area. And we are reacting to that. Thank you."

Deputy Supervisor Gablenz: "Thank you. Is there anyone who wishes to address the Board on this subject? That being the case, and without objection, I declare the Hearing closed."

Hearing closed: 7:31 p.m.)

Deputy Supervisor Gablenz: "Let the record show that the hour of 7:31 has arrived. Would the Town Clerk please read the Notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:15 p.m. on Tuesday, March 16, 1993, to hear all interested persons who wish to be heard regarding the consideration of a special permit application of Taco Bell to construct a 70 seat fast food restaurant with drive through service located on County Road 58, Riverhead."

Deputy Supervisor Gablenz: "Is there anyone who wishes to address the Board on this particular subject? Are you representing the applicant, sir? Okay. And then I'll call you next, ma'am. We like to provide them an opportunity to give a brief description of the application. Sir, if you could just please state your name and address for the record."

Donald King: "My name is Donald King, 75 East Main Street, Kings Park, New York. I represent Taco Bell, the applicant, in this particular matter. Members of the Board. As you know, this is a application for a special permit for a fast food restaurant with the drive through window. The location is at the northeast corner of Harrison and County Road 58. The zoning for the particular property is business C. Taco Bell is an international company with many outlets throughout the United States, and I'm presently involved in five applications throughout Long Island. This particular site, the total site, has 98,060 square feet. The lease portion for this particular premises is 30,612 square feet. The square footage of the particular restaurant is 1,974 square feet, which translates to approximately 6.5% footprint on the site. Under your ordinance,

we're allowed to cover if we could obviously meet the parking and other requirements 30%, in this case 6.5% of the lease portion. With respect to the total site, it's about 2%. We meet each and every setback requirement of the Town, we meet the front yard requirement. We are required to have 25 feet; we have 45. Our rear yard, we are required to have 50 feet. We have 381 feet. With respect to parking, we are required to have 24 spaces, we have 31. This has been reviewed by your Planning Board, your Engineering Department, and the Engineering Department of Suffolk County and, I believe, we meet each and every requirement of your zoning ordinance. We're not asking you to give us anything. We come in here and say this is what you allow under your ordinance, and this is what we're giving to you, and this is what we'd like. And, as I say, when we meet, it's very nice to come before a Board and tell you that we meet each and every requirement of your own ordinance. We're not asking for one variance on this particular application. And I'd ask that you give us due consideration with respect to that application. Do you have any questions?"

Deputy Supervisor Gablenz: "No."

Donald King: "Thank you."

Deputy Supervisor Gablenz: "Okay, the application that is before the Board is for the consideration of a drive through at this location. A drive through for the fast food restaurant. Is there anyone who wants to address the Board on that matter? Ma'am?"

Charlotte Bauer: "Could I go down there a second please, by the map?"

Deputy Supervisor Gablenz: "You just want to take a look at it? You need to-- "

Charlotte Bauer: "I want to explain something."

Deputy Supervisor Gablenz: "Okay. You need to try and make your comments on the microphone because it needs to be transcribed."

Charlotte Bauer: "Oh, I needed to shout."

Deputy Supervisor Gablenz: "No, you could take that off, sir."

Councilman Stark: "Why don't we ask him to hold that over towards you."

Charlotte Bauer: "First of all, I have a Petition here."

Deputy Supervisor Gablenz: "If you could just start with your name and address."

Charlotte Bauer: "I'm Charlotte Bauer, 900 Harrison Avenue, Riverhead. I live in a senior citizen mobile home court that is along this side, the whole side where the entrance is coming out, you have a senior citizen-- this whole side of Harrison Avenue. Like I was saying, the Harrison Avenue side which is their driveway for coming in and out, right across the street is our senior citizen mobile home court, 29 houses, all older people. Directly in back where they are showing you all those green trees back there, that is the senior, what is it, nursing home, sorry, nursing home right in back there. I have a Petition from that nursing home from all the people that live in my mobile court, and the people on that block. We do not want a Taco Bell on our block. These are old people. They need the quiet. They need the peace. In the summertime, we all know this is going to be a hangout. This is a fast food restaurant. We already have seven there. The seventh one is being put up across the street from us. This will make eight. We don't need it. We don't want it. And I can't make it plain enough. We don't want a Taco Bell right where we live. It's too much noise. Thank you."

Deputy Supervisor Gablenz: "Thank you. Yes, sir."

Tom O'Connor: "Tom O'Connor, of 902 Harrison Avenue, Riverhead. Besides all the things that Charlotte Bauer here mentioned, this block is a continuation crossing 58 at the high school, the middle school and the lower grade school. We do not have a light on this corner, period. To get across can take you sometimes 10 to 15 minutes with the traffic. Most of the women on Harrison Avenue, to go to Waldbaums, which is half a mile away, have to make a mile and a half drive to avoid going out there onto 58. And I'm sure this Taco Bell isn't going to help one bit. And I would appreciate any help we can get from the board to keep this away. Thank you."

Deputy Supervisor Gablenz: "Thank you."

Barbara Grattan: "Sir. Sir, could I have your name please, again."

Tom O'Connor: "Tom O'Connor."

Barbara Grattan: "Okay, thank you."

Deputy Supervisor Gablenz: "Is there anyone else who wishes to address the Board? Yes, sir, in the back."

Joe Palmeri: "Joe Palmeri of Riverhead."

Deputy Supervisor Gablenz: "Okay, sir. You just need to come up to the microphone, please."

Joe Palmeri: "I live right across the street from there and there's no traffic light there. Like this man says, it took me today four minutes waiting to try and make a left turn. And we don't need a Taco Bell there. I live right across the street and like Charlotte says, there's 26, 29 mobile homes exactly right across the street about 20 feet away. And we don't need this Taco Bell there. And they're all old seniors. That's all I have to say."

Deputy Supervisor Gablenz: "Thank you."

Barbara Grattan: "Sir?"

Joe Palmeri: "Joe Palmeri."

Barbara Grattan: "Okay."

Joe Palmeri: "And the nursing home is right next door."

Deputy Supervisor Gablenz: "Thank you, sir. Is there anyone else? Yes, ma'am?"

Marge Blasko: "My name is Marge Blasko and I live on Harrison Avenue. And I'm certainly not in favor of the Taco Bell. I go to work up and down that road every day at the middle school and there is sometimes, like the gentleman said, it takes me at

least five minutes, sometimes more, to get across that street. That is no place for a fast food restaurant. We have so many now, in Riverhead, that I'm just wondering can we afford to have another one and will it prosper? I mean, look at Kentucky Fried Chicken. There's your eyesore. What are we doing about that? That's right in the beginning of Town. Has anybody done anything about that building? Why not Taco Bell going on Main Street? Main Street needs all the help it can get. Take an empty building down there, and let them go down Main Street. We don't need another one on Route 58."

Deputy Supervisor Gablenz: "Thank you. Yes, ma'am."

Mary Dabromiski: "Hi, I have to lower it, I'm too short. I've been a resident of the area-- "

Deputy Supervisor Gablenz: "If you could just state your name and address, please."

Mary Dabromiski: "My name is Mary Dabromiski, 1090 Woodcrest Avenue, Riverhead, New York."

Deputy Supervisor Gablenz: "Thank you."

Mary Dabromiski: "I live immediately west of the proposed Taco Bell and I've been a resident there for 30 years. Just being there, I've noticed the dangerous situation of all the traffic between Reality, the new Wendy's now, Meatway, Anderson's Farm Stand, OTB, the little carpet store, and just the general intersection of Harrison and Route 58. There have been many accidents in that area and this is just going to add to more traffic dangerous situations. And I would like to sign the Petition. Thank you."

Deputy Supervisor Gablenz: "Thank you. Is there anyone else who wishes to address the Board on this matter? Yes, sir?"

Joseph Caputo: "My name is Joseph Caputo. I live in Shoreham, but I own property on Woodcrest, which is a rental property, two family home there. You can talk about the proper--"

Councilman Stark: "Joe, why don't you just jiggle that mike there?"

Joseph Caputo: "You could talk about the proper parking and adequate parking and adequate seating arrangements and the space and the buffers that you all are required to do, and they comply with all of those requirements. However, we have to think about the big picture here and the big picture is that there already is a lot of congestion on 58 and Harrison and Woodcrest and any other block that's near there. And I think that before you grant this, something should be done with respect to traffic control devices. And, perhaps, the people in Taco Bell might be willing to do that in order to get this approved. As a compromise install a traffic signal so that you would alleviate and mitigate the problem of the congestion that we have there now. Without that, like the other people have said, there are too many fast food places in that particular location right now. The traffic is horrendous when you try to go to Waldbaums or anywhere in that shopping center, Pergament, on any day, on the weekend especially. So consider that before you grant them this permit to build it. Maybe put some more restrictions or more requirements upon the people that want to put the business there. We had that once in Central Islip where Pathmark has a warehouse, and they push all their food out into Long Island from Lowell Avenue. But, part of the consideration of giving Pathmark the change of zone to expand their facility, was that they would improve the roadbed and improve the road around their facility, because they were going to impact that roadbed with those heavy trucks that they bring in there every day. So, the Town of Islip accomplished that as part of the granting of the expansion. So, perhaps, this is something that you might want to do also. Have the site improvement work for the whole community, not just the applicant. I thank you very much."

Deputy Supervisor Gablenz: "Thank you. Is there anyone else who wishes to address the Board on this matter? Mr. Ingegno?"

Joseph Ingegno: "My name is Joseph Ingegno. I'm a resident of Riverhead and I have no connection whatsoever with this project. I, no matter what, this congestion on Route 58, this man has a plan here which meets all the requirements of the zoning of the Town of Riverhead. He has no-- he purchased the property knowing what the zoning was and he has conformed to that. Because we in the Town of Riverhead have a problem with too many cars on 58, we should not deny him the use of his property. We should make amends to make Route 58 a better road, rather than deny the little

bit of business that has been coming to Riverhead and there's been a lot more now. We don't want to start showing the business people in Town that we are, again, becoming an anti-business town. I think this man's application should be approved. He is, like I say, he has gone ahead and met every requirement and there is no reason why it should not be approved. Thank you."

Deputy Supervisor Gablenz: "Thank you. Let me just see, sir, if there is anybody else and then I will recall you to the microphone. Is there anyone else who wishes to address the Board? Mr. Schmelzer?"

George Schmelzer: "Is this thing working? Okay. Seems that many people have no respect for other people's property rights. Whoever owns that is paying full taxes, I believe. And maybe some of these mobile home owners are paying reduced rates because of low income, senior citizens. But they should have respect for others who are making up for that. If people there don't want that, that's their personal opinion. Let those signers of these Petitions get together and rent the property. They could look at it and pay taxes on it. Like this fellow (inaudible) intends to lease it. So, we can't deny people their property rights just because someone doesn't like it. If we had that 20 years ago, we wouldn't have any country. That's about it. Thank you."

Deputy Supervisor Gablenz: "Okay. Thank you, Mr. Schmelzer. Yes, sir?"

Tom O'Connor: "I don't know who these last two gentlemen are, but they probably live on estates with a lot of room around their houses. But what I wanted to get up here and say before was I spoke about senior citizens. Now, the few that spoke here, one is pretty close to 70, the other two are over 70. And we're the young people on the block. We have 80 some odds, 90 some odds, living right across from us. Some of them stroll on Harrison Avenue just to get the little exercise going around. And these people saying that maybe they're living on a means. We don't get any help from anybody. We pay our way. And I want him to realize that."

Deputy Supervisor Gablenz: "Thank you. Okay, let me just explain to you. The purpose of a Public Hearing is to state your

opinion, okay? We don't want to get into an argumentative position between the people who might have opposing opinions. Okay?"

Charlotte Bauer: "Well, it just seems to me that the builder has money and he can do what he feels and the heck with the rest of the people. We are senior citizens and like he said, we do pay our way. We bought our places, and they are beautiful. And we have kept them nice. We're proud of them. And we don't want to be belittled by anybody. We are important people. There are other people on this side, there is a nursing home with all these old people. We should count. We should count in Riverhead, way and above any little fly by night place coming in."

Deputy Supervisor Gablenz: "Thank you. Is there anyone else who wishes to address the Board? Mr. Haizlip?"

Steve Haizlip: "Steve Haizlip of Calverton. Deputy Supervisor and the members of the Board. I have said this before, and I'm going to repeat it. You will probably won't think any less of me but I don't know if you'll think any more of me. This building, if it's the one that I think you're talking about is right at the corner of Meatway. Right?"

Deputy Supervisor Gablenz: "No. It's on the corner of Harrison and Route 58, on the northwest corner."

Councilman Prusinowski: "It's the empty lot. Across from the carpet store."

Steve Haizlip: "Oh, is it going to be right next to Mitch's Garage then?"

Deputy Supervisor Gablenz: "No. There's the rug place, Hampton's here. And then there's Harrison Avenue between it and then there's a vacant lot on that corner there, on the corner of Harrison and Route 58. The northwest corner there."

Steve Haizlip: "Is it the one next to Tommasini's?"

Deputy Supervisor Gablenz: "No."

Steve Haizlip: "Well, then I guess I got the wrong one in mind."

Deputy Supervisor Gablenz: "Right. I think you have the wrong location in mind."

Steve Haizlip: "All right, well-- "

Councilman Prusinowski: "You know where the liquor store was on Route 58, the old liquor store that's now Tuttle-Magee fuel oil has an office there? You know where the diner is, Jimmy's Diner that's now-- it's that empty lot next to that on the right side."

Steve Haizlip: "Oh, okay. Then it's not the one I had in mind. I thought it was the one in the corner of Meatway. All right. Now, as long as I'm up here, I'm going to back up some of the people that spoke about the stop light, Harrison. That's the street that goes by the high school, correct?"

Deputy Supervisor Gablenz: "Correct."

Steve Haizlip: "Okay. I remember a pretty bad accident there one time. I mean, I seen it, and I stood there and watched. So the light is really needed and, myself, I come up there to try to get onto that street, and you do wait and wait and wait. So I think for public safety, there should be a light there."

Councilman Prusinowski: "Steve, I'll draft a letter tomorrow as Highway Chairman and we will contact Mike Caracciola in the Department of-- regardless of this application, and we will ask them to invest-- the Department of Public Works in the County and we will ask them to investigate the possibility of putting a light there. Probably the thing that would accommodate these people more than anything, is similar to what we have on Main Street, is a walk, don't walk crossings, so people can walk across Route 58. Especially with the school buses, too. It could control the traffic because we have a light down Harrison Avenue where the school buses come out. So this might be possible."

Steve Haizlip: "Yeah, right. Okay. All right. Thank you."

Deputy Supervisor Gablenz: "Thank you. Is there anyone else who wishes to address the Board on this subject? Yes, sir?"

Joe Palmeri: "I don't know who that gentleman was before that said that, but these mobile homes have been there for over 40 years. It would be different if there was a Taco Bell there first, and then they put the mobile homes. But these mobile homes have been there for over 20 years, 40 years, whatever it is. And if I knew there was going to be a Taco Bell across the street, I wouldn't have bought there."

Deputy Supervisor Gablenz: "Thank you, sir."

Joe Palmeri: "And we have a right to state our opinion."

Deputy Supervisor Gablenz: "Thank you. Is there anyone else who wishes to address the Board on this matter? That being the case, and without objection, I declare the Hearing closed."

Hearing closed: 7:54 p.m.

Deputy Supervisor Gablenz: "Let the record show that the hour of 7:54 has arrived. Would the Town Clerk please read the notice of Public Hearing."

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 7:20 p.m. on Tuesday, March 16, 1993, to hear all interested persons who wish to be heard regarding consideration of whether the owner of property on Middle Road should secure, repair or demolish a potato storage building, two chicken coops, a house, two sheds, corn crib, outhouse, garage and barn according to Chapter 54 of the Riverhead Town Code, Unsafe Buildings and Collapsed Structures."

Deputy Supervisor Gablenz: "Folks, if you could please take your conversations outside, we have a lot of business yet to conduct tonight. Is there anyone who wishes to address the Board on this particular subject? Ah, yes, one correspondence."

Barbara Grattan: "I have a letter here from Anthony Conforti to our Town Attorney, Pat Moore. Dear Pat: The undersigned represents Stanley Weiss, the owner of the above referenced property, which is the subject of a Violation Notice issued by the Riverhead Town Senior Building Inspector.

My client is prepared to enter into a contract to sell the

property to Michael Smith, formerly affiliated with Two Bears Builders, and Mr. Smith desires to rebuild and restore the Victorian House and the barn presently situate on the property.

By this letter I am requesting a reasonable amount of time to remedy the alleged violations. Upon your notification to me of acceptance or rejection of this proposal, Mr. Smith will apply for the appropriate building permits in connection with the proposed restoration.

Thank you for your attention to this matter.

Very truly yours, Anthony T. Conforti."

Deputy Supervisor Gablenz: "Thank you, Barbara. Go ahead, Pat."

Patricia Moore: "Just for the record. The property has been boarded at this time and (inaudible)."

Deputy Supervisor Gablenz: "Thank you. Is there anyone who wishes to address the Board on this matter? Mr. Kasperovich?"

William Kasperovich: "William Kasperovich from Wading River. I expected the Town Attorney to say in the light of the reading of the letter and the commitment at a Town Board meeting, that this would override anything and everything that's presented here."

Deputy Supervisor Gablenz: "That may be the case, Mr. Kasperovich, that might be the Town Board's decision. But since we noticed it for Public Hearing, the Town Board is going to accept the comments from the public."

William Kasperovich: "Comments from the public is I'm at a loss for words to say. But if a man writes a letter and has it read in the Town Board meeting and commits himself and there's no reason to believe that he is not falsifying his commitment, then this is-- there's nothing to be said."

Deputy Supervisor Gablenz: "Okay. Thank you. Is there anyone else who wishes to address the Board on this subject? Mr. Terchunian."

Dean Terchunian: "My name is Dean Terchunian. I'm a resident of Bear Estates in Riverhead. I believe the Town has

sent our Town Engineer out there to inspect this property, and subsequent to that, they boarded up the buildings. My question -- one of my questions is, what was the result of the Town Engineer's inspection of that? Are the buildings safe enough for instance to leave up as long as Mr. Weiss has requested. Are they in good enough condition to be restored or should they be torn down. These are questions that we need to answer to be able to-- "

Deputy Supervisor Gablenz: "The Building Inspector goes out, sir, and makes an inspection of the property, supplies the Town Board with a report. His report indicates that he believes the buildings to be in an unsafe condition, and that is why the Town Board goes forward with the Public Hearing."

Dean Terchunian: "So, when we talk about a time frame-- the request that was put into the Town Attorney, we have to look at the time frame that person's considering also. As a member of the residents of Bear Estates, the people there feel that they are unsafe and that's why you did go to do the inspection by the Town Engineer. We, many of us believe that some of the buildings there should be torn down, and we're very glad they were boarded up. Thank you."

Deputy Supervisor Gablenz: "Thank you. Mr. Schmelzer?"

George Schmelzer: "(inaudible) list of these buildings, it looks that they're trying to destroy part of our history, including outhouse. There are very few outhouses around. It should be preserved. Part of our Town's history. That's a historical building, see. Where can you find a good outhouse around to see how we lived before?"

Deputy Supervisor Gablenz: "Thank you Mr. Schmelzer. Is there anyone else who wishes to address the Board? That being the case, and without objection, I declare the Hearing closed."

Hearing closed: 8:00 p.m.

Deputy Supervisor Gablenz: "Before we take up the Resolutions, is there anyone who wanted to address the Board on any subject? Mr. Kasperovich?"

Councilman Stark: "Prior to Bill speaking, I would also like to announce that we have some special guests here and Jim DeLucca, former Building Department department head has got his class from Farmingdale. They're studying a course of constructional engineering and I'm told that if they stuck around, they would find out how bureaucracy works. So I hope you are enjoying your evening of education. Thank\$ for having them here, Jimmy."

Deputy Supervisor Gablenz: "Mr. Kasperovich, why don't you proceed?"

William Kasperovich: "William Kasperovich from Wading River, 15th Street, to be exact. In over the many years that I've been interested in the activities of the Town Hall, I've heard from reporters, other elected officials, many bureaucrats that Riverhead is not a good example for bad bureaucracy. We are a good Township and regardless of how many complaints I may have listed, it is still a good Town with good people in it, and basically run well. I think Mr. Stark's comments are somewhat shaded and shouldn't go unnoticed."

Councilman Stark: "Everybody is entitled to their own opinion."

William Kasperovich: "Absolutely. And when we go into the voting booth, it is our privilege and honor to be Americans and vote as we wish."

Councilman Stark: "And I would only hope that you do that."

William Kasperovich: "Well, the good Lord might not let me stay around for that long a period."

Councilman Stark: "Oh Bill, you'll be here for quite a few years."

William Kasperovich: "A few comments I'd like to make. I'll try to be brief. I'm sorry if I'm long winded. Yes, I am long winded and I don't think I'm going to change. On the Resolutions that are going to be passed tonight, I would like to request a procedure might be followed, might not be, I might be out of order. I don't know. But last Thursday, you had a lengthy coverage of the proposal by our esteemed attorney, Pete

Danowski, and many corrections were accepted. Some were to be considered, some were to be modified, etc., etc. I do believe that the Resolution the way it is written, leaves the door wide open for lapses of memory since no minutes were taken at this meeting. That these documents and that is to include drawings, specifications, and what have you, all documents are to be revised and submitted as the final papers. This would eliminate all possible misunderstandings. And I think it's only good and proper conduct to ask for these revised drawings which would be the final, complete and corrected acceptable drawings. If I didn't sit here that long and hear how many items were brought up, I wouldn't be up here saying this."

Deputy Supervisor Gablenz: "Mr. Kasperovich, the Town Clerk does keep minutes at the work session and there was some subsequent documents that were submitted since the work session on Thursday with regard to the site plan."

William Kasperovich: "Well, I wasn't aware that anybody was speaking into a mike and I didn't see anybody taking-- court stenographer taking any notes."

Deputy Supervisor Gablenz: "Barbara isn't a court stenographer, but she does take some general notes of the discussions."

William Kasperovich: "Be that as it may, I don't believe any formal, and as your attorney would tell you, formal and legal documents created by that meeting. It was a very informal, friendly type meeting. But there were many important details that were covered."

Deputy Supervisor Gablenz: "Thank you, Mr. Kasperovich. Did you want to make a statement, Harriet?"

Councilwoman Gilliam: "Yes. Mr. Kasperovich, I too shared your concerns about there being some record or reflection of the revisions that were discussed during the work session, and the Resolution that we are considering tonight stated that the Town Board had initialed the site plan and, in fact, that had not taken place and I called it to the attention of the Board, and we did review the revised site plan this evening that reflects many of the changes that were discussed during the work session so that they are now recorded in part of the final site plan

that is submitted as part of the consideration for this Resolution. And that final site plan has been initialed by the Town Board as of this point."

Deputy Supervisor Gablenz: "Thank you. Is there anyone else who wanted to address the Board on any subject? Mr. Haizlip?"

Steve Haizlip: "Steve Haizlip of Calverton. In reading through the local papers where they post the Public Notices, I recall seeing an apprentice engineer. Now, that Public Notice had all good things in it, like, no bias to race, religion, color, sex, and so forth. But, it missed age. Was that an oversight?"

Deputy Supervisor Gablenz: "That was amended, Mr. Haizlip, and the notice was published once again and it included the age in there."

Steve Haizlip: "And, what paper was that? I haven't seen that one."

Deputy Supervisor Gablenz: "Suffolk Life."

Steve Haizlip: "Oh, it's coming out this Wednesday."

Deputy Supervisor Gablenz: "I-- is it this Wednesday, Barbara, or last?"

Barbara Grattan: "I think it was, it's been in last week's."

Deputy Supervisor Gablenz: "I think it's already appeared."

Steve Haizlip: "I think I read last week's and that was where I picked it up, so I'm pretty sure it's going to be this week then. All right, thank you."

Deputy Supervisor Gablenz: "You're welcome. Is there anyone who wishes to address the Board on any subject? Dean?"

Dean Terchunian: "Dean Terchunian, Bear Estates, Riverhead."

Councilman Stark: "Dean, just bend that other one down there, too, would you please?"

Dean Terchunian: "I'd like to address the Board on the subject of Bear Estates. I'd like us to step out of the forest and take a look at the trees. September 15th, many of us came down here and voiced our opinions on problems that we have encountered at Bear Estates, including property flooding, road flooding, and so forth. Subsequent to that, Town Board members came out and viewed the property and set up meetings with Town professionals to address the problem. I have letters here from the attorney of Two Bears builders, stating meetings that were to be set up amongst the homeowners, the Planning Board, the builders and the Town's professionals. To date, what was addressed in the meeting between Two Bears builders, the Town's professionals and Two Bears' attorneys has not been fully addressed. It's over six months and the people there are very concerned. One of the things that was stated by the Supervisor at the September 15th, 1992, meeting was there's a lot of bureaucracy, there's a lot of red tape. This is going to take a long time. One of the members of the Board stated, look we understand your situation, and we want to cut through the red tape. So, we will communicate within the Town so that we can address these problems as quickly as possible. Some of the problems have been addressed and we are happy and grateful that those problems were addressed and some of them were solved. But we're sitting here with what appears to be a lack of communication between the Town Board and the Planning Board. A few weeks ago, I was called up by the director of the Planning Department and requested to have a meeting with some of the Town's professionals and the Planning Board's Engineer. It was obvious from the meetings that were very hurriedly put together and people could not all come because they didn't have much of a notice, 24 to 48 hours maximum, some less than one day. It was obvious from the meetings that the feelings of the homeowners especially the people whose lots are affected here, was not relayed to the new Planning Board's Engineer. And when the draft report by this Engineer was put to the Planning Board two days later at the Thursday meeting, none of the discussions that had been carried out two days before, which obviously wasn't enough time to put it in the report, were addressed. So it looks that this meeting that was put together wasn't done in a correct time frame, whatever the reason was. But also, I'd like to read from a letter. I have two letters here, one dated October 15, 1992, and the other one November 9th, 1992, from (inaudible), the attorney of Two Bears builders. And it states: Based on the foregoing, please be advised that John Minto or his employees

will be coming on your lots to prepare such a joint survey. When such survey is completed, we shall set up a meeting to develop a mutually acceptable plan of action. We haven't had that meeting yet. That's dated October 15th, 1992. The November 9th letter says: As to the pooling in your backyard, the Town has asked that Lots 87,-- Lot 87, be added to the elevation survey being prepared for Lots 85 and 86. When that survey is completed, we will meet with you, your neighbors, and the Planning Board's Engineer to try to agree upon a mutually acceptable course of action. Again, these are letters that the Town Attorney certainly has gotten, and other members of the Town, yet we haven't had these meetings. And we need these meetings because we have to have a discussion on these meetings-- on the problems. And it's not being addressed. I also would like to read from a contract, let me pull it out. This is the contract between myself and Two Bears builders and each of the homeowners has a similar contract, and it states changes. It's only one paragraph, I won't take too long. In building the house and performing other work at the premises, seller reserves the right with approval of RCDA, Riverhead Community Development, whatever it is, determine the location and design of the house, and make changes, substitutions of materials or construction for items as set forth in the building plans, providing any such changes are substantially similar or of better quality are approved by the RCDA. Determine the grading and landscaping of the lot to fit in the general pattern of the development. Determine elevation and location of foundations including reversal of house layout, walks, driveways, and streets to conform with topographical conditions. Fix the location and setbacks of a house within the lot lines and determine whether trees, shrubs or other plant life currently on the lot are to be removed. What this points out in our contracts is that this is affordable housing project. The Town oversaw it for the State and also for the people here, the taxpayers. It points out that the Town had to approve any changes in the topography. Well, there were dramatic changes in the topography and there was no communication to this new engineer that people there had problems, and he just looked at it as from, this is the way I see the land now and these are engineering solutions. But I spoke to the Director of the Planning Department on many occasions and told him what some of the people wanted done on their lots, especially the three lots, mine and my neighbor's, as far as the depression that was created by the builder. Which basically adds up to a sump without a fence. What I'm seeing here, is lack of

communication and we need communication to get the right thing done. That's one thing I'd like to address the Town Board on. I do have something else I'd like to speak about. Did you want to say anything before I-- "

Deputy Supervisor Gablenz: "Well, Dean, I would like to be able to call Rick up to the microphone so he can explain the meeting that was recently had with the engineer from the-- with the Planning Board so that we can get Rick's comments as to some of the statements that you've made."

Dean Terchunian: "Okay. I'll step back."

Deputy Supervisor Gablenz: "Thank you."

Richard Hanley: "Good evening. I'm Richard Hanley, Planning Director. I guess it was in the January meeting of 1993, the Planning Board recognized some of the problems at Bear Estates relative to drainage on private lots and began the process of directing its newly hired consulting engineer to help solve those problems. We had a general discussion at our February Planning Board meeting where Mr. Raynor, who is the consulting engineer, had done some field investigation and made a preliminary report to the Planning Board. At that time, there were a number of owners from Bear Estates present and we offered to them the opportunity to come in and sit down with Mr. Raynor and myself to talk about field conditions on individual lots. The intent of the Planning Board has always been to have its engineer do a pure engineering solution to the drainage first; to get information from property owners second; and to then try to integrate those together to come up with a solution. The comment that the Planning Board is not considering anything except for pure engineering is inappropriate. It's not true. The reason we had Mr. Terchunian in as well as his neighbors, was to get their information so we could integrate these two things together. There is no lack of communication between the Town Board and the Planning Board. I think if you inspect the file, you'll see reams of correspondence and reams of minutes of meetings. It is the intent of a Planning Board to solve this problem. There are a number of solutions that can occur here, and what we are trying to do is to achieve the best solution. Dean has some attitudes relative to how this should be done on his particular property. And I appreciate that. And so does our engineer. But we are going

to start with some data and some engineering analysis and attempt to come to the solution that makes sense. Specifically what he's talking about is a solution that involves over land drainage to the street rather than having it piped from his property. In order to do that, it involves not just the creation of a swale on his property, but involves swales on others' property, permissions from other people, easements, and possibly a permission from a neighboring property owner who has no subdivision. We are going to take all these into account and at the last meeting of the Riverhead Planning Board, the Board resolved its intent to fully explore all solutions here and to come up with one prior to releasing the bond on this project."

Deputy Supervisor Gablenz: "Thank you, Rick. They appreciate it. I think that gives an explanation as to what is being done and it would appear from Rick's comments that the Planning Board is trying to address the matter and is trying to solve the problem."

Dean Terchunian: "I agree that the Planning Board is addressing the problem at this time and will put its best foot forward to try to resolve in a reasonable manner. The point that I was making, which is not at all what Rick mentioned that I said, was that there appears from the homeowner's point of view, to be a lack of communication in a directive from the Town Board to the Planning Board to address this situation. Now, this engineer was hired after the last engineer was put in jail."

Deputy Supervisor Gablenz: "Mr. Terchunian, but that has nothing to do with the projects and the Town of Riverhead."

Dean Terchunian: "I'm just saying. Now, that was-- I know that had nothing to do with the Town of Riverhead."

Councilman Prusinowski: "He's not in jail, he's appealing his case."

Dean Terchunian: "Okay. He's appealing his case, he was convicted of a crime. Now, they found themselves without an engineer and they got a new engineer, that's fine. Now, that engineer started somewhere back in October or November. We had our meeting in February. Now, it doesn't seem that the engineer was told by whomever in the Town, that here's the problem. And

we've discussed this with the homeowners and we've got some information from these homeowners that should be addressed in your first report. Not a pure engineering saying we've got a depression, how do we get the water out of here engineering-wise? One of the suggestions in this draft report was to put 11 additional drywells in my backyard and my neighbor's, or connect the existing drywells that have never been approved by the Planning Department or the Planning Board, to a street system which involves all the complications that Mr. Hanley stated. Six weeks before this Planning Board meeting, I called up Mr. Hanley and asked him what was going on. And he told me exactly what was stated to me at the meeting with the engineer, and I said to him, but, Rick, that's nothing about what we've discussed as far as what the homeowners feel should be the solution or a possible solution. Why doesn't that be taken into consideration so we can speed this thing along. It's going on month after month after month. We're continuing having flooding in my yard and I know other people's yards, and the question I'm putting forth is, there seems to be a lack of communication because it's taken so long. And I understand that the Town has processes it must go through. I'm asking why is it taking so long? And that's all I'd like to say about that topic. I have one other topic I'd like to address the Town Board on. That is the conditions of the house or the houses out there. I know that the Town has received many letters from the people of Bears Estates stating they have problems with their houses. And I know that many of the problems have been addressed, sometimes in a band-aid approach, and others in a proper approach. I have shown that I have a building code violation in my house, which is the flashing that we've spoken about before. Since then, other people have taken apart their stoops and they have found no flashing, no tarpaper, and wood starting to rot. What I'm getting to is an article that was in the News Review several weeks back, where the reporter tried to get a hold of the Building Inspector that inspected all those homes out there. I've mentioned his name many times here at the Town Board. What they were told was that Building Inspector was no longer a Building Inspector because he did not pass the tests that were required to become a Building Inspector. Correct me if I'm wrong on that, please."

Councilman Prusinowski: "Dean, I think we're going to have to stop right here for a second. I'll tell you why. I reviewed most of the files, you know, I've been very involved in your case.

I'm sitting here very patiently. We're going to solve those problems, okay? First of all, this is a contract that was signed between the property owners and Two Bears, and we just got a certified letter yesterday on some windows and I gave it to Bobby Goodale out there, and it's my understanding that they sent a response back immediately to the homeowners that the manufacturer is going to come out and correct that problem and if not, somebody is going to have to replace those windows. We have-- we're tracking every complaint that has come in from the property owners. We're doing our best at the Town government level to put the pressure on the builder to rectify these problems. We've offered money back guarantees on the home. In other words, we'll give you your money back. You can't make a profit. According to your contract, which is your sellout clause in your contract, which I understand we have one in there-- we'll give you your money back. If you are not satisfied with your house, Andrea has informed me that we have a waiting list of people who would love to get into affordable housing. Now, you've been on television before and you're going on and on and on. That's great. And we try to correct these problems. Okay? We're tracking the problems. I invite the press to review the files. I invite the press to inspect every piece of paper. In fact, they can come in and follow me after the meeting. We'll look at the files and most of the complaints have been addressed. Some have not. I came out to your situation and I agree with you, I gave you a hard time one night. I came and you were right and I was man enough. I said you're right and I showed up and we're going -- we've made an arrangement and it's going to be followed through. You know, you can go on and on about these things, the homeowners have written the builder, the Town is trying to put the pressure on to resolve the problems. There is a New York State Warranty that everybody, regardless of whether you live in Two Bears or you live in Aqua Park or Roanoke Heights, wherever you live, you build a house, the State provides you with a warranty. You might have to come down to, in some cases, that individual property owners are going to have to sue the builder for non-performance."

Dean Terchunian: "Victor-- "

Councilman Prusinowski: "You know-- so if you want to say the Town did wrong, fine. If you want to say that the officials mismanaged this, fine. You've said it for six months now. That's

great, it's on the record. Wonderful. If you want to not live there anymore, please see us after the meeting. We'll make that arrangement. I told you we would do the buyout clause in your contract along with any other person. I mean, this is America. You can't even buy a car today-- you buy a car and sign a lease, you drive it out the door and you have problems with the car, the manufacturer very rarely gives your money back. Okay? They might try to fix it. They'll fix the warranty. If the product has a warranty-- like an automobile, like a \$30,000 automobile. We're trying to rectify this problem. I'm going to tell you something. And every day this staff spends time on Two Bears. Every single day I'm in this building. Every single day I'm in this building and the Town Attorney and the Planning Department is working on this problem. Every single day. In fact, today we're working on it again because we got the letter on the certified-- I got in touch with Bobby Goodale. We're doing it. We are going to get the thing done. If the windows are defective, they are going to be fixed. Also, I want to state for the record, there were hundreds of changes in these homes which were in violation of that contract, which were not run through the Community Development Office which we know about that were done without our approval. So it works both ways. Nobody's running around and saying, well, you added this on to the house without the approval of the Town, and you had this wall moved. Fine. It was done. Everybody's satisfied with. So the sword cuts two ways here, too. I wasn't on the Board when this thing was voted on. But I'll take full responsibility for it as one member to make sure that the property owners get their fair share and the taxpayers. Also, there's taxpayers out there who subsidize each lot with approximately \$25,000. Which is great because you were afforded the opportunity to own the American dream. A lot of other middle class families in this Town have to go to the closing and put the deposit down and pay all the closing costs. And it's expensive. I went through it. It's a very expensive process. Have to pay for the property. Pay for the house. Do everything. In some of the closings, just for the record, a lot of people showed up without attorneys and the Town Attorney had to constantly remind people that, hey I'm the Town Attorney. I'm representing the Town. I'm not representing your interests. We recommend that you go out and get your own attorney to buy a house. Some people couldn't afford it. We understand that."

Dean Terchunian: "Victor, I'd like to respond to what you said. I appreciate all the help that you have, and the effort that you've put in, and I've never said anything otherwise of you and Mr. Stark who, I know have both put effort into correcting these problems. What I'm pointing out is, it's taken a long time."

Councilman Prusinowski: "And it's a very frustrating thing. You know why it's taken a long time? Because it involves money. And any time you have to convince people to spend extra money on anything. I've been in sales for 15 years and any time you have a sale and you are arguing about the price, or the credit, and this and that, it's a hassle. There's no question. It's an argument. And these things take time to work out and you have to follow a logical process. And in some cases when I've seen the file, they showed up at the house. There was a mistake or there was a problem and it was corrected because the builder knew they were wrong. And they have to correct it. And what's going to happen with these windows? Bobby Goodale has stood out there right now and they are going to work it out. Riverhead Building Supply who supplied 90% of the materials for the project."

Dean Terchunian: "I understand about the windows and that's one of the things that is finally being addressed, and I appreciate Mr. Goodale's efforts from his corporation. January 5th I stated to the Town Board that I had seen an article about Two Bears builders breaking up their company and you said to me that you don't have to worry about that because we've got the bond on this drainage. You're right that we do have the bond on the drainage, but if this company dissolves, which it appears to be dissolving at this moment, the homeowners there are in a real tough situation."

Councilman Prusinowski: "As far as we know, they are not dissolving at this moment. They are still active. They are still in the building business and they respond. In fact, for example, your next door neighbor called up and said please take out the catchbasin out of my backyard. I want it out of here. Is it out of there?"

Dean Terchunian: "No."

Councilman Prusinowski: "They didn't come do it yet?"

Dean Terchunian: "No."

Councilman Prusinowski: "They were supposed to come and do it."

Dean Terchunian: "Absolutely no response from the builder. What I'm saying-- "

Councilman Prusinowski: "Well, they told us that they were supposed to come out and take it out the next day."

Dean Terchunian: "The builder told you that or the builder's attorney?"

Councilman Prusinowski: "The builder's attorney."

Dean Terchunian: "All right. Well, have you spoken to the builder in the last three weeks?"

Councilman Prusinowski: "No, not me personally."

Dean Terchunian: "Has anybody from the Town?"

Patricia Moore: "I've spoken with their representative and they've assured us-- "

Dean Terchunian: "And the representative, you mean (inaudible)?"

Patricia Moore: "No. I'm speaking of the person that handles the complaints, (inaudible) Anderson. So-- "

Dean Terchunian: "In the last three weeks?"

Patricia Moore: "In the last week."

Dean Terchunian: "Good. Because I have heard through the grapevine and I want to point this out to the Town, that one of the principals of the corporation has not been able to be contacted in several weeks. That's Mr. Tuft. I believe his wife is still around, but he has not been. And I want to point

that out because the point I was making in the beginning of-- after I spoke about the drainage problem, is the house problems. We had a Building Inspector there that never passed his test, is now not a Building Inspector. Correct me if I'm wrong on that, Mrs. Moore."

Patricia Moore: "Dean-- "

Councilman Prusinowski: "Dean, you could go that-- "

Dean Terchunian: "But, the point-- let me make a point."

Councilman Prusinowski: "The problem is, it's becoming-- I mean, I asked you a question (inaudible). You really want to solve these problems or do you want to keep the TV show going. If you want to keep the TV show going, I'm a professional on this. Okay? You want to solve the problems, we're going to solve the problems. We know that mistakes were made in the past. We're going to correct them to the best of our ability to what we have to work with in the Town government. If you want to continue to go on, then buy TV time and run down to (inaudible.)"

Dean Terchunian: "I'm not really concerned about TV time."

Councilman Prusinowski: "And we're offering you a money back guarantee."

Dean Terchunian: "What I'm talking about is, is that there's major problems in the houses, structural problems in the houses. Please don't shake your head."

Councilman Prusinowski: "That's your opinion. You're not an engineer."

Dean Terchunian: "No. I've had professionals out there looking at the houses."

Councilman Prusinowski: "Well, then we want to see the reports."

Dean Terchunian: "Sure."

Councilman Prusinowski: "Okay."

Dean Terchunian: "And the point that I'm making is the person who inspected these houses is no longer a Building Inspector. Are you telling me that I'm not correct in that?"

Deputy Supervisor Gablenz: "Dean, okay. You're making the point. The point is-- "

Dean Terchunian: "Because the point is that you didn't do a proper inspection. And that's the point I'm making, and that's why there's so many problems with the houses. And that really has to be addressed."

Councilman Prusinowski: "No, that's your opinion."

Deputy Supervisor Gablenz: "That's your opinion, Dean, and what we need to do is, we need to move on."

Dean Terchunian: "Okay."

Deputy Supervisor Gablenz: "We have provided a response for you that we recognize there are some problems and we are trying to solve those problems. Okay?"

Dean Terchunian: "Now, these problems that we're having in our houses, if this Building Inspector was not up to snuff and these houses were improperly inspected, which it appears that way, I also want to point out that the Town is spending a lot of taxpayers dollars on trying to correct this problem. And it's the builder's fault. One of the reasons it's the builder's fault and the builder isn't reimbursing the Town for their time. And the taxpayers are having to burden this because the builder did it improperly. And we should make sure that the Town's taxpayers money is also recouped from this builder. I'd hate to see all this-- I know how much time the Town has put into it and I'd hate to see all this money being spent and this builder not reimbursing the Town, because they are wrong and it's been proven several times that they are wrong. And you will prove it again as you continue along this process."

Deputy Supervisor Gablenz: "Thank you, Dean."

Councilman Prusinowski: "If you are not satisfied with your house, see us. We will work out an arrangement with you."

We have other people who are calling all the time who are looking for affordable housing like this. Seriously. You know, that's an option."

Dean Terchunian: "Thanks for your offer. In fact, just for the record, the attorney for Two Bears builders called me up before you offered to buy my house back, and said, listen, you're really hurting the builder out at his new project in Watermill, and we'd like you to stay off TV and not address the Town Board publicly."

Councilman Prusinowski: "This has nothing to do with him. This would be the Community Development Office. It would not affect-- "

Dean Terchunian: "Right. But that also happened to me."

Councilman Prusinowski: "This has nothing to do with Two Bears at all. Because it would be the Community Development Agency that would repurchase the house and put it up for lottery again. It has nothing to do with the Tufts. Nothing to do with them."

Dean Terchunian: "I'm not willing to give up my right of owning that house because I qualified for it."

Councilman Prusinowski: "You don't have to. You don't have to. I'm not saying that."

Dean Terchunian: "But I do want the problems rectified. And so do the other homeowners."

Councilman Prusinowski: "And so do we."

Dean Terchunian: "It's just that it has taken so long. People are frustrated. And that's the main point that I'm trying to put out. Thank you."

Councilman Prusinowski: "Right. Okay."

Deputy Supervisor Gablenz: "Is there anyone else who wishes to address the Board on any subject? Mr. Haizlip?"

Steve Haizlip: "Steve Haizlip from Calverton. I'd like to inquire a little bit in depth on Resolution 198, because as a rule they're just read and voted on and that's it. What I want to try to find out is what caliber of citizen you have to be in order to be an advisory to the Board of the Riverhead Police Department?"

Deputy Supervisor Gablenz: "There are various organizations that are designated to have representatives, and I think that probably the Board will rely on those organizations to recommend an individual, and then the Board will consider those individuals."

Steve Haizlip: "Can I retract a minute? It's-- what you're telling me is, you've got to be a member of some great organization in order to be eligible for this here Police Advisory Board?"

Deputy Supervisor Gablenz: "We try to pick representative bodies of parts of the community and representatives of various organizations that represent certain interests."

Steve Haizlip: "I wonder if I would qualify? I'm the President of the Grumman Retiree Club."

Councilman Prusinowski: "Each Town Board member gets one at large appointment."

Steve Haizlip: "Oh, okay. Now it's cleared up."

Deputy Supervisor Gablenz: "Is there anyone else who wishes to address the Board? Okay, let us take up the Resolutions."

Resolution #171

Councilman Prusinowski: "Authorizes the Town Clerk to accept maintenance bond and release performance bond of Terry Contracting Materials, Inc. for the day care center. So moved."

Councilman Stark: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #172

Councilman Stark: "Authorizes the Town Clerk to accept maintenance bond and release performance bond of DiFrancia Electric, Inc., day care center. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #173

Councilman Creighton: "This authorizes the Supervisor to execute an agreement with Hallock Luce, IV in order to put an easement for a water pipe across his property. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #174

Councilwoman Gilliam: "Authorizes Town Clerk to publish and post help wanted ad for an automotive equipment operator, Highway Department. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #175

Councilman Prusinowski: "Approves application of St. Isidore's Parents Club. So moved."

Councilman Stark: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #176

Councilman Stark: "Appoints a recreation specialist to the Riverhead Recreation Department. So moved."

Councilman Creighton: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #177

Councilman Creighton: "This awards a bid for a used 1987 Ford F-700 dump truck to Otis Ford. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: "Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #178

Councilwoman Gilliam: "Authorizes Town Clerk to advertise for bids for one 1993 Ford F-350 crew cab 4 x 2 utility truck for the Highway Department. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #179

Councilman Prusinowski: "Budget adjustment for the Highway and General Town. So moved."

Councilman Stark: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #180

Councilman Stark: "Grants a leave of absence. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #181

Councilman Creighton: "This authorizes the solicitation of bids by way of a percent off of the Grainger Industrial & Commercial Equipment & Supplies Catalog. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #182

Councilwoman Gilliam: "Declares lead agency and determines significance of action special permit of Darroll E. Meyer."

So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #183

Councilman Prusinowski: "Promotes Russell Bartlett to the position of mini bus driver. So moved."

Councilman Stark: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #184

Councilman Stark: "Appoints Stephen Magee to the position of part time Custodial Worker I. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #185

Councilman Creighton: "This authorizes the Town Clerk to publish and post a Notice of Publication of the 1992 annual water supply statement. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #186

Councilwoman Gilliam: "This Resolution recognizes March as National Girl Scout Month and as a former Girl Scout right here in the Town of Riverhead, I can personally attest to the value that Girl Scouting has in the lives of young girls and women. And the Town wishes to recognize the role that Girl Scouting plays in creating role models for young women, and also in promoting community service. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes.

Councilman Prusinowski: "They're a fine organization. I briefly served on their Suffolk County Board of Directors for two years."

The Vote: (Cont'd.) Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #187

Councilman Prusinowski: "Budget adjustment, Peconic Bay Blvd. and Cedar Court Drainage. We're creating capital projects to do some drainage work around the Town from a previous bond that was authorized several years ago. So moved."

Councilman Stark: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #188

Councilman Stark: "Budget adjustment to continue drainage projects in the Town of Riverhead. So moved."

Councilman Creighton: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #189

Councilman Creighton: "This appoints attorney Pierre Lundberg as a special counsel to the Town Board to inquire into the qualifications of East End Recycling & Composting Company or OMNI to accept the Town's contract to provide services for our Solid Waste District. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #190

Councilwoman Gilliam: "Appoints 90 day temporary clerk typist to Recreation Department. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #191

Councilman Prusinowski: "Forms the Final Environmental Impact Statement of change of zone and special permit petition of Stanley Tanger and Associates. So moved."

Councilman Stark: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #192

Councilman Stark: "Appoints a part time paralegal to the Town Attorney's office at no compensation to the Town. A young law student would like to come out here-- I believe it's a law student-- paralegal student would like to get some experience and we so welcome her at no cost to the Town. So moved."

Councilman Creighton: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #193

Councilman Creighton: "This is a conditional order for the extension to the Riverhead Sewer District to serve the east end common Route 58 Oliver Street area to serve primarily a new mall. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #194

Councilman Creighton: "This approves the site plan of the East End Commons Mall at the intersection of Oliver Street, Route 58, and Northville Turnpike. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes.

Councilman Prusinowski: "I just want to point out because I've been hearing some comments recently in Town about a shopping center and Taco Bell. Several years ago, the Town Board rezoned part of Route 58 to a less (inaudible) called office service. During that time, we also rezoned every single business category in Wading River, Jamesport, Calverton, Aquebogue-- we created a zone called Country Rural. In effect, we reduced the lot coverage and the development coverage down to 17 and 15% respectively. The Town Board over the years has been sensitive to the fact that we do not want to turn Riverhead into western Suffolk. With the adoption of this last shopping center on Route 58, there is only two small parcels of Business C and Business B left on Route 58 which could accommodate any type of strip shopping center or fast food chains. After that, we're out of that business, we're sold out and unless the Town Board rezones other property in the Town, it should not happen. I vote yes."

The Vote: 4 Yes, 1 Absent.

Resolution #195

Councilman Prusinowski: "Is to authorize the Town Attorney to institute a lawsuit against Carl Juliano and others. So moved."

Councilman Stark: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #196

Councilman Stark: "Exchange bonds of R.A.S. Carting of Long Island for contract bid areas "E" and "F" Riverhead Refuse and Garbage District. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #197

Councilman Stark: "Appoints instructor to the Riverhead Recreation Department for our canoe building program. So moved."

Councilman Creighton: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Resolution #198

Councilwoman Gilliam: "This Resolution amends Resolution #136 establishing a Citizen's Advisory Board to the Riverhead Police Department to add representation from the NAACP of eastern Long Island, a representative from the student population of the Riverhead High School, and one representative from the Wildwood Acres Civic Association, and one representative from the Wildwood Hills Civic Associaton. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Councilman Prusinowski: "I make a motion to pay the bills."

Councilman Stark: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes. 4 Yes, 1 Absent.

Councilman Prusinowski: "I make a motion to adjourn."

Councilman Stark: "Seconded."

Deputy Supervisor Gablenz: "Moved and seconded. I thank you all for coming tonight. That concludes our meeting. Thank you."

Meeting Adjourned: 8:48 P.M.

*Barbara Stanton
Town Clerk*

REPORTING
COMMISSIONER
COMMISSIONER
COMMISSIONER
COMMISSIONER

THE BOARD MEMBERS
TOWN OF RIVERHEAD, N.Y.
THOMAS V. SANDRI
COMMISSIONER
ALTON WEISBERG
COMMISSIONER
JACK STARK
COMMISSIONER
MARK CRIGNON
COMMISSIONER
BARBARA GILLIAN
COMMISSIONER