

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York on Tuesday, March 19, 1985 at 7:30 p.m.

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

Also Present: Richard Ehlers, Town Attorney

Absent: Louis Boschetti, Councilman

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

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

RESOLVED, that the Minutes of the Regular Board Meetings of February 26 and March 5, 1985 and Special Board Meetings of February 15 and March 12, 1985 are dispensed without objection and be approved.

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

The resolution was thereupon duly declared adopted.

BILLS

Bills submitted on abstract dated March 19, 1985 as follows:

General Town	\$115,732.16
Am	147.00
Highway	40,555.75
Capitol Projects	169,032.98
ST & SL	48,768.19
Small Cities	8,361.49

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

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

General Town	\$115,732.16
Am	147.00
Highway	40,555.75
Capitol Projects	169,032.98
ST & SL	48,768.19
Small Cities	8,361.49

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The heads of the departments of town government are present this evening should there be any question of them. Reports Mrs. Pendzick."

REPORTS

Tax Receiver-Collections as of March 11 and March 19, 1985. \$12,218,792.77.	Filed
Vail-Leavitt Music Hall-Third Quarter report ending 12/31/84.	Filed
Police Department-Report for the month of February, 1985.	Filed
H2M Corp.-Engineering report for water extension No. 30.	Filed
Open Bid Report-Trickling Filter Pump Replacement. (See Sewer Minutes.)	Filed
Open Bid-Used Dynahoe, Highway Department.	Filed

OPEN BID - USED DYNAHOE FOR HIGHWAY DEPARTMENT

Bid Date: March 12, 1985
2 Bids Submitted

#1	NAME:	<u>SAM ALLEN'S MODERN MACHINERY, INC.</u>
	ADDRESS:	<u>ROUTE 25, P.O. BOX P, CORAM, NY</u>
	TOTAL BID:	<u>\$40,000.00</u> <u>\$37,000.00 less \$3,000.00 trade-in.</u>
#2	NAME:	<u>CASE POWER AND EQUIPMENT</u>
	ADDRESS:	<u>1667 E. JERICHO TURNPIKE, HUNTINGTON, NY</u>
	TOTAL BID:	<u>\$82,860.00</u> <u>\$47,860.00 less \$35,000.00 trade-in.</u>
#3	NAME:	<u>EDWARD EHRBAR, INC.</u>
	ADDRESS:	<u>100 SECOR LANE, PELHAM MANOR, NY</u>
	TOTAL BID:	<u>NO BID</u>

Supervisor Janoski, "Thank you. Applications."

APPLICATIONS

Riverhead Fire Dept.-Parade on 6/15/85 at 2:00 p.m. on Main Street.	Filed.
Friendly Ice Cream-Restaurant on Route 58.	Filed.

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Easthampton Town-Copy of resolution adopted re: Liability Exposure. Filed

Town Attorney-RE: Application of Atrium Group LTD. re: designation of Lead Agency for "Farms at Baiting Hollow." Filed

Planning Board, 3/8/85-Copy of resolution approving revised subdivision for J. Demma and S. Colgan. Filed

Southampton Town-Notice of Adoption of Local Law #1-1985, Schools for the Mentally Retarded. Filed

Robert Nelson-In opposition to ash dump in Jamesport. Filed

Juanita Jones, 3/5/85-Submitting resignation as Nutrition Center Driver. Filed

Gerald Allen, 3/14/85-Submitting resignation as Laborer in Highway Department. Filed

Irene Pendzick, "That concludes Correspondence."

Supervisor Janoski, "Thank you. The appointed time for the first public hearing has not yet arrived. Under Unfinished Business we have for the last time:

UNFINISHED BUSINESS

Old River Road Recreational Park-Change of Zone for Recreational Use. The Town Board will address that at its next regular meeting.

Robert Celic-Change of Zone and Special Permit for Nursery in Aquebogue. The question is mute and should be withdrawn.

Kimbrooke Enterprises-Special Permit for condominiums on Sound Avenue. We are presently reviewing the Draft Environmental Impact Statement.

Henry Taca-Change of Zone from Res. C and Inc. B to Res. A on Fresh Pond Avenue. That will be addressed this evening by the Town Board.

George Nunnara-Site Plan for storage of Gas/Welding Supplies. The Town Board is awaiting further information on the site plan.

Steve Tsontakis-Site Plan for gas station facade on Route 25 and Route 25A. The Town Board is awaiting the action of the gas station proprietor to comply with our demands.

Riverhead Honda-Site Plan for office building on Route 25A. That is before the Zoning Board of Appeals.

UNFINISHED BUSINESS Continued

Pizza Hut-Site Plan for establishment at Roanoke Avenue and Route 58. That will be addressed this evening.

Ali Agarabi-Petition for extension to water district extension No. 23."

Supervisor Janoski, "There are some 5 minutes remaining before the first.... Mr. Nohejl."

Bill Nohejl, Wading River, "I have 2 questions. One is; what is the status of the Wading River water Study? The last one that has been put out."

Supervisor Janoski, "The engineering consultants are presently developing a plan and cost estimates for that extension. There are some negotiations in the offing with (private) state owned facilities that might be incorporated into the plan."

Bill Nohejl, "Alright. Second one is: the status of the Peconic Bay Boulevard/Meetinghouse Creek water study. Isn't there one going in down there?"

Councilman Prusinowski, "That's a water extension."

Bill Nohejl, "Yes."

Richard Ehlers, "That study was concluded. Petitions were prepared and have been circulated amongst residents. I understand some of the residents haven't had a chance to see them yet. And I think someone I was speaking with this evening, is going to be attempting to circulate those further."

Bill Nohejl, "How far is that extension supposed to go to?"

Richard Ehlers, "I think it's the...."

Bill Nohejl, "Just to Ock-A-Boc Park?"

Richard Ehlers, "I get my Ock-A-Boc and my Huc-A-Buc Park confused."

Bill Nohejl, "Does it go up to (like) Washington Avenue?"

Councilman Prusinowski, "It goes up to right next to the Grey Goose. The community across from Mike Velys and Cassidy's. It's going to go into that area there. That's where it will end. This particular extension."

Bill Nohejl, "The next one is going next to... I have some remarks on affordable housing. I make no secret that I deal in property. I feel as though something has got to be done to keep the young in the Town of Riverhead. Not everybody can afford condominiums or 150/200 thousand dollar homes. There may be an overlay of certain districts, certain areas, just purposely for a different type of home where a young person (young married person) or the people who do not make big salaries can afford to have their own home. This would have to be done with the help of the financial institutions, the Town

PERSONAL APPEARANCES ContinuedBill Nohejl, Continued

Board. Making it easier to secure a site like this. Otherwise we are going to drive our young out. They can't afford to be able to live in this town. They can't afford 150/200 thousand dollar homes. Something has got to be done, looked into very soon. I am not saying make an area that's going to be down grading the town but some kind of housing. Maybe modular or maybe some other type that will maybe sell for 75, 80 or 85 thousand with the help of the town elimination some of the (restrictions) harsh restrictions that goes with other developments. It has to be looked into and it's got to be faced. Otherwise it's going to be too late."

Supervisor Janoski, "I agree with everything you said up until the point of eliminating some of the requirements."

Bill Nohejl, "You know, sometimes you go to 55 foot roads. Maybe the pavement could be cut back to a certain extent."

Supervisor Janoski, "What I'm referring to very often is the requirements for the drainage and recharge basins. If the town does not require the developer to put that in in the beginning, soon as the people move in and experience problems, they come to the town and the town is really the taxpayers, and request that the other taxpayers of the town pay for those improvements and that's not right."

Bill Nohejl, "I agree with you. I am sorry on that point. I agree with you on that point. But maybe it can be made into a cluster and more to the acre. So the parcel isn't too extravagant for the person to buy. Something of that type. That's what I mean. It's got to be done. And number 4; this is a big one. I was on it at the last meeting. Jamesport. I suggest that the town hire appraisers. And with the combined effort by the public organizations, organizational groups, the press, the Town Board present to the people the cost of securing this site and put it on a town..... Let the town residents know and put it on a referendum. Let them know just what it's going to cost because not everyone (again) can afford the condominium and take the beaches up there. I'm just using Gox Hill or Kimbrooke or what's going up on the DeFriest property there. The people who come from New York City or wherever they come from, they buy 200, 250 thousand dollar condominiums. They secure the beach. It's not the local people who are enjoying the beaches. And in 15, 20 or 30 years, there is not going to be any beaches for the local residents. And if we don't see any further than the end of our nose, we are just going to lose everything. Things have to be done and I suggest we hop to it."

Supervisor Janoski, "The Board has discussed hiring an appraiser to get some firm information on the value of that property. I think there are a number of scenarios that we have to look at including putting the question to the people in the form of a referendum. That, the Town Board would certainly, if the people of the town wish to make that large a purchase, it's their decision."

PERSONAL APPEARANCES Continued

Bill Nohejl, "Because if we don't do it now, it's going to be bought up by a big developer. He's going to naturally go for the big bucks to put the condominiums or high class housing there and the beautiful beach. Then there's no place in Riverhead. You know Southampton has their beaches. Other places. Easthampton has their beaches. They have them secured already. We have nothing and it's just.... We got little Wading River. You got Hulse Landing Road. These are postage stamps."

Supervisor Janoski, "Bill, I hate to interrupt you and I certainly will invite you back again later but the time has arrived to call the first public hearing. Let me make not that the hearings on the questions revolving around the rezoning of the Route 58 corridor are going to remain open until the next regular scheduled meeting of the Town Board as we move through the SEQRA. Let the record show that the hour of 7:48 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING: - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, March 19, 1985 at 7:45 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Draft Environmental Impact Statement submitted by Broad Cove, Inc.

CORRESPONDENCE:

L.I. Regional Planning Board, Jan. 31, 1985:
Requesting to be listed as a party of interest re: The application dealing with the proposed dredging at Broad Cove, and including a list of what they feel should be included before any final approvals.

Town Board, Town of Riverhead, Feb. 21, 1985:
Resolution #141 authorizing the publication of notice of public hearing re: the DEIS submitted by Broad Cove, Inc.

Supervisor Janoski, "Thank you. Is there anyone present representing the applicant? Mr. Conforti."

Anthony Conforti, Attorney, "Good evening Mr. chairman, Supervisor, members of the Board. I represent Broad Cove and have been for some time since 1978. This is not an unfamiliar project."

Supervisor Janoski, "Tony, for the record, would you identify yourself and your address?"

Anthony Conforti, "Anthony Conforti, 739 East Main Street, Riverhead. I would like to preface my remarks by saying that Broad Cove was initially approved as a 500 unit condominium project in 1975 by a predecessor Town Board. The special permit for the condominium project has been extended by successive Town Boards and it is now in effect. The reason we are here tonight is because of intervening regulations by the State Department of Environmental Conservation require

PUBLIC HEARING ContinuedAnthony Conforti, Continued

a modification of the site plan which had been previously approved to provide for further set backs from tidal wetlands and certain other restrictions. There has been a Draft Environmental Impact Statement prepared, submitted. And that Impact Statement addresses itself to all essential issues. At least in the opinion of the applicant. Three primary issues as we see them are areas of concentration. First is the impact on traffic. The Impact Statement addresses itself to this and finds, from data prepared by the County since there is no local data available, that the development of this project will not have any significant increase in traffic patterns in the area. Again it's primarily a seasonal community designed for second home and recreational use. The second area of concern would be the impact on the educational system. Again, going back to the primary use of the project as a recreational second home community and since the applicant is not looking for any expansion on the previously approved permits which restrict density in this particular development.... What I should say to everyone present is that; the prior approvals give a range of one, two and three bedroom units. The applicant is not looking to expand upon that. The total approved density for the project for living purposes is 500 thousand square feet which comes out to approximately or an average of a thousand square feet per unit. Considering the size of these units and the cost of the units, the impact on the educational facilities will be minimum. Now, waste disposal is again a very important issue. The prior approvals and the present site plan that has been submitted as well as the Draft Environmental Impact Statement have considered the hooking up to the Riverhead sewage treatment facility as the best approach. According to current records, that is generated by this facility will not bring the present plant capacity (I should say) will not over ride the present capacity. In the event that the Town Board or any other interested agencies have concerns about taxing the plant, then suitable arrangements can be made to augment the size of the plant at the expense of the developer. Now, there is a companion application pending before the D.E.C. And that is an application to dredge certain organic materials from the existing canals in this Broad Cove project. Broad Cove is approximately 105 acres. There are approximately 6 thousand linear feet of internal canals which presently contain stagnate water and contain some amount of organic materials. The project application is defined by the D.E.C. calls for dredging of approximately 108 thousand cubic yards of silt. Recent examinations performed by the soil conservation service of the United States Department of Agriculture and these were test borings taken yesterday indicated that the average depth in the canals in Broad Cove of organic material is only 10 to 12 inches. So rather than 108 thousand cubic yards of waste material we find (by mathematical calculation) that there most probably will exist no more than 35 hundred cubic yards of such material to be dredged. Now, the Town Board as Lead Agency in this matter, has received a communication from the Department of Environmental Conservation written by a James Therbur, one of the senior analysts. That contains very specific recommendations for the dredging of the project. The applicant, Broad Cove, Inc., is perfectly willing and will be mandated by the D.E.C. regulations to comply with any restrictions which the D.E.C. will put on the dredging in connection with that separate application. Now, there will be a publication of the D.E.C. application in the local

PUBLIC HEARING ContinuedAnthony Conforti, Continued

papers. And anyone interested in that application and as it affects the whole project, will be permitted to respond, to make comments to the D.E.C. on or before the 12th of April. I think that covers everything."

Supervisor Janoski, "Thank you Tony. We have run out of time right now for this hearing. I must call the next one but I will recess it and we will open it again after we are finished with the other hearings on the agenda."

Anthony Conforti, "You're going to open it again tonight?"

Supervisor Janoski, "Yes. That hearing on Broad Cove will be recessed."

7:45 PUBLIC HEARING RECESSED AT 7:57

Supervisor Janoski, "Let the record show that the hour of 7:57 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, March 19, 1985, at 7:55 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Proposed Establishment of a Town Health Department.

Supervisor Janoski, "Mr. Town Attorney."

Richard Ehlers, "A little bit of history is in order at the beginning of this. The town has historically had health authority vested in Town Boards, villages, and village board of trustees and counties under certain circumstances in the county board of supervisors. Since that time, Suffolk County Legislature and its predecessor, the board of supervisors, has taken certain health authority away from the Town of Riverhead. However, it does appear that in an analysis of the public health law that certain vestiges of the Town Board's authority as a Town Board of health to appoint a public health administrator, still exists in the Town of Riverhead. And the purpose of this public hearing is to determine the public's response to reinvigorate that early and latent authority which the Town Board presumably still has. This would be effective for the Town Board in areas of policing the fitness of public housing accommodations as to necessary water planning and other public health matters which would not conflict with state health law."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone present who wishes to address the Board on this matter? Alan."

PUBLIC HEARING Continued

Allen Smith, Roanoke Avenue, "The name is Allen Smith. I'm here not on behalf of anyone other than myself this evening. The analogy I would like to use in my support of the public's consideration of this avenue of approach is a tale of two stories. The first is the tale of Greg Hulse's tree house and the second is the tale of Betty Brown's cows. For those of you who have not lived here long enough the tale of Greg Hulse's tree house was that we had a rather ambitious building inspector some years ago who prosecuted young Greg Hulse and his sister for building a tree house without a building permit. It was an occasion of some note and the Town of Riverhead and its building department got the press that included Time magazine. The long and short of it was that the stupidity of a regulation going amuck was held up to public light and an effective change occurred. Not many of us know that the public health department of the County of Suffolk has got so few things to do with its time at the moment as to break Garrison's back and his wife Betty's back over three cows. That they wish to have in a brand new 100 thousand dollar barn on their property out in Aquebogue. This is a health scourge. The epidemic is coming. Of course we have no other health problems in the Town of Riverhead to concern ourself with. 414 is a palace. County of Suffolk has more money than the Town of Riverhead. Yet tonight to solve a real health problem in this town, this Town Board will have to vote 200 thousand dollars to deal with essentially health and social welfare problem that is offered by the County of Suffolk. Yet we can find health sanitarians to run their little buns down there and then whack away at Betty Brown and her three cows. Now, that's what the health department is doing with their time. This is not the first time the Town Board has considered the creation of some sort of responsiveness with reference to health matters. The last time we brought this issue up, Dr. Harris screamed with pain, was when we were trying to clean up a little thing called 821 East Main Street. They are right when they will tell you that you might have to enforce your own regulations, that you might have to enforce the County regulations that they could get to call the tune. Even now they are unwilling to pay the piper. But it should be noted that in that tune that they set, there are among other things, variance procedures that would give you some sort of local input and that's probably the only thing that you could gain here is some local administrative ability over the health laws even if they are called out by the County. And most especially with reference to Article 7, those of you who have spoken to me privately, know that I feel professionally and as a citizen of this community, that Article 7 is made out of the very same stuff that created the southwest sewer district in the towns of Babylon and Islip. And I spent 4 years of my professional life trying to straighten that thing out. The same people in the county who were there are preached about those health hazards that created the monster that is on the back of people with- in those two towns, are the same people that are talking about Article 7 today. And that's what this hearing is about today. It's about Article 7. If you're stuck with Article 7 and you may be, then this particular approach might allow you to at least administer Article 7 in some sort of sane way. I think is the only way the east end towns can handle it. Because of the real matter, you do not have the political power in the County of Suffolk to get the relief that the west end towns will get they find out what a disaster Article 7 is with their particular economies. The east end towns will

PUBLIC HEARING ContinuedAllen Smith, Continued

don't have that hidden. The Paces, the Blakes, they do and they'll get around it. They'll lean on Dr. Harris and he'll listen. You don't have a chance. I think you should consider it. Not just as a political thing to gain Harris' attention but as a for real thing and the only way that you can get some attention to some real health problems in the town rather than Betty Brown's cows. Thank you."

Supervisor Janoski, "I'm going to recess this public hearing on the creation of a town health department and state that the clock on the wall shows that the hour of 8:05 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

7:55 PUBLIC HEARING RECESSED AT 8:05

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, March 19, 1985 at 8:05 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Proposed Amendment to Section 101-10.2 of the Town Code, Parking, Standing, or Stopping Prohibited Except for Volunteer Firemen.

Supervisor Janoski, "Thank you. Mr. Town Attorney."

Richard Ehlers, "The purpose of this amendment is to clarify where volunteer firemen may park. It proposes to delete Osborne Avenue on the east side from the hours of 7:30 a.m. to 3:30 p.m. from a point 275 feet north of Pulaski Street to a point 375 feet. It is essentially a hundred foot section. And to replace that with Hamilton Avenue on the east side being the first 6 stalls along the northernly boundary of the parking area located on the east side of Hamilton Avenue across the street from Station #1 of the Riverhead Fire Department."

Supervisor Janoski, "Simply put, it removes the volunteer's parking spaces from the street and puts them in the municipal parking lot. Is there anyone who wishes to address the Board on this matter? That being the case, I declare the hearing closed."

8:05 PUBLIC HEARING CLOSED AT 8:06.

Supervisor Janoski, "We will re-open the previously recessed hearing on the creation of a Town Health Department. Does anyone wish to address the Town Board further? Henry."

Henry Pfeiffer, Wading River, "Mr. Janoski, I appreciate the explanation of Mr. Smith. I know he has a tremendous amount of experience. Some of it not quite to his liking over the years. I'm a little bit confused as to what this Town Health Department would actually be. Is it a set up designed to fight the County Health hierarchy, especially on Article 7? Are we going to send people

PUBLIC HEARING ContinuedHenry Pfeiffer, Continued

testing water when we have that capability. Will we have the capability of counting roaches or looking under the fingernails of the people serving us? And finally, I think under resolution 211 there is a request (authorization) for the town Supervisor to request Home Rule. Would this give you added muscle in this direction?"

Supervisor Janoski, "Yes. I think Allen put it very well. The Suffolk County Health Department seems to have an agenda which does not correspond with addressing some of the real health problems in the Town of Riverhead. And what the Town Board is doing in investigating the feasibility of creating a Town Health Department is seeking to add teeth to our....."

TAPE ENDED

Supervisor Janoski, ".....something that may come down the pipe at the whim of those people in the Dennison building. Mr. Nohejl."

Bill Nohejl, "A clarification please. Town creating a health department, still the Suffolk County Department of Health would be over and above the town, like the state is above the county and the town. Now, what powers would we have if they are superceding our power?"

Richard Ehlers, "We would argue. And to say this is a settled area would be..."

Bill Nohejl, "You would argue it but..."

Richard Ehlers, "We would argue that their authority would be limited to the promulgation of rules which it would be our obligation to determine how to enforce in those areas where we chose to enforce them. If we chose not to enforce them, then it would fall back upon them."

Bill Nohejl, "But still in all, if you chose to enforce a certain area and the county still superceded you, you'd be doing nothing in my estimation."

Richard Ehlers, "You have to be careful about the word enforce as to whether it means to draft the legislation or actually apply the legislation to a specific incident."

Bill Nohejl, "But now, I was surprised when Allen Smith said about Mrs. Brown's cows. What is the problem? This is something that I don't..."

Supervisor Janoski, "Bill, why don't you...."

Bill Nohejl, "Has there been a problem?"

PUBLIC HEARING Continued

Supervisor Janoski, "Why don't you ask Allen later. Bill, wait a minute. Now Bill you know that's wrong and Allen certainly knows that's wrong. Do you have any other question?"

Bill Nohejl, "No. About the cow. They have a beautiful place. Is it a problem or no problem?"

Supervisor Janoski, "Is there anything else that you want to add to your statement?"

Bill Nohejl, "My statement is; I'm asking about (he said) Mrs. Brown's cows. I want to clarify. Is there a problem with those 3 cows on that premises or is he just making an example?"

Supervisor Janoski, "Is that your final question?"

Bill Nohejl, "I didn't say it's final. I didn't get an answer for that one."

Supervisor Janoski, "Well, when you're finished, I will break tradition and protocol and ask Allen to come up and answer your question. But I want...."

Bill Nohejl, "Alright. I'll step aside until he answers that question. If I have another question, I'll come back."

Supervisor Janoski, "Ok. Allen do you want to enlighten us on what.... You know you've got to come up here. This is a public hearing. It's on the record."

Allen Smith, "It fits you see. The local guy jumps somebody with a treehouse and gets laughed out of sight and these guys deal with the 3 cows and they merrily go along about their business because it's a big government and they have the force of law. They get away with it. It seems Dr. Harris is against raw milk. And he thinks, and most specifically; Dr. Zaki who is one of his henchmen, that this potential scourge to the health of people of Suffolk County is to prevent this lady whose husband happens to be a veterinarian who would see the cows every day on a concrete floor with a separate milking area, a separate feeding area. They don't want to let you have raw milk in Suffolk County and that's it. And when I grew up around here, there were a lot of cows giving milk. It use to be brought to my house. If you want to know why the health department can't get the 414 folks, it's because they're down there hassling Betty Brown."

Supervisor Janoski, "Bill, does that....."

Bill Nohejl, "Now I understand why. Because of the raw milk. Not because she has 3 cows. Because she has sufficient land. Now, I know farms that have a cow for years and years and they would not do without the cow. But I don't see why they should pick on just because of that. And I don't think he's in the business of selling the raw milk. If he's using it for his own purpose, I see no problem. Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you. Fanning. Dick Benedict."

Councilman Prusinowski, "Dick, be careful. We haven't voted on that resolution yet."

Dick Benedict, Fanning Blvd., "You've go to come here to be known by the street. I haven't figured out for sure whether I'm for this or against it but it sounds to me like we're just going to administer their policies and we're calling this thing a health department. What would it cost the taxpayers to administer as you see it right now?"

Supervisor Janoski, "Let me restate that the original resolution calling this hearing very carefully said that the Town Board wish to investigate the feasibility of the creation and we had to call it something so we called it a town health department. What I think the Board envisions is something very simple. May be the present personal playing the role of the..... What was the individual that the Town Attorney referred to? Health officer. The town sees some gaps. And Allen once again has pointed out that there are some existing problems that we want to address and lord knows that we grow frustrated trying to get the health department to do certain things."

Dick Benedict, "I realize that. I've been to a lot of the meetings."

Supervisor Janoski, "Believe me, this Town Board is not looking to create a large agency, to hire additional personal or inflate the budget. We think there is a justifiable reason to start this investigation. We will not make a decision tonight. What we have done is really throw it out to the public in order to find out.... Well, what do you think about this idea? That's basically what we're doing tonight."

Dick Benedict, "Well, if we were putting somebody on a Suffolk County Board of Health or something maybe where we could have some input, I would probably be for it. But like I said, I'm not against it. I just want to know what you see it would cost the taxpayers in the long run to adminstrate their policies."

Supervisor Janoski, "Quite honestly we're not for it or against it yet either. The proposal has been made. We think it's an idea that may prove beneficial to the town and we're going to investigate it."

Dick Benedict, "Ok."

Supervisor Janoski, "Mr. Prusinowski, did you want to add something?"

Councilman Prusinowski, "No."

Supervisor Janoski, "After all these years, I start forgetting names. Mr. Grumman."

Steve Haizlip, Calverton, "Mr. Janoski if I remember correctly and going along with what Dick said and anybody that you put in here, will be sort of like an administrator and anybody that comes in from

PUBLIC HEARING ContinuedSteve Haizlip, Continued

with a problem, then they will have to register then they'll just go over to the health department instead of going over there and getting on a register and getting help administered or their problem, they'll come through here first. I mean that's sort of what it's sizing up to be."

Supervisor Janoski, "No. That's not our intention Steve. We really don't wish to create a bureaucracy. I think that's what you're saying. Yes."

Jeff McGann, Overlook Drive, "I don't know anything about Article 7 and I've never met any of Betty Brown's cows. I do though, feel that possibly present company excepted, what we need is less government not more. I'm not in favor of us creating anything in the health department line. Thank you."

Supervisor Janoski, "Thank you Jeff. Is there anyone who wishes to address the Board on this matter under consideration? That being the case, (Jeff, you had the last word) I declare this hearing closed."

7:55 PUBLIC HEARING CLOSED AT 8:18

Supervisor Janoski, "I will now re-open the public hearing on Broad Cove. Tony, where are you? You had finished your presentation? Is there anything other that has to be said on behalf of the applicant? Is there anyone present who wishes to address the Town Board on the matter of the Broad Cove Draft Environmental Impact Statement? Steve."

Steve Haizlip, "Mr. Janoski and the other Board members. I believe I heard the gentleman Tony say that these 105 units that was going to be hooked up to the town's sewer system. Is that going to be the one that is in planning to be built in cooperation with Southampton Town or is it going to be the existing facility?"

Supervisor Janoski, "The existing facility."

Steve Haizlip, "I don't believe it will do it."

Bob Skinner, Wading River, "I had questions about the dredging. You referred to the organic material that sits at the bottom. I have not seen this impact statement. And I'm wondering. Are we just taking out the 12 inches at the bottom or are we going to make this wider or just deeper? And whatever we do, where is this going to be deposited? Is this something that's going to be trucked away? Is it going to be dumped in another part of the Bay?"

Supervisor Janoski, "If I couldn't, Tony could add to this. My understanding is that much of what lays at the bottom there is the remains of a duck operation of many years and the applicants have agreed that they will do whatever they are directed to do; bring it to our scavenger waste treatment plant for processing or

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

truck it out of the area or whatever it is that the D.E.C. in the town and everybody is involved wishes to be done with it."

Bob Skinner, "Ok. Thank you."

Supervisor Janoski, "Is that essentially correct Tony? Is there anyone else who wishes to be heard on this matter? That being the case, I declare the hearing closed."

7:45 PUBLIC HEARING CLOSED AT 8:20

Supervisor Janoski, "Before we recess for a short break, I would open the floor to comment on any matter. Well, we will recess until 8:35."

SUPERVISOR JANOSKI RECESSED THE MEETING AT 8:20
SUPERVISOR JANOSKI RECONVENED THE MEETING AT 8:38

Supervisor Janoski, "I will open the meeting to public comment once again. I recognize Jeff McGann."

Jeff McGann, "Regarding the 414 issue, the expenditure whatever is necessary I should say. You guys should be commended and encouraged to do whatever it is necessary within reason to hasten the removal of 414 East Main Street from Riverhead forever."

Supervisor Janoski, "Thank you Jeff. Dougie."

Doug Sowinski, Beach Road, "I just want to follow up Jeff's remarks up real quickly with the same note of enthusiasm for the project going on down there at 414. Normally I would not applaud a 200 thousand dollar expenditure by the town but in this case I think it's a real good idea and do whatever you have to do to clean that thing up down there. I'm in favor as a resident so on and so forth of the project. Thank you."

Supervisor Janoski, "Thank you Doug. Mr. Alexander."

Eric Alexander, Riverhead, "Just to reiterate what the other 2 gentlemen have said; I would like to go on record as supporting this project and thanking the Board for their efforts. It's been a long road for the neighbors of the community. We feel this is a very very positive project for the town and hope that you'll follow it through this evening. Thank you."

Supervisor Janoski, "Thank you Eric. Steve did I see your hand up?"

Steve Haizlip, "Mr. Janoski and the other Board members. I think I put in input about the shoulders on the south side of Jericho Turnpike across from the Calverton Deli trying to get them straight and leveled up a little because a lot of heavy trucks park there and they use that facility. Now, however, I know it's a state highway, but I would like to work things through the town and let the town have input in to the state department, to the highway. And so, on

PERSONAL APPEARANCES ContinuedSteve Haizlip, Continued

the prior report.... I don't know if you had any opportunity to put any input in about it or not. So that's why I'm making a second request. This Harrow's Shopping Center. The southwest corner in the back of that building, I think it looks like "Abordine" proving grounds for tanks. Now, of course I know that nobody belongs in the back (so to speak) except garbage trucks and delivery people. But since OTB is there and people come up there and use it and they slip around there, they're going to lose cards and so forth in there. And I think the owner should try to rectify that. The third item; I see Mr. Boschetti is not here tonight, but I would like to address this and hope that you would relay it to him. I am sure that, as Mr. Nohejl said about you being wired, I was wired March the 5th when I was talking about the courts wanting to get out of here and all the high command of Suffolk County is already gone out of here but only with attachment. The next day in Mr. Wilmott's editorial word for word practically what I said is in there. Now, what is happening here and I can see it, I know you want these courts in here very bad because it brings money in here for luncheonettes and business and so forth and so on. And it is a balloon to the economy but I can see right there in that editorial that Mr. Cohalan and Mr. Copeland and the rest of the bunch and all the high judges are saying goodbye Mr. Janoski, we're going to Hauppauge."

Supervisor Janoski, "Just for the record, the person in question is Koppelman. Let's never forget that name. Does anyone else wish to address the Board on any matter? That being the case, we will move on to the resolutions."

RESOLUTIONS#205 AUTHORIZES ATTENDANCE OF SEWER DISTRICT EMPLOYEES AT SEWER TREATMENT PLANT OPERATORS COURSE IIA.

(See Sewer District Minutes)

Supervisor Janoski, "I'm sorry Irene. I'd like to call out of order the resolution of condolence of Helene Block."

#233 RESOLUTION OF CONDOLENCE - HELENE BLOCK.

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

WHEREAS, March 19, 1985 marks the passing of a beloved daughter and servant of the Town of Riverhead, HELENE M. BLOCK, and

WHEREAS, HELENE BLOCK, faithfully devoted more than 40 years of her life in the service of the Town of Riverhead as Secretary to the Town Supervisors and Town Clerk, and

WHEREAS, the Town of Riverhead is greatly diminished by the passing of a woman known for her genuine regard for its citizens, and her dedication and devotion to duty, and

RESOLUTIONS Continued

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

NOW, THEREFORE, at this time of sadness, the Town Board of the Town of Riverhead at its meeting assembled this 19th day of March, 1985 pauses in its deliberations to express our sorrow at the passing of HELENE M. BLOCK, and in acknowledgement of her great contribution in service to the Town of Riverhead, do hereby extend our deepest sympathy to her family and many friends.

FURTHER, it is requested that the Town Clerk forward a suitably engrossed copy of this resolution to the family of HELENE M. BLOCK.

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

The resolution was thereupon duly declared adopted by acclamation.

#206 TRANSFER OF FUNDS - WATER DISTRICT (Also in Water Minutes)

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

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

Water District Equipment Capital Project

	<u>FROM</u>	<u>TO</u>
H17.5730 Proceeds from BAN	\$45,000.00	
H17.8320.200 Equipment		\$45,000.00

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

The resolution was thereupon duly declared adopted.

#207 TRANSFER OF FUNDS - WATER DISTRICT.

(See Water District Minutes)

#208 RESOLUTION DESIGNATING MANDATES OF CIVIL SERVICE PERSONNEL AUDIT.

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

WHEREAS, the Suffolk County Department of Civil Service conducted an audit of all Town employee positions, exclusive of Sworn Officers and

WHEREAS, the Suffolk County Department of Civil Service upon completion of audit, mandates reclassification of several Town employees effective March 1, 1985 including the following:

RESOLUTIONS Continued

<u>EMPLOYEE</u>	<u>NEW CIVIL SERVICE TITLE</u>	<u>SALARY</u>
Michael Benedict	Maintenance Mechanic III	\$14,703.33
Michael Beni	Heavy Equipment Operator	16,203.33
Georgio Benolich	Maintenance Mechanic III	19,883.33
Richard Boden	Recreation Supervisor (Provisional)	17,862.62
Caroline Bugdin	Senior Account Clerk (Provisional)	16,172.56
Caroline Bugdin	P/T Deputy Tax Receiver	2,500.00
James Bugdin	Auto Mechanic III	16,801.17
Ronald Caffrey	Construction Equipment Operator	16,502.54
Arthur Dangelmaier	Maintenance Mechanic III	18,503.33
Katherine Domaleski	Account Clerk Typist (Provisional)	13,961.49
Jane Donack	Recreation Supervisor (Provisional)	17,862.62
Charles Downs	Auto Mechanic III	19,186.17
Doris Edwards	Assessment Clerk (Provisional)	13,678.42
Russell Fleischman Jr.	Maintenance Mechanic III	16,203.33
Janice Gierer	Computer Operator II (Provisional)	21,510.62
Richard Hanley	Senior Planner (Provisional)	28,398.81
Denise Hansen	Clerk Typist	14,367.67
Denise Hansen	P/T Deputy Town Clerk	3,500.00
Bernard Heaney	Heavy Equipment Operator	16,203.33
William Heard	Purchasing Agent (Provisional)	24,138.25
Karen Heppner	Legal Stenographer (Provisional)	13,798.75
Karen Heppner	P/T Stenographer	2,200.00
Lawyer Jackson	Town Bldg. Maintenance Crew Leader	19,047.21
William Jermusyk	Maintenance Mechanic III	16,203.33
Edwin Kettrick	Heavy Equipment Operator	19,883.33
Mary Komosinski	Court Stenographer (Provisional)	13,513.13
Nancy Neems	Clerk Typist (Provisional)	12,712.67
Robert Obie	Senior Plant Operator (Sewer) (Provisional)	21,225.88
Frank Schefchick	Maintenance Mechanic III	17,583.33
Jane Stromski	Senior Clerk Typist	15,545.49
Agnes Terry	Senior Clerk Typist	14,753.49
Victoria Vourakis	Senior Account Clerk Typist (Provisional)	17,038.56

NOW, THEREFORE, BE IT RESOLVED, That these employees be re-classified in accordance with the Civil Service Law, subject to the final approval of the Commissioner of the Suffolk County Department of Civil Service.

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

The resolution was thereupon duly declared adopted.

#209 APPOINTS MELVIN HENDERSON TO THE P/T POSITION OF CUSTODIAL WORKER WITH THE NUTRITION CENTER.

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

WHEREAS, Larry Gorman did resign from his position of P/T Custodial Worker with the Nutrition Center, and

NOW, THEREFORE, BE IT

RESOLVED, that Melvin Henderson be appointed to the position of P/T Custodial Worker with the Riverhead Nutrition Center at the hourly rate of compensation of \$4.50 effective March 18, 1985.

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

#210 AWARDS BID RE: MINI-VAN FOR USE OF THE ASSESSORS' OFFICE.

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

WHEREAS, on February 26, 1985 the Town Clerk did receive bid proposals for one mini-van vehicle for use by the Assessors' Office and

WHEREAS, two bids were received, and

WHEREAS, only one bid met the specifications,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for one mini-van vehicle for the use of the Assessors' Office be awarded to Riverhead Dodge, Inc., the only bidder meeting specifications, in the amount of \$10,044, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Riverhead Dodge, Inc. and Joseph Loughlin, Chairman, Board of Assessors.

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

The resolution was thereupon duly declared adopted.

#211 AUTHORIZES SUPERVISOR TO EXECUTE HOME RULE REQUEST.

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

WHEREAS, an act to amend Section 271 of the Highway Law to increase the amount which the Town of Riverhead may levy and collect for the purchase of certain highway equipment from \$100,000 to \$200,000 has been introduced in the State Senate and Assembly, and

WHEREAS, as the cost of machinery rises, it becomes increasingly difficult for growing towns to operate effectively under extreme budget constraints established in law, and

WHEREAS, this bill would put Riverhead appropriately within the budget category which currently includes our neighboring Towns of Southold and Southampton.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute a Home Rule Request regarding Senate Bill #3683 and Assembly Bill #4950 and that the same be forwarded to the Senate of the State of New York and Assembly of the State of New York.

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

The resolution was thereupon duly declared adopted.

#212 APPOINTS WILLIAM WHIDDEN TO THE POSITION OF MINI-BUS DRIVER.

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

WHEREAS, Caroleen Naugles did resign from her position of mini-bus driver with the Dial-A-Ride Program, and

RESOLUTIONS Continued

WHEREAS, a vacancy presently exists in that position, and
 WHEREAS, the availability of this position was duly advertised, and

WHEREAS, all candidates were thereafter interviewed.

NOW, THEREFORE, BE IT

RESOLVED, that William Whidden be and is hereby appointed to the position of Mini-Bus Driver with the "Dial-A-Ride" Program at the annual compensation of \$10,219.67 as per the 1985 CSEA Contract effective March 25, 1985.

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

The resolution was thereupon duly declared adopted.

#213 ACCEPTS MAINTENANCE OF FANNING BOULEVARD.

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

WHEREAS, on November 4, 1977, Harold H. Fanning did convey to the Town of Riverhead by deed recorded in the County Clerk's Office on December 7, 1977, certain premises commonly known as Fanning Boulevard, and

WHEREAS, by resolution of the Riverhead Town Board dated October 4, 1977, the Town Board of the Town of Riverhead authorized the Highway Department to do maintenance work on said Fanning Boulevard for the year 1978, and

WHEREAS, since 1978 the residents of Fanning Boulevard have requested that this maintenance work be continued on Fanning Boulevard, and

WHEREAS, the Highway Superintendent has agreed to maintain Fanning Boulevard.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby directs the Highway Superintendent to maintain Fanning Boulevard in the same manner as all highways in the Town of Riverhead, and be it further

RESOLVED, that although maintenance is hereby conferred upon the Town of Riverhead Highway Department, no formal dedication of Fanning Boulevard is hereby accepted, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Highway Superintendent.

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

The resolution was thereupon duly declared adopted.

#214 APPROVES THE CHANGE OF ZONE APPLICATION OF HENRY TACA RE: EXTENDING THE RESIDENTIAL C ZONING TO THE INDUSTRIAL A USE DISTRICT LOCATED AT FRESH POND ROAD, CALVERTON, NEW YORK.

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

WHEREAS, by application dated November 13, 1984, Henry Taca did petition this Town Board for a change of zone of property located at Fresh Pond Road, Calverton, New York, extending

RESOLUTIONS Continued

the Residential C Zoning into the Industrial A Use District located at Fresh Pond Road, and

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

WHEREAS, by letter dated December 21, 1984, the Planning Board did recommend to the Town Board that this application be denied, and

WHEREAS, a public hearing was held on the 18th day of December, 1984, wherein all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the application of Henry Taca for extending the Residential C Zoning into the Industrial A Use District located at Fresh Pond Road, Calverton, New York be and is hereby approved, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Henry S. Saxtein, Esq., attorney for the applicant.

The vote, Boschetti, absent, Artale, no, Prusinowski, no, Lombardi, no, Janoski, no.

The resolution was thereupon duly declared DENIED.

#215 AWARDS BID FOR ONE (1) USED DYNAHOE.

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

WHEREAS, the Town Clerk was authorized to advertise for bids for one (1) Used Dynahoe for the Highway Department, and

WHEREAS, on the 12th day of March 12, 1985, all bids received were opened and read aloud, and

WHEREAS, two bids were received, and

WHEREAS, the Highway Superintendent has recommended the purchase of the 1978 Dynahoe, Model 200-4 Series 3, and

WHEREAS, the 1978 Dynahoe Model 200-4 is the lowest bid received meeting the specifications,

NOW, THEREFORE, BE IT

RESOLVED, that the Bid for One (1) Used Dynahoe or Equal 1978 or Newer, be and is hereby awarded to Sam Allen's Modern Machinery, Inc., Route 25, Box P, Coram, NY in the amount of \$37,000.00

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

The resolution was thereupon duly declared adopted.

#216 TRANSFER OF FUNDS

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

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

GENERAL FUND

RESOLUTIONS Continued

	<u>FROM</u>	<u>TO</u>
A8010.202 Zoning Board of Appeals Equipment Rental	\$2,000.00	
A8010.201 Zoning Board of Appeals Equipment		\$2,000.00
A8020.202 Planning Board Equipment Rental	2,000.00	
A8020.201 Planning Board Equipment		\$2,000.00

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

The resolution was thereupon duly declared adopted.

#217 ACCEPTS RESIGNATION OF "MEALS ON WHEELS" DRIVER.

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

WHEREAS, Juanita Jones did submit her letter of resignation from her position of P/T Driver with the "Meals on Wheels" Program, and

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Juanita Jones from her position of P/T Driver with the "Meals on Wheels" Program be and is hereby accepted effective March 4, 1985.

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

The resolution was thereupon duly declared adopted.

#218 ACCEPTS RESIGNATION OF LABORER.

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

WHEREAS, Gerald Allen did submit his letter of resignation from his position of laborer with the Riverhead Highway Department.

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Gerald Allen from his position of Laborer with the Riverhead Highway Department be and is hereby accepted effective March 9, 1985.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#219 APPOINTS PUBLIC SAFETY DISPATCHER I.

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

WHEREAS, the Town Board has determined it in the best interest to employ civilian public safety dispatchers in order to assign police officers to those other duties involved in the protection of the public, and

WHEREAS, the availability of these positions was duly advertised, and

WHEREAS, all applicants were thereafter interviewed.

NOW, THEREFORE, BE IT

RESOLVED, that Donald Zlatniski and Joe L. Moore be and are hereby appointed to the position of Public Safety Dispatcher I at the annual rate of compensation of \$10,668.28 as per the 1985 CSEA Contract effective March 18, 1985.

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

The resolution was thereupon duly declared adopted.

#220 TRANSFER OF FUNDS - STREET LIGHTING.

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

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

STREET LIGHTING - BUDGET ADJUSTMENT

	<u>FROM</u>	<u>TO</u>
SL2810 Service Other Department	\$10,000.00	
SL 5182.404 Traffic Light Maintenance		\$10,000.00

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

The resolution was thereupon duly declared adopted.

#221 AUTHORIZES OVERTIME - HIGHWAY DEPARTMENT.

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

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for a total of 84.5 hours in the amount of \$1,034.54, in accordance with personal services abstract submitted and filed in the Office of the Town Clerk.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

- #222 A RESOLUTION AUTHORIZING THE ACQUISITION OF THE PROPERTY COMMONLY KNOWN AS 414 EAST MAIN STREET TOGETHER WITH THE BUILDING LOCATED THEREON AND THE RECONSTRUCTION AND EQUIPPING OF SUCH BUILDING IN AND FOR THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM AGGREGATE ESTIMATED COST OF \$200,000 AND AUTHORIZING THE ISSUANCE OF \$190,000 SERIAL BONDS AND \$10,000 CAPITAL NOTES TO PAY THE COST THEREOF.

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

BE IT RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. The acquisition of the parcel of land commonly known as 414 East Main Street, Riverhead, New York, including the building located thereon and incidental expenses in connection therewith, at a maximum estimated cost of \$150,000 and the reconstruction of said building for use by the Town of Riverhead as, among other things, an ambulance garage and a nutrition center, including the purchase and installation of original furnishings, apparatus and equipment to be used in connection therewith, at a maximum estimated cost of \$50,000, in and for the Town of Riverhead, Suffolk County, New York, is hereby authorized.

Section 2. The maximum aggregate estimated cost of the aforesaid specific objects or purposes is \$200,000, and the plan for the financing thereof is as follows:

- a). By the issuance of \$190,000 serial bonds of the Town of Riverhead, Suffolk County New York, hereby authorized to be issued pursuant to the provisions of the Local Finance Law, of which amount \$142,500 shall be allocated to the aforesaid land acquisition and \$47,500 shall be allocated to the aforesaid building reconstruction. Further details concerning said bonds will be prescribed in a further resolution or resolutions of this Town Board; and
- b). By the issuance of \$50,000 capital notes of said Town hereby authorized to be issued pursuant to the provisions of the Local Finance Law, of which amount \$7,500 shall be allocated to the aforesaid land acquisition and \$2,500 shall be allocated to the aforesaid building reconstruction. Such capital notes shall be sold at private sale and all further powers in connection with the details and the sale thereof are hereby delegated to the Supervisor, the chief fiscal officer in accordance with the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, the proceeds from the sale of such capital notes will be provided prior to the issuance of the bonds herein authorized or bond anticipation notes. Said capital notes shall constitute the down payment required by Section 107.00 of the Local Finance Law.

RESOLUTIONS Continued

Section 3. It is hereby determined that the period of probably usefulness of the aforesaid land acquisition is thirty years, pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the aforesaid reconstruction is twenty years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to seal bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

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

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. Upon this resolution taking effect, the same shall be published in full in The News Review the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 8. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#223 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$61,000.00 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE SETTLEMENT OF LITIGATION ENTITLED "JESSE HUGHES V. TOWN OF RIVERHEAD, ET.AL.".

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

BE IT RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. The partial settlement by the Town of Riverhead, Suffolk County, New York, of litigation entitled "Jesse Hughes V. Town of Riverhead, et. al", per order of Supreme Court dated September 28, 1982, is hereby authorized.

Section 2. The maximum estimated cost of such specific object or purpose is \$61,000.00 and the plan for the financing thereof is by the issuance of \$61,000.00 serial bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose if five years pursuant to subdivision 33 of paragraph a of Section 11.00 of the local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five years and that no down payment is required pursuant to the provisions of Section 107.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

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

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

RESOLUTIONS Continued

Section 7. This resolution, which takes effect immediately, shall be published in full in The News Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

The resolution was thereupon duly declared adopted.

#224 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: ADDITION TO CHAPTER A114 OF THE POLICE RULES AND REGULATIONS OF THE RIVERHEAD TOWN CODE, RE: A.L.E.R.T. TEST.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to addition to Chapter A114 of the Police Rules and Regulations of the Riverhead Town Code re: A.L.E.R.T. Test.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 2nd day of April, 1985, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following addition to Chapter A114 of the Riverhead Town Code as follows:

ARTICLE XVI
A.L.E.R.T. Test

An "A.L.E.R.T." will be used by members of this Department as authorized by these rules and regulations.

A. The "A.L.E.R.T." will be utilized in accordance with Section 1193A of the Vehicle and Traffic Law. All personnel will familiarize themselves with this section of the law.

B. The "A.L.E.R.T." will be operated only by personnel who have successfully completed the required training session and only in accordance with the manufacturer's instructions.

C. Whenever an "A.L.E.R.T." test is requested or administered, a Breath Test Report must be submitted.

D. If the "A.L.E.R.T." test is refused, a Uniform Traffic Summons (UTS) citing Section 1193A will be issued and indicated on the Breath Test Report.

E. If the basis for an "A.L.E.R.T." test is a Vehicle and Traffic Law violation, a UTS may or may not be issued. However, in all cases the violation will be documented on the Breath Test Report.

RESOLUTIONS Continued

F. If the basis of the "A.L.E.R.T." test is a motor vehicle accident, the CC# on the Breath Test Report will suffice.

*Underscore indicates addition.

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

The resolution was thereupon duly declared adopted.

#225 AUTHORIZES THE SOLICITATION FOR BIDS FOR NEW 1985 PICK-UP.

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

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of New 1985 Pick-up Truck for use by Riverhead Dog Pound, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids to the Town Board at the next public meeting following the opening of the bids.

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

The resolution was thereupon duly declared adopted.

#226 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD FULL TIME GUARDS.

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

WHEREAS, there is an available position in the Police Department for three Full Time Guards.

NOW, THEREFORE, BE IT

RESOLVED, THAT THE Town Clerk be and is hereby authorized to publish and post the below help wanted ad for a Guard, in the March 21st, 1985 issue of The News Review.

HELP WANTED

The Town of Riverhead, is seeking qualified individuals to serve in a Full Time position of Guard in the Police Department. Applicants should have some security work experience. Interested individuals must submit an application to The Accounting Department, 200 Howell Avenue, Riverhead, New York, between 8:30 a.m. and 4:30 p.m. No applications for this position shall be accepted after Monday April 1st, 1985. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment of the provision of services.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#227 APPROVES SITE PLAN OF PIZZA HUT, INC.

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

WHEREAS, a site plan was submitted by Pizza Hit, Inc. for a building permit for a retail restaurant establishment to be located at the southeast corner of Roanoke Avenue and Old Country Road in Riverhead, New York, and

WHEREAS, this Town Board has reviewed the site plan submitted as prepared by Ken Heidebrecht Architect, dated January 31, 1985, and

WHEREAS, the subject parcel where the Pizza Hut Restaurant is to be located is owned by Longwood Realty Co.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Pizza Hut, Inc. for a building permit for a retail restaurant establishment to be located at the southeast corner of Roanoke Avenue and Old Country Road in Riverhead, New York, as prepared by Ken Heidebrecht Architect, dated January 31, 1985, be and is hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town of shall at all times be complied with by the owner of the property covered by this site plan.

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, executed by representatives of Pizza Hit, Inc. and Longwood Realty Co. shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

4. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish, and Refuse Disposal", and agrees to abide by same.

5. Trash receptacles of a decorative design shall be maintained at the premises.

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stantion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

8. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones.

RESOLUTIONS Continued

9. Subject to Suffolk County curb cut approval if necessary.
10. That a post and rail fencing shall be erected along the perimeter of the subject property adjacent to Roanoke Avenue and Old Country Road.
11. That hedge landscaping shall be planted by Pizza Hut, Inc. as designated on the site plan.
12. That the roof of the building shall be of brown coloring.
13. That the signage shall contain 36 inch lettering instead of 48 inch lettering.

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Pizza Hut, Inc. Longwood Realty Co. and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the ___ day of _____, 1985, by Pizza Hut, Inc., a corporation formed under the state of _____ with offices at _____ Declarant, and Longwood Realty Co., with offices at _____ Declarant.

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in Schedule A annexed hereto as provided by the Declarant, and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel,

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed do hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors, and assigns, to wit:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.
2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

RESOLUTIONS Continued

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

4. Trash receptacles of a decorative design shall be maintained at the premises.

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

7. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones, and be it further

8. Subject to Suffolk County curb cut approval, if necessary.

9. That a post and rail fencing shall be erected along the perimeter of the subject property adjacent to Roanoke Avenue and Old Country Road.

10. That hedge landscaping shall be planted by Pizza Hut, Inc. as designated on the site plan.

11. That the roof of the building shall be of brown coloring.

12. That the signage shall contain 36 inch lettering instead of 48 inch lettering.

IN WITNESS WHEREOF, the Declarant has hereunto set his hand and seal the day and year above written.

PIZZA HUT, INC.

BY:

LONGWOOD REALTY CO.

BY:

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of _____ 1985, before me personally came _____ of PIZZA HUT INC., a corporation formed under the laws of the State of _____, lessee of certain real property located at Roanoke Avenue and Old Country Road, in Riverhead, New York the subject property of the declaration and covenant herein; that he did read the above declaration and covenant and understands its contents; that he did swear to me that they executed same.

RESOLUTIONS Continued

STATE OF NEW YORK)
) ss.:
 COUNTY OF SUFFOLK)

On this ____ day of _____ 1985, before me personally came _____, to me known to be the owner of certain real property located at Roanoke Avenue and Old Country Road, in Riverhead, New York, the subject property of the declaration and covenant and understands it contents; that he did swear to me that they executed same.

 The vote, Boschetti, absent, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.
 The resolution was thereupon duly declared adopted.

#228 AMENDS RESOLUTION #732 OF DECEMBER 6, 1983.

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

RESOLVED, that Resolution #732 adopted December 6, 1983 is hereby amended to add "commencing April 1st the rate where residents, non-metered service is in use shall be \$20 per month. Such rate shall not apply to owners who have paid in full for metered service installation commencing the month of such payment.

The vote, Boschetti, absent, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.
 The resolution was thereupon duly declared adopted.

#229 AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENTS BETWEEN THE TOWN OF RIVERHEAD AND FINANCIAL INSTITUTIONS.

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

WHEREAS, the Comptroller of the State of New York has promulgated procedures and forms for agreements between municipalities and financial institutions who act as depositories for municipal funds and investments, and

WHEREAS, these agreements require the proper collateralization of municipal funds and investments, and

WHEREAS, this Town Board desires to insure the financial security of the Town's investments and securities with financial institutions.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute the necessary agreements as promulgated by the Comptroller with all financial institutions who act as depositories for all Town funds and investments.

The vote, Boschetti, absent, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.
 The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#230 AUTHORIZES SUPERVISOR TO EXECUTE ADDENDUM TO THE 1985/86 CSEA CONTRACT.

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

WHEREAS, the salary schedule relating to Operations1 and Technical Salaries of the 1985/86 CSEA Contract lists the title of "Sewer Maintenance Mechanic IV" in Group 11 of the Salary Schedule, and

WHEREAS, said listing is in error in that the title of "Sewer Maintenance Mechanic IV" should appear in Group 11 of the Salary Schedule, and

WHEREAS, it was also the intent of both parties to this contract to include "mother-in-law" and "father-in-law" in Section 6(c) of the 1985/86 CSEA Contract allowing employees one day of funeral leave for the death of said relatives, and

WHEREAS, both parties to this contract agree that the above described be incorporated in the 1985/86 CSEA Contract.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute and Addendum to the 1985/86 Contract specifically stating the above, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Russell Fleischman, President of Riverhead Town CSEA Union, and Jack Hansen, Financial Administrator.

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

The resolution was thereupon duly declared adopted.

#231 AWARDS BID RE: SEWER DISTRICT TRICKLING FILTER PUMP REPLACEMENT AND WET WELL MODIFICATIONS.

(See Sewer District Minutes)

#232 BUDGET ADOPTION.

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

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

BUDGET ADOPTION - SEWER TANK REHABILITATION #III

	<u>FROM</u>	<u>TO</u>
H18.5031 Transfer from Sewer District	\$65,000.00	
H18.8130.301 Construction		\$52,000.00
H18,8130.302 Engineering		9,000.00
H18.8130.303 Contingency		4,000.00

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

(See Sewer District Minutes)

#234 AMENDS RESOLUTION #806 ADOPTED DECEMBER 18, 1984 "ADOPTS LANDFILL FEES".

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

RESOLVED, that resolution #806 adopted by this Town Board on December 18, 1984, be amended as follows:

1. Vehicle Sticker License Fees. All vehicles entering the Town landfill must display a landfill sticker as required herein permanently affixed to the right side of front bumper. Stickers will be issued by the Town Clerk after payment of the following license fees for each vehicle:

- a. Passenger cars, station wagons and non-commercial vans: no charge;
- b. Pick-up trucks and commercial vans of one ton capacity or less: no charge;
- c. Garbage hauler: \$100 per year;
- d. Other vehicles: \$15 per year.

All license fees are annual, effective from January 1 to December 31, without proration.

2. Usage Fees. All vehicles entering the Town landfill shall present to the gate attendant coupons as prescribed herein:

- a. Passenger cars, station wagons and non-commercial wagons: \$.50 per visit;
- b. Pick-up trucks and commercial vans of one ton capacity or less: \$1.00 per visit;
- c. Garbage haulers: \$1.25 per cubic yard truck capacity;
- d. Other vehicles as determined by the amount of material carried: \$1.25 per cubic yard (minimum charge for three yards);
- e. Tires - six or more: pick-up trucks-vans-carryalls-tow trailers \$25.00 per visit; single rear axle \$50.00 per visit; dual rear axle \$75.00 per visit and tractor trailer \$100.00 per visit.

3. The usage fee prescribed by the proceeding section shall not apply where a yearly pass is displayed on the left front bumper of the vehicle. Fees for yearly passes shall be:

- a. Passenger cars, station wagons and non-commercial vans: \$25.00 from January 1 to December 31 \$12.50 from July 1 to December 31;
- b. Pick-up trucks and commercial vans of one ton capacity or less: \$50.00 from January 1 to December 31, \$25.00 from July 1, to December 31.

4. Effective Date. The fees and charges prescribed herein shall become effective February 1, 1985.

RESOLUTIONS Continued

5. Current fees. Effective immediately, the fees provided by Section 103 of the Riverhead Town Code, prior to adoption of Local Law #3-1984, shall be carried forward and shall remain in full force and effect until February 1, 1985. However, no renewals of such fees shall be charged.

6. Definitions:

Garbage hauler: Vehicles used for the transportation of household, business or industrial solid waste.

Town landfill coupons: Coupons issued by the Town Clerk in denominations of \$.50, \$1.00 and one five-cubic yard denominations.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution and forward a certified copy to the Sanitation Department.

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

The resolution was thereupon duly declared adopted.

#235 AUTHORIZES SUPERVISOR TO EXECUTE PETITION TO SUPREME COURT OF THE STATE OF NEW YORK RE: 414 EAST MAIN STREET.

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

RESOLVED, that the Supervisor be and hereby is authorized to execute a petition to the Supreme Court of the State of New York for the condemnation of premises commonly known as 414 East Main Street, Riverhead, New York.

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

The resolution was thereupon duly declared adopted.

#236 DESIGNATES LEAD AGENCY AND AUTHORIZES REQUEST FOR COORDINATED REVIEW.

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

WHEREAS, the Town Board of the Town of Riverhead has by previous resolution commissioned the consulting firm of Raymond, Parish, Pine and Weiner to evaluate current zoning in the Route 58 corridor, which evaluation has included an analysis of zoning in the area of Oliver Street east along Route 58 to the intersection of County Route 105, and

WHEREAS, the report submitted by Raymond, Parish, Pine and Weiner has been evaluated by the Town Board and the Town Board has held public hearings upon the proposed zoning changes necessary to implement the concepts of the planning study, and

RESOLUTIONS Continued

WHEREAS, public hearings duly noticed by Resolution No. 79 (Authorizes Town Clerk to Publish and Post Notice of Public Hearing, Re: A Proposed Addition to the Riverhead Town Code, to be known as Article XXVIII, "Office/Service District), #80 (Authorizes Town Clerk to Publish and Post Notice of Public Hearing, Re: Change of Zone of Route 58 Corridor to Office/Service District), #81 (Authorizes Town Clerk to Publish and Post Notice of Public Hearing, Re: Change of Zone of Property located at the Southwest Corner of Northville Turnpike and Middle Road from Agriculture A to Residence C), #82 (Authorizes Town Clerk to Publish and Post Notice of Public Hearing, Re: Change of Zone of Property located on the East Side of Oliver Street, Riverhead, from Residence C to Business B), #83 (Authorizes Town Clerk to Publish and Post Notice of Public Hearing, Re: Change of Zone of Property located on Northville Turnpike, South of Route 58, Riverhead, from Business B to Residence C), have been held and it is now appropriate for the Town Board to designate itself as lead agency for the purpose of compliance with the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 617.7d of Part 617 of the Rules and Regulations of the New York State Department of Environmental Conservation promulgated pursuant to Environmental Conservation Law Section 8-0113, the Town Board of Riverhead, as the body empowered to adopt and amend zoning ordinances within the Town of Riverhead, determines itself to be the lead agency for the purpose of complying with SEQRA and elects to request coordinated review of the below determination that the re-zoning of Route 58 is a Type I Action pursuant to Section 617.12b, and

BE IT FURTHER RESOLVED, that based upon the review of the Environmental Assessment Forms filed with the Town Clerk, it is determined that the proposed re-zoning is a Type I Action without a significant impact on the environment and that the preparation of an Environmental Impact Statement is not required. The reasons for this determination of non-significance include the record of the hearing as heard herein, the report of Raymond, Parish, Pine and Weiner, and the Environmental Assessment Forms. It is as proposed by Raymond, Parish, Pine and Weiner is to decrease building densities, parking lot coverage and resultant traffic flow from commercial development within the area of the proposed zoning changes.

BE IT FURTHER RESOLVED, that the Supervisor shall ascertain all other involved agencies and notify such agencies of the initial determination made by this resolution and supply such agencies with a copy of the environmental assessment forms prepared by the Town Planning Department on file with the Town Clerk.

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

The resolution was thereupon duly declared adopted.

#237 EXTENDS MORATORIUM ALONG THE ROUTE 58 CORRIDOR TO AND INCLUDING MAY 7, 1985.

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

RESOLUTIONS Continued

WHEREAS, the Town of Riverhead has engaged the services of Raymond, Parish, Pine and Weiner to evaluate the Business B zoning on Route 58, bounded on the east by the west side of Doctors Path and the south side of Route 25, west to the easterly boundary of Oliver Street, as such easterly boundary of Oliver Street would be projected north to the northern boundary of the Business B zone, thence back to the westerly boundary of Doctors Path, and

WHEREAS, this area has been the subject of a moratorium which has been from time to time continued, and

WHEREAS, this Board is in receipt of reports and recommendations by Raymond, Parish, Pine, and Weiner, recommending that this area be rezoned to campus-office use, and

WHEREAS, public hearings were held on the 11th day of February, 1985, to hear all interested persons with regard to the change of zone effecting the subject moratorium area,

NOW, THEREFORE, BE IT

RESOLVED, that this Board desires to continue the moratorium on all applications which are not in conformity with the proposed uses suggested by Raymond, Parish, Pine and Weiner under campus office use in the report titled "Update of Route 58 and Coastal Zone Elements of the Town of Riverhead Master Plan", as shall be determined by this Board, in the existing Business B zone in the vicinity of Route 58, bounded on the east by the west side of Doctors Path and the south side of Route 25, west to the easterly boundary of Oliver Street, as such easterly boundary of Oliver Street would be projected north to the northern boundary of the Business B zone, thence back to the westerly boundary of Doctors Path, to and including May 7, 1985 to be effective from March 19, 1985 and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to the Building Department, Zoning Board of Appeals, and Planning Board.

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:15 p.m.

IJP:nm


Irene J. Pendzick
Town Clerk