

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, June 15, 1993, at 7:00 p.m.

Present:

Joseph F. Janoski,	Supervisor
Victor Prusinowski,	Councilman
James Stark,	Councilman
Frank Creighton,	Councilman
Harriet Gilliam,	Councilwoman

Also Present:

Patricia Moore,	Town Attorney
Barbara Grattan,	Town Clerk

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

Supervisor Janoski: "The Board, before it takes up the regular business of this Town Board Meeting, has two very pleasant tasks to perform. The first is to recognize the Employee of the Quarter, Riverhead Town Employee of the Quarter, and the second is to act on a promotion within the Police Department to Lieutenant Sergeant Dave Hegermiller. What I would like to do, I think, is to call up the Resolution appointing Sgt. Hegermiller to the rank of Lieutenant and then we will do the Employee of the Quarter, and then invite Sgt. Hegermiller, then Lieutenant, and his family to come up so that he can get his recognition, too. Does that sound okay to everybody? Okay with you?"

Councilman Prusinowski: "Whatever you want, Joe."

Supervisor Janoski: "All right. So why don't we call up that Resolution, 441."

Councilwoman Gilliam: "Resolution 441 appoints Police Lieutenant to the Riverhead Police Department in the name of Sgt. Hegermiller to the position of Police Lieutenant, Town of Riverhead. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted."

Supervisor Janoski: "Okay. Would the members of the Management Labor Committee please, those that are here,-- the individual to be honored this evening (inaudible) Employee of the Quarter, is Sue Beal. Sue is the Confidential Secretary to the Superintendent of Highways, Charlie Bloss, so we ask her to come up here. Sue, the members of the Town Board and, of course, representatives of Labor/Management are happy to recognize your efforts and I would like to read this Proclamation:

WHEREAS, it is both fitting and proper that the Town of Riverhead recognize the outstanding service of its employee, and

WHEREAS, in (inaudible) to provide a mechanism to recognize said employee and at the recommendation of Labor/Management Committee, the Employee of the Quarter program has been established, and

WHEREAS, Sue Beal has dedicated herself to the service of this government and (inaudible) for the past seven years as an employee of the Town of Riverhead, and

WHEREAS, her service has exemplified the highest ideals and the expression of public (inaudible), and

NOW, THEREFORE, I Joseph F. Janoski, Supervisor of the Town of Riverhead, do proclaim Tuesday, June 15, 1993, as Sue Beal Day in recognition of being named Employee of the Quarter, and I call upon my fellow citizens to join with me in recognition of her accomplished service.

IN WITNESS WHEREOF, I have here set my hand and caused the great seal of the Town of Riverhead to be affixed this 15th day of June in the year of Our Lord, nineteen hundred and ninety two.

The Labor/Management Committee has some other awards for you.

(Award)

Sue Beal: "Thank you. Well, it's an honor to be chosen

Employee of the Quarter. I, especially I would like to thank my boss, even though he's not here, for submitting my name to the Labor/Management Committee, and it is a very big honor."

Supervisor Janoski: "Would you like to let us know who's here from your friends and family?"

Sue Beal: "Well, actually, I have my husband, Steve, and there's my mom, Peggy, my daughter, Tricia, my oldest daughter, Tiffany, the little one is (inaudible), my sister-in-law, there's my mother and my father."

Supervisor Janoski: "Thank you. And now, I would like to ask the Chief and the newly appointed Lieutenant, I think perhaps your wife and children.

Well, Dave, why don't you introduce your family, your wife and children?"

Lieutenant Hegermiller: "This is my wife, Cheryl, my son, Ben, my daughter, Anna, and my grandfather, (inaudible)."

Lieutenant Hegermiller was sworn in.

Supervisor Janoski: "Is there anything that you would like to say?"

Lieutenant Hegermiller: "Everyone can count on me to do my best. I'm a public servant. To do my job, I need your help. Any questions, anything I can do for you, call me up. (inaudible.)"

Supervisor Janoski: "Thank you.

May I have a motion to approve the minutes of a Special Town Board Meeting of May 25th and a Regular Town Board Meeting of June 1st."

Councilman Stark: "So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 Yes.

Supervisor Janoski: "Reports?"

REPORTS:

**TAX RECEIVER**

The monthly report dated 6/7/93  
Total collections - \$41,372,254.48

**BUILDING DEPARTMENT**

The monthly report for May, 1993  
Total fees collected - \$9,726.00

**OPEN BID REPORT**

For a 1993 Vac-Con Model 3V16  
mounted on New Ford. Bid was  
opened on June 9, 1993. One  
bid was received from Sam Allen's  
Modern Machinery - \$174,175.00

APPLICATIONS:

**SITE PLAN**

From Landy Associates from 7  
West Main Street, Riverhead,  
for the southwest corner of West  
Main Street to revise exterior  
handicapped ramp and add a thru-  
wall night depository and minor  
interior renovation (Bank of  
New York)

CORRESPONDENCE:

DOROTHY ESSEKS, SEC.

On behalf of the Bay Woods  
Property Owners Assoc., Inc.  
Mrs. Esseks requests that the  
road over the first bridge be  
repaired to eliminate a  
dangerous bump

**SOUTHOLD TOWN CLERK**

A Notice of a proposed Local  
Laws: A Local Law in relation  
to building setbacks adjacent

to water bodies and wetlands; A Local Law in relation to excavations; and a Local Law in relation to special exception uses.

**GEORGE A. GAMALDI, III**

Thanking the Riverhead Recreation Department for being able to participate in the pilot program of canoe building, which he enjoyed immensely

**ALFONSE D'AMATO,  
U.S. SENATOR**

Thanking Mrs. Grattan for sending him a recently passed Resolution

**NYS DEPT. OF ENVIRONMENTAL  
CONSERVATION**

Amends permit for Wading River Creek - changing of a special condition #6 which prohibits dredging between May 15th and September 15th to allow dredging until June 30th of 1993 in accordance with the Town of Riverhead submittal of 5/20/93

**VALENCIA EXUM**

Would like to organize a "Keep the Peace March" on Saturday, June 19, 1993

**PETITION**

A petition of 11 names submitted in favor of the Polish Town Civic Association being allowed to use part of Hamilton Avenue and Lincoln Street in the Polish Town Fair

**NORTH FORK ENVIRONMENTAL  
COUNCIL**

A statement to be included in the record of the Public Hearing of Chesterfield Enterprises - the change of zone. The Council would like to see the change denied for various reasons listed in the letter to the Town Board

Supervisor Janoski: "Thank you. The time has arrived for Public Hearings. Let the record show that the hour of 7:16 p.m. has arrived. The Town Clerk will please read the Notice of the Public Hearing."

P U B L I C H E A R I N G O P E N E D 7:16 P.M.

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, June 15, 1993, to hear all interested persons who wish to be heard regarding the special permit application of Reynolds Oakwood, Inc. doing business as Osborne Inn to feature live entertainment within a pre-existing, non-conforming restaurant."

Supervisor Janoski: "Thank you. Is there anyone present representing the applicant? Okay. The code requires that notification be made to all property owners within a radius of 500 miles from the restaurant-- I'm sorry-- oh golly-- that would stretch all the way out to Pennsylvania. Let me try that again-- 500 feet, that has not been complied with. So we really cannot-- you did? Certified mail? Okay. Those things have to be submitted to the Clerk. They were."

Barbara Grattan: "There's only three-- there's four of them."

Supervisor Janoski: "How many did you send out?" Three?"

Barbara Grattan: "That's within 500 feet?"

(inaudible)

Supervisor Janoski: "All right, we will have to determine that. Let me just say this, that what I intend to do is to adjourn and carry over this Hearing because of this question regarding the application. So that you now have the opportunity, of course, to tell the Board what it is that you would like to do. I have advised the Town Attorney to communicate with you in writing and to point out that there is a question concerning proper notification, and also to advise you that live entertainment obviously is not permitted until a grant might be approved. So, therefore, the-- what was the word that I used this morning-- the continuance of live entertainment would be considered against your application should live entertainment continue in the absence of a permit. Okay. Let me

recognize you and come up to the microphone, and don't be nervous, there's nothing to be afraid of. Just for the record tell us your name and where you are from, and then just tell us what you want to do."

Bridget Reynolds: "My name is Bridget Reynolds and we had already got a continuance on until this thing was corrected. May we still get a continuance?"

Supervisor Janoski: "Did this go to Court?"

Bridget Reynolds: "What's that?"

Supervisor Janoski: "Who gave you a continuance?"

Bridget Reynolds: "When Ed was done here, we had asked and they said, yes, it was all right. Ed is the manager. This was a while back."

Supervisor Janoski: "We'll sort all this out."

Bridget Reynolds: "Yeah, we seem to be in a-- "

Supervisor Janoski: "The first thing I'm going to ask you to do is to pull the microphone a little closer to you so everybody can hear you, and just-- did you state your name and-- "

Bridget Reynolds: "Bridget Reynolds."

Supervisor Janoski: "Okay. And just advise the Board as to your business and what you would like to do, what you're applying for."

Bridget Reynolds: "We are applying for a music permit for Saturday night only from 10:00 until 2:00, and it's country music, and we had it there for quite a while already, and-- not realizing that we should have a permit for the one night. And we thought we had done everything that we should have done, but apparently we haven't. And just around us, there are only a few houses."

Supervisor Janoski: "Actually, the way that the code states, the requirement is that you must notify property owners within a radius of 500 feet, so if you drew a circle around your business 500

feet, all those people within that area would have to be notified. Now I can tell you that the Assessors would be of help to you if you needed some assistance in finding out who's there, what their addresses are, et cetera."

Bridget Reynolds: "In the meantime, we have music booked, which we would have to cancel. Is there anything that we can do about having a continuance of that until we can get this sorted out?"

Supervisor Janoski: "I don't think the Town Board can grant permission in the absence of a permit. The-- "

Bridget Reynolds: "We are doing them a disservice, the band, I mean."

Supervisor Janoski: "Well, I just don't know how to move around this. Obviously, you've been operating for some time without a permit and you are now making a good faith effort to obtain the proper permit, but the Board cannot ignore the provisions of the code and say it's all right. We just can't do that. Hopefully, we will get through this process very quickly, and it is a provision of the code that there is a requirement for special permit to have live entertainment in a restaurant. There was a time that you couldn't have live entertainment at all in a restaurant, but that's another story. So, unless there is something else that you would like to add concerning your application, I will recognize other folks who have something."

Bridget Reynolds: "Thank you very much."

Supervisor Janoski: "Thank you. Is there anyone else present who wishes to address the Board? Mr. Miller?"

Richard Miller: "My name is Richard Miller, and my address is 661 Osborne Avenue. I am here to oppose for the license for Osborne Inn because we have a lot of noises down there. It's unacceptable, and there's a riot over there. If you people have never been down there, I welcome you and listen to that. My house is about 50 feet from the dance hall, what they have. My bedroom window is 50 feet from (inaudible). Parking lot is about 10 feet. All cars over there, bikes, motorcycles, make noise all night long. It's impossible to live there. And I am opposed to the license. Thank you."

Supervisor Janoski: "Thank you. Is there anyone else-- "

Richard Miller: "Excuse me."

Supervisor Janoski: "Yes?"

Richard Miller: "I have a petition in radius of 500 feet-- "

Supervisor Janoski: "Okay, Rich, give that to the Town Clerk for the record."

Councilman Prusinowski: "Joe, can I ask Rich one question?"

Supervisor Janoski: "Sure. Rich, Councilman Prusinowski wants to ask you a question."

Councilman Prusinowski: "Rich, is it the music that you can hear through the walls of the restaurant-- is that the most annoying-- "

Richard Miller: "Yes."

Councilman Prusinowski: "Or is it the parking lot?"

Richard Miller: "I have my windows closed, door closed."

Councilman Prusinowski: "Okay."

Richard Miller: "And I can even put my television up. Because it's so noisy."

Councilman Prusinowski: "Okay."

Jennie Miller: "Can I say-- "

Supervisor Janoski: "Mrs. Miller, I would absolutely never tell you that you couldn't speak."

Jennie Miller: "Jennie Miller. I reside at 661 Osborne Avenue. For a whole year now, on Saturday night, she has music, western music. There's anywhere from 60 to 80 cars at one time. They use the school lot for their parking lot. It's bad enough with the music being loud. We have called the cops. They put her down for

awhile, and then it's up again. This past Saturday, I was sleeping, 1:00 this music blares into my livingroom. I woke up at 1:00, and this is every Saturday. Why do I have to put up with that because they can't have the decency to keep that music down, and then people come out of there anywhere from when the music stops, from 2:00 to 5:00. All you hear is motorcycles, cars, people yelling, people screaming. Saturday night there was couple in the parking lot fighting for an hour. I mean, it's-- I'm not a well person. Why should I have to put up with it?"

Councilman Prusinowski: "Okay, ma'am, could I ask you a couple questions? I just want some information for my decision making process. Is the-- I haven't been in the main room in awhile. The room where the band is, is that air-conditioned?"

Bridget Reynolds: "Yes."

Councilman Prusinowski: "Okay. When the music is on, are all the doors closed and the windows shut and the air-conditioners run?"

Bridget Reynolds: "Also, may I say something. That we've had the music for close to four years."

Councilman Prusinowski: "Yes."

Bridget Reynolds: "And it is suddenly become-- and there's nothing-- "

Councilman Prusinowski: "Well, some bands are louder than others, so-- "

Bridget Reynolds: "Nothing has changed in four years. We have gone out of our way to-- "

Councilman Prusinowski: "Do you employ bouncers on the night you have the bands?"

Bridget Reynolds: "No. We just have-- we don't have-- the room is not that-- well, if you haven't been there. We don't have that many people because the room is not that big. And half of it is, you know-- "

Councilman Prusinowski: "So, if there was a problem in your

parking lot, I'm not talking about on the town road, your own personnel goes out there and tries to-- "

Bridget Reynolds: "Yes."

Councilman Prusinowski: "Has the neighbors called-- "

Bridget Reynolds: "On occasion, during when there is race week, you will occasionally get a problem in the parking lot, but that is just during this-- we have been known to have problems with the race people after 12:00 when they-- the race is-- "

Councilman Prusinowski: "Have the Millers ever called you and talked to you about this situation?"

Bridget Reynolds: "Yes."

Councilman Prusinowski: "And what has been your response?"

Bridget Reynolds: "I've told Ed I'm not usually there late at night, I usually leave around ten. And they've spoken with Ed who-- with the music, and we've asked the bands continuously to keep it low."

Councilman Prusinowski: "Then why does the volume go up?"

Bridget Reynolds: "What's that?"

Councilman Prusinowski: "Why does the volume go up? I used to own a bar, had an identical problem that you're going through, and it's very simple. You tell the band, this is the level that I want. I will not pay you for the night. I'm talking as a former bar owner, when I had the Gray Goose, I had the same problem with the neighborhood. I had the air-conditioner, and I made it my business to keep the noise down. As much as possible."

Bridget Reynolds: "We over air-condition. We keep all the windows down."

Councilman Prusinowski: "All right. You're in a residential neighborhood so-- "

Bridget Reynolds: "Yes, I understand. We really have gone out

of our way to keep it as a-- "

Supervisor Janoski: "The Town Attorney would like to ask a question."

Patricia Moore: "I believe the Planning Board took this application into advisement and they considered whether or not you would accept hours of operation for the music, maybe starting earlier and ending earlier. Has that been considered by you?"

Bridget Reynolds: "It's a-- no, I wasn't even aware that this was the case. It's a possibility we could start at 9:00, no earlier than nine."

Patricia Moore: "What would be the-- it would be nine to what?"

Bridget Reynolds: "That would be nine to one. It's four hours usually."

Supervisor Janoski: "Thank you, ma'am. Yes, sir?"

Joseph Godlewski: "My name is Joseph Godlewski and I live at 452 Hamilton Avenue, right behind the Osborne Inn. It's probably around 10, 20 feet. And whenever we have a complaint or anything like this, we try with the neighbors, okay-- sorry for my language. And what happened right now, (inaudible), and actually the restaurant is behind, we are behind the restaurant. There's a kitchen, and there's a big fence, which goes, and they are making big noises and what happened, my father tried to build a bigger fence which we tried to get a permit for this right now, and I believe (inaudible). I believe it's kind of like we just try asking nice to help us to build a bigger fence which is not a six or eight feet, bigger than the restaurant, like around nine or 10 feet, I don't know if that's possible."

Supervisor Janoski: "I don't believe that the building code permits a fence higher than eight feet-- I know Ray's back there."

Ray Wiwczar: "Six feet."

Supervisor Janoski: "Six feet."

Joseph Godlewski: "Six feet. That's what I came in here and

asked if it's possible to build a bigger fence, and I don't know if it's possible or not, it's kind of noisy, you know, at nighttime mostly. And the other thing we have, every summer we have cockroaches in the house. And what we're doing for right now, we try to fight them every year, paying from our pocket. So, and I hear from the other people that it's coming from the restaurant, which they've been working there. So, I don't know what to do about this too."

Supervisor Janoski: "Okay, the issue is the live entertainment and you've done very well in telling us that the noise is a problem. Thank you."

Is there anyone else present who wishes to address the Town Board on the matter of this special permit application? Okay, as I stated earlier, I am going to adjourn this Hearing. It will be called back to order at the next Town Board meeting. At that time, we would expect the folks within 500 feet would be notified, and then we will give anyone who appears the opportunity to speak, and then the Town Board will consider your application."

Bridget Reynolds: "Will we be notified by mail?"

Supervisor Janoski: "Would you be notified by mail? About what? Why don't you come up to the microphone so I can-- oh, the next Town Board meeting, July 6th."

Bridget Reynolds: "July 6th. Thank you."

P U B L I C   H E A R I N G   C L O S E D:   7:32 P.M.

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P U B L I C   H E A R I N G   O P E N E D:   7:32 P.M.

Supervisor Janoski: "Let the record show that the hour of 7:32 P.M. has arrived. The Town Clerk will 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, June 15, 1993, to hear all interested persons who wish to be heard regarding amending various sections of Chapter 47, "Bays and Creek."

Patricia Moore: "I just want to state for the record that Mr. Allan Benjamin and Mr. Troyan, both baymen, were very helpful, instrumental in assisting my office in preparing the language for the Board's consideration. And there are numerous code provisions too lengthy to go into at this point, however, the major changes would be that the permits will now be-- commercial permits will be issued rather than just residential permits in order to control some of the shellfishing and nets and (inaudible) that are being placed in the town waters. In addition, a resident will be permitted to get the permits, however, taxpayers have been removed and that is consistent with other towns in the east end in order to, again, control the shellfishing and the fishing in the town waters. The penalties for these offenses have been increased as well, and the entire code provision has been available and will continue to be available in the Town Clerk's Office."

Supervisor Janoski: "Thank you. Is there anyone present wishing to address the Town Board on the matter of these changes to the Bays and Creeks Code? Way in the back."

Allan Benjamin: "I'm Allan Benjamin, President of Riverhead Town Baymens Association, and I would like to say that the Association is highly in favor of all the new revisions, and it's about time that we did get some strength and teeth into the Bays and Creeks Act, and that we're behind it 100 per cent."

Supervisor Janoski: "Thank you, Allan. Is there anyone else present who wishes to address the Board on this change? That being the case, and without objection, I declare the Hearing to be closed."

P U B L I C   H E A R I N G   C L O S E D :   7:35 P.M.

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P U B L I C   H E A R I N G   O P E N E D :   7:35 P.M.

Supervisor Janoski: "Let the record show that the hour of 7:35 P.M. has arrived. The Town Clerk will 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 7:20 P.M., on Tuesday, June 15, 1993, to hear all interested persons who wish

to be heard regarding the change of zone of a 51' x 654' parcel of real property owned by the Riverhead Water District, change from Industrial B to Business B."

Patricia Moore: "The Town Board is considering at this time an exchange of property that will be a small strip that is owned presently by the Water District which would be granted to Leo Sternlick (phonetic) of Riverhead Motors, in exchange for a parcel that is to the south of Leo Sternlick's parcel property, which would be added to the Stodsky Park property and expand on the Stodsky Park grounds. This exchange is going to be considered a like kind exchange, exchanging value for value, and the appraisal that was prepared is based on the zoning of the parcel that is owned presently by the Water District, being changed from, Industrial B to Business B."

Supervisor Janoski: "Okay, thank you. Is there anyone present wishing to address the Board on the matter of this change of zone which is associated with a property swap so that the property adjacent to Stodsky Park might be utilized for park purposes, and so that the business adjacent to our property would be able to utilize that strip for business purposes."

That being the case, and without objection, I declare the Hearing to be closed."

P U B L I C   H E A R I N G   C L O S E D :   7:37 P.M.

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P U B L I C   H E A R I N G   O P E N E D :   7:37 P.M.

Supervisor Janoski: "Let the record show that the hour of 7:37 P.M. has arrived. The Town Clerk will 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 7:25 P.M., on Tuesday, June 15, 1993, to hear all interested persons who wish to be heard regarding the amendment of the zoning use district map as petitioned by Chesterfield Enterprises to provide for the retirement community zoning use to the exclusion of the agriculture A zoning use district upon real property located on the east side of Horton Avenue."

Greg Kelsey: "Good evening Mr. Supervisor and Town Board. My name is Greg Kelsey from Sidney Baum. With me is Fred Bruns. I have some affidavits of mailing and postings that I'd like to present to the town.

Before you is-- with me is Fred Bruns, the applicant. What we've done is obviously this project has been around since about 1988, '89. Originally it was an application for RDC district which was for 130 affordable town homes. We've gone through some extensive environmental review, environmental impact statements, and subsequent findings. What we've done to this date, is modify the scope down, what we feel is something a little more appropriate, which what we are applying for at this moment, is RC district for the senior citizens in lieu of the agricultural A, which is existing zoning. We're requesting for 74 apartments. These will be one bedroom apartments for senior citizens of the age of 55 years or older, and what we would do, is these would be first floor and second floor apartments, individuals. There would be attached units, some duplex, some four, five and six unit buildings, comprised around the site. We're using interior road network, with parking and landscaping, you know, providing for all the amenities, buffering from the existing residences nearby, and what we'd like to do is follow, you know, basically all the town code requirements, any Planning Board recommendations on site planning. We are, you know, at this time, not asking for a special permit, which we know is necessary. We're simply asking for the change in zone. At that time, we would then present to the town, Riverhead Sewer District application for, you know, entrance into the Sewer District, and Water Districts.

What we have on the site is some existing drainage that we're maintaining and we're keeping the southerly half of the property in its natural state with some, you know, existing vegetation there and existing drainage (inaudible) that adjoins the Town of Riverhead drainage area to the south and all that area will remain as it is in existence.

What we'd like to do is provide some-- for recreational facilities on the site for the residents, a community building, possibly a senior center, senior citizens center for meeting and, you know. Also provide for a pool, possibly a tennis court, some nature trails, some walks around the property because it is very, you know, very open. Some areas are very, you know, tree, wooded and so forth. It's, you know, nice to have a nature trail going

through. We feel at this point, there is a need in the town for senior citizen housing. I believe there is still some 40 some odd people on a waiting list at some of the other local apartment complexes, and because there is a need, we, you know, have the project for you, we hope that you would approve this at this point."

Supervisor Janoski: "Can I just ask the-- you use the word apartments. Does that mean that the units will be rented?"

Greg Kelsey: "Yes, that's correct."

Supervisor Janoski: "The other question I want to ask, is would you remind me of what the acreage of the property is?"

Greg Kelsey: "The acreage is 16.56 acres."

Supervisor Janoski: "Thank you. Anybody else have any questions? Thank you."

Is there anyone present wishing to address the Board regarding this application for change of zone? Yes?"

Arthur Anderson: "Good evening. My name is Arthur Anderson. I reside on Horton Avenue. I realize the need of housing for senior citizens, however, we have had a serious drainage problem up there in the past, and by this other development coming in, I am afraid that it may interfere with-- we halfway have it resolved now, and by building up again up there, I'm afraid that we may have another problem with the drainage and also how can we be assured that it will be for senior citizens only?"

Supervisor Janoski: "It would be a violation of zoning should it be used for any other purpose, and we would enforce that."

Arthur Anderson: "Well, could we have any assurance that it would not interfere with the drainage problem that we have had in the past?"

Supervisor Janoski: "I'm going to allow the engineer to answer that question. But I don't want to cut you short if there is anything else that you would like to raise."

Arthur Anderson: "Well, that at present, is just about it."

Greg Kelsey: "Yeah, your concern is well taken. When we originally proposed this project, it was much larger. The site plan was, you know, pavement was larger, contributing area was taken into consideration. We have a recharge basin that is going to be constructed on the site, well above ground water tables. It will accommodate more than 150% of the onsite drainage. We've also taken into consideration some of the runoff from neighboring farm-lands that travels across this property and further to the south, which is the (inaudible) area that you're discussing.

We are taking into consideration all the drainage that is coming onto the site, and will overflow into the existing drainage recharge basin that's a town facility, and it will-- we should have no problem, in fact, we should definitely improve the situation in that area."

Supervisor Janoski: "Thank you. Is there anyone else who wishes to be recognized concerning this application for change of zone? Alice?"

Alice Graff: "Alice Graff, Riverhead. I'm not certain, but are these the same-- is this the same outfit that has that affordable housing that has had so much trouble? No, that's not. Okay. I'm just curious, I can't remember, you know, my situation."

Supervisor Janoski: "No, they are not. Yes, ma'am?"

Alice Graff: "Double checking."

Marie Trent: "My name is Marie Trent and I live on Horton Avenue. In the previous plan, they were talking about a sewage plant possibly going up there. I was kind of upset about that. Is that still-- "

Supervisor Janoski: "No, that really created the problems concerning this proposal. The number of units grew to such an extent that sewage treatment was required. It is now less units, and no longer requires the sewage treatment facility. Thank God."

Marie Trent: "Oh, okay."

Supervisor Janoski: "Is there anyone else wishing to be heard on this application? That being the case, there being no one wishing

to be heard, I declare the Hearing to be closed."

P U B L I C H E A R I N G C L O S E D : 7:46 P.M.

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P U B L I C H E A R I N G O P E N E D : 7:48 P.M.

Supervisor Janoski: "Let the record show that the hour of 7:48 P.M. has arrived. The Town Clerk will 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 7:30 P.M., on Tuesday, June 15, 1993, to hear all interested persons who wish to be heard regarding the amendment of the zoning use district map to provide for the Business D zoning use district to the exclusion of the Industrial B zoning use district upon property located on the northeast corner of Route 25 and Marcy Avenue."

Jean Marie Costello: "Good evening. I'm Jean Marie Costello and I represent Darroll Meyer who, I think, originally started this whole process by his application for a special permit in that particular area. Mr. Meyer owns the property which is located on the corner of Route 25 and Marcy Avenue, and we're seeking a special permit application to do various motor vehicle repairs in that particular area. The town Planning Board, which we appeared before sometime ago, recommended that the special permit application not be granted. That instead, this change of zone application be taken in place. And we would urge the Board to adopt that Resolution in that regard. Thank you."

Supervisor Janoski: "The former tenant-- "

Jean Marie Costello: "Has vacated-- is no longer there."

Supervisor Janoski: "Okay. And, that's really all I wanted to know. Anybody else have any questions? Thank you."

Jean Marie Costello: "Thank you."

Supervisor Janoski: "Is there anyone present wishing to address the Town Board on this change of zone application? There

being no one indicating they wish to speak, I declare the Hearing to be closed, without objection."

P U B L I C H E A R I N G C L O S E D : 7:49 P.M.

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Supervisor Janoski: "Before we take up the Resolutions, I would open the meeting to comment on any subject. Okay, let's take up the Resolutions."

Resolution #414

Councilman Prusinowski: "Approves site plan of Dr. Babu Easow. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #415

Councilman Stark: "Authorizes the Town Clerk to advertise for bids for labor and materials for repairs of Town owned 1982 Mobile 2TE4 road sweeper. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #416

Councilman Creighton: "This declares the Town Board lead agency and determines environmental significance of a variance petition of Stanley Tanger and Associates at the outlet mall on Route 58. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #417

Councilwoman Gilliam: "This Resolution authorizes a budget adjustment for the Day Care Center capital project. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: "Gilliam?"

Councilwoman Gilliam: "I'm voting no. I have some concerns about the allocation of money for the engineering construction which originally was supposed to be done in-house and also whether this is being paid out of a revenue anticipation note, so for those reasons, I vote no."

The Vote (Cont'd.): "Creighton?"

Councilman Creighton: "These bills were paid sometime ago on the completion of this project, and this moves money from one location in the budget to another in order to cover those bills which we're obligated to pay. I vote yes."

The Vote (Cont'd.): "Stark, yes; Prusinowski, yes; Janoski, yes. The Resolution is adopted."

Resolution #418

Councilman Prusinowski: "Budget adjustment for the Grangebel Park improvements capital project. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #419

Councilman Stark: "Orders authorization authorizing increase and improvement for Riverhead Sewer District, improvements to the pump stations. This is an updating of many of the pump stations that date back to the year, I believe 1936. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #420

Councilman Creighton: "This amends the site plan of Ernest and Carole Kempermann at the Village Crossroads Restaurant, making minor changes to their elevation. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #421

Councilwoman Gilliam: "Reduces road and drainage bond for Tall Oaks Estates. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #422

Councilman Prusinowski: "Releases letter of credit and determines final order for water main extension 19B, Tall Oaks Estates. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #423

Councilman Stark: "Appoints official scorekeeper to the Riverhead Recreation Department (Bruce Edwards.) So moved."

Councilman Creighton: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #424

Councilman Creighton: "This appoints Wesley Kujawski lifeguard to the Riverhead Recreation Department. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #425

Councilwoman Gilliam: "This Resolution authorizes several budget adjustments from the general fund to various departments. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: "Gilliam?"

Councilwoman Gilliam: "I'm going to abstain in view of how the Resolution is presently worded. There's one item, the transfer of \$20,000 to the Supervisor's Office for personnel service that I disagree with, and there are other items in here that should go forward, but I cannot vote yes with regard to that particular adjustment. So I will abstain."

The Vote(Cont'd.): "Creighton?"

Councilman Creighton: "I vote yes to the entire adjustment and I understand the transfer to the Supervisor's Office has to do with the separation payment to the Deputy Supervisor who had-- we had to pay termination payments to her and as a result we liquidated the balance of the funds in that account. So for the Supervisor to hire additional-- replacement administrator, he needs additional funds to do that. And it's my understanding that's what these funds are for. So I vote yes."

The Vote Cont'd: "Stark?"

Councilman Stark: "Simple accounting procedure, and I vote yes."

The Vote (Cont'd.): Prusinowski, yes; Janoski, yes. The Resolution is adopted.

Resolution #426

Councilman Prusinowski: "Budget adjustment for the ambulance equipment fund. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #427

Councilman Stark: "It's a budged adjustment, repair and maintenance repair fund. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #428

Councilman Creighton: "This is a Resolution and consent approving the dedication of highways known as Constable Drive. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #429

Councilwoman Gilliam: "Resolution and consent approving the dedication of highways known as Grand Road. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #430

Councilman Prusinowski: "Authorizes Supervisor to execute contract with East End Recycling & Composting Co. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: "Gilliam?"

Councilwoman Gilliam: "While I'm going to vote yes on this, I would just like to say that this is the product of many negotiations that have taken place, and some of the concerns I had about the protection of the mobile home owners as well as limiting or minimizing the responsibility and liability of the town have been addressed through the final document. However, there are some other remaining issues that I think the town has to be mindful of if we are going to have a successful contract and those deal with the town having to address very promptly the licensing process to get a transfer station and also the recycling process, that there needs to be a re-education of the public with regard to recycling. I have some unreadiness about our continuation of a month to month arrangement with Island Recycling in the absence of a natural contract. And I think these are things that need to be addressed if we are going to have an effective and efficient operation under the OMNI contract. And I would call upon the Board to address those remaining issues that are within the purview of the town's responsibility under this contract. So I vote yes."

The Vote (Cont'd.): "Creighton?"

Councilman Creighton: "It was just about two years ago that the Town Board declared this bidder to be the lowest responsible bidder and authorized the Supervisor to negotiate this contract, which we're authorizing him to sign tonight. A great deal of effort has gone into arriving at this point. It is a significant accomplishment, but as Harriet mentioned, it is only one step in a long process that the town has been placed in a position to deal with. So I vote yes."

The Vote (Cont'd.): "Stark, yes. Prusinowski?"

Councilman Prusinowski: "It's one of the best contracts on Long Island for solid waste disposal. It makes the town of Riverhead a customer, not a partner, unlike every western town in Suffolk County, who is suffocating literally under the financial burden of these incinerators. Yesterday, at our golf outing, I talked to one of the Councilman who is retiring after one term, in Huntington, because they have a very simple rule in western Suffolk. If you don't show up with garbage, you show up with a check. That's not this contract. This contract is whatever amount of msw recyclables

we show up at the plant with, that's what we're charged for or we get a credit if the commodity is generating a profit. The recycling business is horrible today. Really the federal government has to get involved here and create markets. For example, when you ride along the Long Island Expressway, instead of building those horrible walls, the great walls of Long Island out of wood, they could have been made out of recycling. The state on one hand is telling us we must meet a goal of 25% by a couple of years from now, and on the other hand, when they (inaudible) our contracts, they don't even get a price quote for recycled plastic. As far as the recycling program, we've done a good job in Riverhead. We're way ahead of everybody on the east end. We will do re-education. We're waiting for this contract to be signed. The Supervisor now, with this contract can go to the DEC and I'm confident work out an arrangement on the emergency transfer station so that we can beat the deadline on October 3rd when the new federal regulations actually go into effect, which will supersede the state regulations which are even tougher. We have more work to do and like I said, financially and environmentally, it's a good deal for the town and, hopefully, it will put us on the road of permanently solving our solid waste solution and an environmentally and economically sensible and affordable solution. Right now, Riverhead enjoys the lowest disposal cost on Long Island including people to the-- except for Southold who is still landfilling and doing it the cheap way-- but that's going to end very shortly. Anybody who has a processing plant like this had to go out and borrow money. The town of Riverhead will not have to do that. It's a private enterprise. They'll pay real estate taxes; they'll create jobs, and that's one of the benefits I like about this and East Hampton, they have to float a 12 to 15 million dollar bond. The same in Southampton, they have to pay that off with interest, plus operate the plant. And it's a very risky business today to be in the recyclable business. So I think we're heading in the right direction, and this has been a bipartisan effort. Over the years previous Town Boards, Democrat and Republican have worked hard to achieve this goal. Thank you. I vote yes."

The Vote (Cont.d): "Janoski?"

Supervisor Janoski: "I, at one point in my life, thought this evening would never come. And it should be noted that as a result of the 1983 Long Island Landfill Law, and as a result of the 1988 New York State Solid Waste Management Act, the town was required to

put in place an entirely new system of the collection and disposal of waste. Having worked with those successive Town Boards that struggled with this question, I have to look back and say that you should be proud of those people who you entrusted with this job. It's a very difficult one. But now that the dust has settled and the Town Board is making a decision and has chosen the course, one which is acceptable as far as technology to the people of the town and one in which really does produce the lowest cost for collection and disposable garbage on Long Island.

We are a fraction of what is being paid in other towns. And it is due entirely to a number of people who worked very hard to bring this about and really held the line. As a result of this contract, the current cost of landfilling burying our garbage at \$40 a ton, will be maintained for a period of time into the future. And that is an accomplishment in which, I think, the members of this Board can be justly proud and I think that you can be proud of what your town has done, because we're the first on the east end to come into compliance with the law and as Victor said, we are the lowest cost of any town in compliance with the law.

So let's move forward and I vote, at long last, yes."

Barbara Grattan: "The Resolution is adopted."

Resolution #431

Councilman Creighton: "This approves the application of Emmanuel Baptist Church of Riverhead to hold a presentation function the 26th of June. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #432

Councilman Stark: "Approves the application of Polish Town Civic Association for the street fair annual street fair in August. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #433

Councilwoman Gilliam: "Authorizing the submission of an application for business infra-structure loan grant funds to the New York State Department of Economic Development in conjunction with the Okeanos Project. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #434

Councilman Prusinowski: "Amends Resolution 277 site plan of Little Flower Children's Services. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #435

Councilman Stark: "Approves site plan of the Bank of New York handicap ramp and night deposit box. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

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

Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #436

Councilman Creighton: "This appoints a summer intern, Mary Harte, to the Community Development Office. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #437

Councilwoman Gilliam: "This Resolution is in support of exploring other options to the proposed high speed ferry at Shoreham. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. The Resolution is adopted.

Resolution #438

Councilman Prusinowski: "Amends Resolution 407 site plan of Sandy Pond Golf Course foot bridge. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #439

Councilman Stark: "Approves site plan of Riverhead Enterprises (Swezey's Special Size Shop). So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #440

Councilman Creighton: "This appoints Kelly Grattan to the Riverhead Recreation Department as an intern. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Barbara Grattan: "441 we did."

Councilman Prusinowski: "Mr. Supervisor, in lieu of the fact that the summer is upon us, I would like to move the Public Hearing that we held tonight on Bays and Creeks for adoption, therefore,--"

Supervisor Janoski: (inaudible)

Councilman Prusinowski: "Well because it's summertime and people are coming in from out of town and trying to raid us and the fishermen are very concerned. Bays and Creeks, so I move Resolution #442, which is adopting the changes to Chapter 47 entitled Bays and Creeks. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "It is moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution 442 adopted.

Supervisor Janoski: "Does anyone want to second the move to pay the bills?"

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

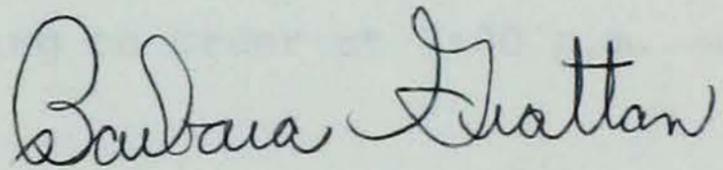
Councilman Prusinowski: "I make a motion to adjourn."

Supervisor Janoski: "Motion made to adjourn. Is there a second to that?"

Councilman Stark: "Seconded."

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

Meeting Adjourned: 8:10 P.M.



Town Clerk,

REPORTS:

TAX RECEIVER

Monthly report period 5/11/93  
Total collections to date  
\$42,904,340.77

FINANCIAL STATEMENT

Discharges collecting reports for  
the month of May, 1993