

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead, held in the Town Hall, Howell Avenue, Riverhead, New York, on Tuesday, May 16, 1995, at 7:00 p.m.

Present:

James R. Stark,	Deputy Supervisor
Victor Prusinowski,	Councilman
Frank Creighton,	Councilman
Harriet Gilliam,	Councilwoman

Also Present:

Barbara Grattan,	Town Clerk
Robert Kozakiewicz, Esq.,	Town Attorney

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

Deputy Supervisor Stark: "Ladies and gentlemen, we are-- have been for several years, benefited by the Riverhead Volunteer Ambulance Corps who do a fine job in the Town of Riverhead.

I, myself, am very proud that my son is a lieutenant in the Ambulance Corps and also and also one of them that are responders, as these gentlemen have been in the past themselves. We have a proclamation here tonight that we would like to present to them in recognition of the good work that they do throughout the Town of Riverhead. They will not run out of money-- according to the News Review they might, but they will not.

It is probably one of the, you know, along with the Fire Department and all the good volunteer services in Town, one of our best volunteer efforts. So without adieu, I would like to read this proclamation.

WHEREAS, it is both proper and fitting that the Town of Riverhead acknowledge the dedication of organizations which provide a service to the fellow man;

WHEREAS, national emergency medical service has served the community through scheduled events which educate residents and more importantly the youth of our Town;

WHEREAS, National Emergency Medical Service Week is the week where classes will be used to instruct our children on the proper use of such emergency services as 911 in a medical emergency;

NOW, THEREFORE, I, James R. Stark as Deputy Supervisor of the Town of Riverhead, do hereby proclaim the week of May 14th to the 20th, 1995, as National Emergency Medical Service Week, in the Town of Riverhead, and in grateful appreciation for the services that this organization performs for its residents.

And I would present this to the Chief, Dave Halliday, and Lieutenant Grattan."

Dave Halliday: "We would like to thank-- and myself, on behalf of the other officers and members of the Riverhead Ambulance Corps and, yes, it's nice to get a pat on the back. And we appreciate it. Thank you."

Deputy Supervisor Stark: "Thank you, Dave."

Is there a motion to approve the minutes of the Regular Town Board meeting of May 2nd?"

Councilwoman Gilliam: "So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Minutes are approved.

Deputy Supervisor Stark: "Let me remind the audience that this is Tax Grievance Day and if you haven't and you want to grieve your taxes, you may go downstairs to the Conference Room between now and 8:00-- 8:00 they are finished. So if you want to grieve your taxes, hurry down."

I would ask the Clerk to read the Reports, please."

REPORTS:

Receiver of Taxes

Report to County Treasurer
5-8-95 collections

Suffolk County Pine
Barrens Review Comm.

Annual report for 1994

Open Bid Report

Settling tank No. 4 which was
opened on May 9, 1995 at 11:00. We
had two bidders

APPLICATIONS:

Change of Zone

Pond View - construction of a re-
tirement community on the north
side of Middle Road, opposite
Ostrander Avenue

Site Plan

Cross Ready Mix, Inc. Construction
on the east side of Kroemer Avenue

Site Plan

Toys "R" Us - a facade alteration
at 1151 Old Country Road

Site Plan

McGuire's Hearing Aid Center - con-
version of existing residential
building to hearing aid service
business at 818 East Main Street

Site Plan

Riverhead Toyota - construction of
an automobile sales and service
agency, Old Country Road

Site Plan

JBSJ, Inc. - interior renovation
and utilization of a portion of
existing masonry building to
accommodate small business market
center. Old Country Road, Riverhead

Site Plan

Dr. Charles R. Hoeg - to convert an
existing residence to professional
office, 1018 Roanoke Avenue

Riverhead Community
Awareness Program
Inc.

Request for a parade on June 2,
1995, from 10:00 to 10:45 a.m.

Polish Town Civic
Assoc.

Application for the Polish Town
Fair on August 19, 1995 and August
20th, from 9:00 to 6:00 p.m.

Garsten Motors, Inc.

Requesting for a tent sale from May
17th to July 14th

Jamesport Fire
Department

Requesting for a bazaar/ carnival/
parade from July 18th to July 23rd
from 6:00 p.m. to 11:30 p.m.

Okeanos Ocean
Research Foundation

Request for a casino night fund-
raiser on June 3, 1995 from 7:00
p.m. to 12:00 a.m.

L.I. Maritime Heritage
Society, Inc.

Request for a fundraiser event
entitled "A Night of Romance on the
Seas" on June 9, 1995, from 6:00 to
9:00 p.m.

CORRESPONDENCE:

League of Women
Voters of Suffolk
County

Writing requesting the adoption of a
Pesticide Policy for Suffolk County

Bev Odell

Writing regarding the possible
correction of a continuing problem
of flooding at Reilly Avenue and
Edwards Avenue in Calverton

Mr. and Mrs. Peter
Zaita

Requesting that stop signs be posted
on Long Pond Road in Wading River
to slow down traffic

Peter S. Danowski,
Esq.

Writing regarding the Public Hearing
to eliminate certain uses in the
Business C Zone

William Gironda

Writing to register their views re-
garding the Wetlands and WRS Act

Donald L. Smith	Petitioning the Town Board to change the name of Terry Lane in Riverhead to Tara Lane
Helga S. Guthy	Writing regarding the increase in graffiti in the Town of Riverhead
Rick Scott	Complimentary letter concerning Alice Lopez in the Justice Court
Georgette L. Case	Urging the Town Board to deny permission for Mill Pond Commons to become affordable housing
Riverhead Enterprises	Urging the Town Board to consider the negative impact of Tanger Phase II on the downtown business district
Swezeys Department Store	Requesting that the DEIS for Tanger Outlet Center include an economic impact study
Ida M. Crohan	Requesting the Town Board to vote "No" on the Comprehensive Land Use Plan for the Pine Barrens
Richard Rohman	Writing regarding his concern of any infestation that might occur as a result of stagnant water in the event the pond located in the Sound Breeze subdivision overflows
Town of Southampton	Notification of notices of a public hearing and notification of adoption of Local Laws #20 and 21

Deputy Supervisor Stark: "Thank you."

Public Hearing opened 7:15 p.m.

Deputy Supervisor Stark: "Let the record show that the hour of 7:15 has arrived. Would the Clerk please read the notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall, Riverhead, New York, at 7:05 p.m., on Tuesday, May 16, 1995, to hear all interested persons who wish to be heard regarding the special permit petition of Clete Galasso to allow the construction of a warehouse on property located on Edgar Avenue."

Deputy Supervisor Stark: "Clete, are you represented by an attorney or are you going to speak for yourself?"

Clete Galasso: "I have no attorney."

Deputy Supervisor Stark: "Okay. Would you like to make any comments first before I ask for public comment, or would you like to reserve and then be able to-- "

Clete Galasso: "Yes."

Deputy Supervisor Stark: "All right. Is there anybody in the audience who would like to make any comment on this particular Public Hearing tonight? Steve?"

Steve Haizlip: "Steve Haizlip, of Calverton. I don't know too much about Aquebogue and Jamesport in that area. Edgar Avenue. Could I get sort of a proximity?"

Deputy Supervisor Stark: "Do you know where the Aquebogue School is on 25?"

Steve Haizlip: "Yes."

Deputy Supervisor Stark: "The blinker light?"

Steve Haizlip: "Yes."

Deputy Supervisor Stark: "If you were to turn right there, that is Edgar Avenue."

Steve Haizlip: "Oh. Okay."

Deputy Supervisor Stark: "And you go down to where Hubbard Avenue comes in and then you would go over the railroad tracks. That's where Edgar Avenue ends, I guess."

Steve Haizlip: "Yes. All right. Okay."

Deputy Supervisor Stark: "Am I not correct?"

Steve Haizlip: "Okay. All right. I've got it now."

Deputy Supervisor Stark: "Okay. You know where Peconic Ambulance is?"

Steve Haizlip: "I believe it's down on the corner of Hubbard Avenue."

Deputy Supervisor Stark: "Just one before the corner, I believe. Clete, you're talking about property just north of that?"

Steve Haizlip: "All right."

Deputy Supervisor Stark: "Right."

Steve Haizlip: "Well, the reason I'm addressing to try to find out where it is, it states on here about construction of a warehouse on the property. Now, I don't suppose this warehouse is going to be of a great concern to the citizenry of that street and probably be no dangerous or chemicals or anything of that nature doesn't belong so there would be no health hazard to the public."

Deputy Supervisor Stark: "Logically, I'm thinking-- I would believe it would be used for the purposes of storing boats."

Steve Haizlip: "Boats?"

Deputy Supervisor Stark: "Boats."

Steve Haizlip: "Oh. Then the only problem that comes up then might be that a boat stored in there with gasoline could possibly explode or something like that if precaution isn't taken."

Deputy Supervisor Stark: "Such as your car could in the garage."

Steve Haizlip: "It could."

Deputy Supervisor Stark: "Yes, it could."

Steve Haizlip: "I mean it could. That's saying. But if I was to take precautions and ground the tank and all that stuff for any static charge, then there's a possibility that the static charge would go to ground and you couldn't get ignition on there. That's-- okay-- "

Deputy Supervisor Stark: "The Galassos have been in the boating business for a long time. I'm sure they take every precaution, every measure."

Steve Haizlip: "No, I was just kind of concerned where it's located-- "

Deputy Supervisor Stark: "I happen to be a happy boater."

Steve Haizlip: "Right. I'm just concerned where it's located and what it was going to do and if there was any health problems such like that."

Deputy Supervisor Stark: "No problem."

Steve Haizlip: "No problem with me."

Deputy Supervisor Stark: "Very good. Is there anybody else who would like to make a comment on this at this particular time? If not, I'll declare the Hearing closed."

Public Hearing closed: 7:19 p.m.

Deputy Supervisor Stark: "At this particular time, I would since there are no other Public Hearings, I recognize anybody in the audience who would like to speak to the Board on any particular subject. And Mr. Ek, I would please refer to my previous comments for future appearances at the Town Board. Thank you."

Ronald Eck: "Ronald Eck, Riverhead, New York. First of all, I'd like to apologize to you, Mr. Stark, because I did not wear this shirt to campaign. I wore it because I felt, which I spoke with Harriet, I felt that you were going to have a hearing tonight on the taxicab company."

Deputy Supervisor Stark: "No. I'm not referring to the taxicab portion of it."

Ronald Eck: "I know you're not. I know what you were referring to."

Deputy Supervisor Stark: "And I think-- in political life, all is fair in love and war. Both parties have saw fit and I think it's law that you do not do any campaigning inside of Town Hall limits. And I respectfully request in the future that if you would not do such-- "

Ronald Eck: "Well, I came down here because I thought it was a taxicab hearing."

Deputy Supervisor Stark: "-- it would be better-- yes. There will be no discussion on the taxicab tonight."

Ronald Eck: "And this shirt was bought to wear at Keri Taxi."

Deputy Supervisor Stark: "Okay. No problem. What you do outside that door-- "

Ronald Eck: "Right. Okay, now, another reason why I come down here is do you people know where you're at?"

Deputy Supervisor Stark: "Do I know where I'm at right now?"

Ronald Eck: "No. I know you're in the Town Hall. Do you know what country you're in?"

Deputy Supervisor Stark: "Yes, I do."

Ronald Eck: "Okay. I've been looking for three months to buy an American flag. Three American flags, in fact. One for the VA hospital in Northport in the building that I am in. I wanted two more for myself. I've looked in Caldors. I've looked in K-Mart. I knew Griffing Hardware generally has them."

Deputy Supervisor Stark: "Did you go to (inaudible) in Aquebogue?"

Ronald Eck: "Well, I know about that place. I was looking-- "

Deputy Supervisor Stark: "Well, they sell flags."

Ronald Eck: "I know. But I was looking to spend what I spent a few years back in Griffing Hardware, \$7.00 and change. Okay. I went to Griffing Hardware-- "

Deputy Supervisor Stark: "I don't believe you can find anything-- "

Ronald Eck: "Okay. I went to Griffing Hardware-- "

Deputy Supervisor Stark: "I really don't."

Ronald Eck: "I went to Griffing Hardware about four weeks ago, three weeks ago, something like that. I says, where's Old Glory, I says to Mrs. Griffing. She says, Oh, they're up in the air. She showed me where they were. One of them was \$19.99, with a flagpole. The other ones were \$29.99. Now, I was looking to spend around \$10.00. So I found one up in (inaudible), okay, with no pole. I finally come down to K-Mart-- I mean Caldor last week, and I'm looking around and I found one of these 40 by 28, which was not an American flag, it was just stars and stripes.

And I'm saying to myself, what have we got here in Riverhead? We've got two big department stores. They don't have no American flags? They do have them now."

Councilman Prusinowski: "Well, okay. That's good."

Ronald Eck: "But they are on the floor in both stores. They're sitting on the floor."

Councilman Prusinowski: "We do have a very fine business in Town that sells flags, you know."

Ronald Eck: "Right. I know about that one in Aquebogue."

Deputy Supervisor Stark: "Did you check their price?"

Ronald Eck: "No. I didn't check their price."

Deputy Supervisor Stark: "Okay."

Ronald Eck: "Now, Vic, wants to charge me for all this free advertisement."

Deputy Supervisor Stark: "Ron. Ron-- "

Councilman Prusinowski: "Let's knock it off on the politics, okay."

Ronald Eck: "No, okay. But, Harriet wanted a T-shirt because I gave Frank Creighton a T-shirt."

Councilman Prusinowski: "Okay."

Ronald Eck: "Well, I brought Harriet something tonight and I brought Vic something tonight."

Councilman Prusinowski: "Oh, okay."

Deputy Supervisor Stark: "Okay."

Councilman Prusinowski: "How about Jimmy?"

Deputy Supervisor Stark: "Boo-hoo-hoo. Left out in the cold again. Is there anybody else at this particular time-- Clete?"

Ronald Eck: "I didn't get you a T-shirt-- "

Deputy Supervisor Stark: "We're continuing with the meeting as you deliver your presents."

Clete Galasso: "My name is Clete Galasso from Aquebogue. As far as the warehouse, it's not for storing boats. Okay. I just want to make that clear."

Deputy Supervisor Stark: "Okay. Thank you, Clete. Is there anybody else who would like to talk on any particular given subject tonight? Wait a minute. Sid, come on, and then Peter, you come up. Well, Eileen-- I thought he was just jumping up in front of you. Sid, did you want to speak or did you just get up to-- all right. Peter, if you wander

around, I would appreciate it. We'll let Eileen talk first."

Eileen Drower: "Eileen Drower, Wading River. First of all, I'd like to thank the Town for the fence that they finally corrected on Round Road in Wading River. You know, you put up a wooden or a metal one when everybody raised a ruckus about it and then you did put in one that's appropriate with the keeping of the community.

You've also put up a couple of duck pond signs, duck crossing signs, at the ponds which we appreciate, but we are still waiting for the two benches you promised us, several other trash cans. You were going to do something with the Town parking lot, fencing and grading and plantings there. Evidently from the monies we've raised from the duck pond day, we'll be able to purchase our own-- at least one bench, and we want to do that from the community to the duck ponds. But we'd like to have the Town pay attention to the Wading River part of Town.

You know, the ponds look lovely. Everybody comments how pretty they look, and then you look to the north side of the road and it's a mess. I don't know. You know, you change the Hamlet Study which could possibly jeopardize it, you know, you did an overlay zone but, then, again, I understood there was something in the works about changing Business C to be more restrictive which would help our area.

Now this is an historic area. In our Hamlet Study, it does say that. I don't know what-- how much weight it has as an historic retail center. But we're very concerned about what's going on around the ponds. We'd like to see a historic area. There's several old buildings there that need some work done to them. Several of the buildings have been purchased. We're concerned about what's going into them and we'd like the Board to be on top of it and do what's right for the community and, you know, in keeping with the character of the community.

I know you don't allow certain things. Our new pizza store had asked for something and you told them it's not in keeping with the character but yet for years we've had a closed restaurant there that went on for six or seven years and nothing was done and I think the Town Board sat on its you know what, you know, waiting for the owner to do something. I know you had-- were batting heads over it. Now we have a new owner to that property and I can understand where he's coming from; that he's concerned about a neighboring business that is scheduled to go in there. So we need to be on top of what's going on in Wading River as

well as, you know, Riverhead proper and Aquebogue."

Councilman Prusinowski: "Not only that, we responded when you called and we had a Public Hearing two weeks ago about one of that aspect which is Business C. I've been told since then that other members of the Civic Association have met with Mr.-- what's his last name?-- Mercario (phonetic) and he's going to come to your meeting in June and explain what he wants to do down there."

Eileen Drower: "Yes, he is."

Councilman Prusinowski: "So, you know-- "

Eileen Drower: "But we understand it's still going to be motorcycles of one sort or another and anybody that hears about it, is just appalled that that sort of thing, whether it be sales or repairs or what, they're just appalled that that could be allowed to go into an area like that. It certainly is not in keeping with the historical character of the area."

Councilman Prusinowski: "It's allowed under the current zoning."

Eileen Drower: "It may be allowed, Vic, but, you know, come on guys. You take care of other parts of the Town, take care of us."

Councilman Prusinowski: "Hey, you know something? Let me tell you something. We have responded-- I don't like that remark. That's an unfair remark. Because we're in Court with four other businesses up there who wanted to do things that were not what the Wading River people wanted, and I-- we spent a lot of taxpayers dollars."

As far as ignoring Wading River, in the last three years we spent about \$100,000 dredging the creek. We worked on the beach. I mean, we have done a lot. We're going to do Hulse Landing Road, which is \$75,000. And so I think we have spent money up there and we're going to continue and-- "

Eileen Drower: "But you've ignored our business district. I mean, the beach needs taking care of. The creek needs taking care of. Granted. But they've been ignored, particularly Hulse Landing Road-- is Hulse Landing Road or whatever, has been ignored for a long time."

Councilman Prusinowski: "What do you mean ignored?"

Eileen Drower: "Well, with potholes. It was disintegrating."

Councilman Prusinowski: "You mean the parking lot?"

Eileen Drower: "The parking there, yes."

Councilman Prusinowski: "Yes. Well, that has to be fixed."

Eileen Drower: "I mean it wasn't kept up with at all."

Councilman Prusinowski: "It has to be fixed."

Eileen Drower: "And even now, I was down to Creek Road the other day, in the auxiliary parking lot. The Town, you know, across from the beach, the auxiliary lot needs repair. It's all broken up."

Councilman Prusinowski: "The auxiliary lot."

Eileen Drower: "The auxiliary lot on the south side of the road. But I'm-- my focus right now is for the ponds area and the historic district. I wish you would, you know, keep-- bear that in mind and let businesses come in and site plans come in that will be in character with the area. You know, I urge you to do that."

Councilman Prusinowski: "Well, but the guy bought the property and it's either allowed or it's not allowed under the zoning and that's why we had the Public Hearing two weeks ago."

Eileen Drower: "Fine. Yes. Well, you know, I haven't had the chance to talk to Mr. Mercaro. I understand he wants to speak with me and I don't object to him owning the property."

Councilman Prusinowski: "I mean he came in to me personally and I'm along with you, the two villians that are trying to stop him. What I said was that we had a response from the community and I don't know if it's valid or not because I hear there are other people that are going to meet with him and say that it's not something that they can live with. So, I'd like to hear from the community, too, before we do something drastic."

Eileen Drower: "Well, then come to the-- I guess-- the June meeting of the Civic Association."

Councilman Prusinowski: "All right. Okay."

Eileen Drower: "But, you know, I wouldn't mind it if they put in an ice cream parlor in there or a book store or a yarn shop, something like that."

Councilman Prusinowski: "Well, the Town is not in the real estate business."

Eileen Drower: "I know it isn't."

Councilman Prusinowski: "We do zoning."

Eileen Drower: "I know. Zoning. But the zoning should have been taken care of years ago, and, you know, somehow it slipped through on the Hamlet Study and what does that go back to? The Town and the Planning board and that sort of thing."

Councilman Prusinowski: "That's why I always said that planning studies are living documents and should be changed to reflect the reality of the times. Okay. Because things change. People change."

Eileen Drower: "Well, this was in effect then. It should have been corrected at that point in time, Vic. Okay. It was an oversight then. And we're, you know, suffering for it."

Deputy Supervisor Stark: "Thank you, Eileen."

Eileen Drower: "Do what you can, guys."

Deputy Supervisor Stark: "Thank you, Eileen. Peter?"

Peter Danowski: "Sort of appropriate as a follow up to Eileen's comments but in a reverse direction. I wrote a letter to the Board regarding the fact that a Public Hearing was opened and I think closed with regard to amendments in the Business C Zone. And I'm always concerned when Board members may, I say may, react to an individual applicant's plans to do something with a piece of property that's zoned a certain way. And I think this Board does recognize that they look at

the Planning Department, they look at overall plans for the Town. It takes some careful, long range planning before they take any action. And they have not taken any action. And I'm glad for that with regard to the Business C Zone.

Business C exists not only in Wading River, but also up on County Road 58 and just fortuitously enough I appeared at a Planning Board meeting when I heard about the fact that this was planned. And whether it was directed specifically at Mr. Macaro (phonetic), which I would not like to think was the reason for the Public Hearing. I don't think the Board would want to say it was."

Councilman Prusinowski: "It wasn't."

Peter Danowski: "But I don't think that would be the proper way to address the zoning issue, would be to react to a particular person who owns a piece of property. And I recognize Mr. Macaro because I represented him and I do represent him and he bought a piece of property that zoning allows the use he intends for the property."

With that said, I thought about the fact that many people who own property in the Business C Zone probably didn't become aware of the Public Hearing and that is because probably the Town is not required to send a notice to people who own Business C zoning property that somehow something is going to be changed in the zone in which their property exists.

So I might recommend if it's not a tremendous amount of trouble, that in the future whether it be by a change in Town code or Town policy, that somehow you let the property owners know who might be affected. My letter indicates that recently, I say recently last year or so, I had a client on Route 58 who I believe was in the Industrial zone (inaudible) and the Town Board did, at my request, put him in Business C. And one of the reasons was for motor vehicle repair which-- and this is a piece of property across from car dealers where motor vehicle repair seems very appropriate.

So if no one had mentioned it to me and if I were unaware of it, it's a possibility that somehow the Board might have reacted to something in Wading River and changed something on Route 58.

Getting on to a second subject, I heard a rumor that apparently

is a fact that the Board has prepared a resolution that apparently reacts to a petition I filed for Helen Dris and the Peconic Bay Yacht Basin Marina in which approximately a year ago I met with Town officials-- some Town officials, and some people out in Jamesport and I asked that the Resort Business A Zone be considered for my client's property. I saw a resolution that was typed, whether it's going to be offered tonight I'm not sure, but, again, it seems like maybe this is (inaudible) reaction to my client's pending application to the Town where we've told the Town we intend to put a restaurant which is permitted as a matter of right on my client's property in South Jamesport.

The reaction seems to be that there may be a Town Board resolution calling a Public Hearing to eliminate that use as a permitted use and to make it by special permit. Again, if that's the case, I don't believe it's appropriate if it's seeking to address specifically my client's property. I would ask you-- I certainly have no objection to passing a resolution calling a Public Hearing to place the property in the Resort Business Zone. That's not my objection. My objection is that you are trying to-- when you do that, also take it out as a permitted use and put it in as a special permit use.

As a practical matter, we've already held a Public Hearing on a special permit application with regard to the motel use and shown you in the overall site plan development which includes the restaurant siting. I'll have continued discussions during site plan review and during SEQR and whereby I'll show alternate ways to develop the site and hopefully it will address some of the concerns of some of the neighbors.

So I'm positive with feedback I'm looking to solve some of the problems-- this proposed resolution if it's going to eliminate my use, I think, again, is a little narrow in scope and looks like it's addressed specifically at my client.

Getting off that soapbox, onto my next little simple comment that I think you might-- "

Councilman Creighton: "Can I comment on that one?"

Peter Danowski: "Sure."

Councilman Creighton: "In looking over this resolution, which I didn't see before tonight, I would suggest when we get around to it,

that the Board consider putting this on the table for further discussion and I can understand in reading it why you have some questions as to this being directed directly at your particular application or applications."

Peter Danowski: "And, again, I have no objection since I did file the petition and I thought it was done in good faith and it was kind of consistent with the thoughts in the area to take this particular property out of the Industrial zone. It would eliminate some noxious uses and it would do something that would not eliminate my client's permitted uses."

Councilman Creighton: "Yes. I want to point out that prior to that application, that there have been extensive discussions of the need to change the zones on that property down in South Jamesport-- properties, to make it more consistent with the other zoning on beachfront properties specifically to the Business A that you're asking to change to. So, the recommendations of the Hamlet Study and your application kind of coincided.

The issue, however, was with respect to the internal contents of the Business A Zone where permitted uses gave concern to the local residents who-- and the character of South Jamesport has changed over the years from a swinging resort town with five or six hotels and bars and that sort of thing, to one of a more quiet residential area. And I think what we're seeing is the result of that where the residents are hyper-sensitive to changes that take place there.

So, anyway, their concern was not with deleting uses from it but making uses by right to be uses by special permit which would give them what they felt was a level of comfort and being able to review the applications when they came before the Town Board and requiring the Public Hearing where they could actually participate in it. And I think it was the intent of the Jamesport Hamlet Study prior to your application to make these recommendations and unfortunately the applications well in process before the Board has taken action on this, and I would like to believe that it's more the result of the recommendations of the Hamlet Study than, in fact, their reacting to your specific applications and I would suggest that the Board consider that the resolution reflect that as opposed to reflecting as it does primary concern with your application, which I don't think is judicious."

Peter Danowski: "I would recognize those comments but, again, my purpose in raising objection is really not so much I object to the idea of being put in the zone, because I made the request under existing

oning, thinking that it was a spirit of cooperation on my client's part and something that the South Jamesport area wanted to see happen to eliminate the use of the Industrial Zone. But I did make the comment, both through my meetings and at the Planning Board to object to what you may now say will apply to a broader area, and that is to eliminate all permitted uses. That, I think, would be unfair to all the property owners, not just to Helen Dris.

If you made every use in the zone by special permit, I think that would be blatantly unfair and devalue people's property. They would never know whether they had a right to develop their property. And not addressing this particular Board, but in the future, I mean, pressures that came to bear might influence future Board members and really it would be absolutely unfair. So my purpose in making the comment is to hopefully have the majority of this Board say if you want place my client's property in the Resort Business Zone, call a Public Hearing to do that, but not change the use by special permit. And I recognize that is some people's recommendation.

The third thing I would just-- as an aside-- "

Deputy Supervisor Stark: "This is number four."

Peter Danowski: "No, it was third, but Mr. Creighton, I think wanted to get back to number two."

Deputy Supervisor Stark: "Oh, okay."

Peter Danowski: "And number three-- "

Deputy Supervisor Stark: "I thought you were bringing up a new topic."

Peter Danowski: "I am bringing up a new topic and that was one of your specs in the Town code deals with parking areas in roadways and deal with the base before you put your final coats of asphalt on. One of the easiest things to do that would be a great thing for the environment and something that's happening all around the country, is to allow recycled concrete to be used in the base. If you would consider discussing that with the Planning Department members and amending your code to allow for that, I think that would be a big benefit to the Town and what it would do is eliminate variance requests that are necessary to

accomplish that today. Thank you."

Deputy Supervisor Stark: "Thank you, Peter. Catherine? Bill, you can come up after her, if you would. You've never sat back that far before."

Catherine Casey: "I know. I just want to be good. I want you to know I was really trying. Cathy Casey, Wading River. I'm not trying to take issue. I just want to get clarification on one thing in particular. Victor, when you say that you spent \$100,000 on dredging the creek, and I'm not challenging that or critically at all. But how much of that have you gotten reimbursed from Long Island Lighting Company for?"

Deputy Supervisor Stark: "Nothing."

Councilman Prusinowski: "Nothing."

Cathy Casey: "Nothing. Now this is over what? The past two, three--?"

Councilman Prusinowski: "Since 1990."

Cathy Casey: "So now we're in our fifth year with that?"

Councilman Prusinowski: "Right."

Cathy Casey: "And Lilco has not paid, reimbursed the Town at all?"

Councilman Prusinowski: "They sent us one check around '89 or '90 with a letter that says that's it. Okay. It's the last time they are going to pay us and their position is that since they lost their license to operate the facility from the NRC, that they are no longer legally bound. Now, of course, we have-- I have a letter in the file from Catascinos (phonetic) that basically says that we reviewed it internally with our legal department and we feel that this is our legal position which is the code word for if you don't like it, take us to court. And we never did take it to court because, you know, first of all the problem you have up at the creek as we all know, half the creek is in Brookhaven town and half is in Riverhead town. It's an interesting question. How much general town tax money can we spend to do this."

If you look at the creek today, the half is-- three-quarters is flowing on the Brookhaven side and one-quarter is on the Riverhead side, so we're trying to-- the Town engineer has sent a plan, which I think is an intelligent plan to the DEC, for a low cost solution. We only need, I believe, only about \$5,000 or \$6,000 maintenance dredging to make it workable at all tides. Right now, you can use it at high tide but not at the low tide. And we'll see what the DEC-- the DEC came back this year, Cathy, and they wanted to do a fifty or \$60,000 job and amend the permit, which is \$3,000. And we budgeted only \$25,000 up there."

Cathy Casey: "I know. This is getting worse. Isn't there anything we can do to--?"

Councilman Prusinowski: "Outside of suing the company, the company has been totally unreasonable."

Cathy Casey: "Well, is there anything we can do to through the federal government, perhaps through Senator LaValle, somebody, to hold these people responsible? I mean, the creek does what it does as a result of what they did."

Councilman Prusinowski: "FEMA-- it's so bad FEMA was going to give us money and all we had to do was either get a lease from the company, buy the property, get some kind of a title. Bob was here-- but the Town Attorney, and we met with the Town engineer and the company would get -- give us neither-- all of the above, they would give us nothing of the above."

In fact, they came in and told us-- they came in and they told us that the property was not for sale."

Cathy Casey: "Well, then, I don't know. Maybe--"

Councilman Prusinowski: "It's frustrating."

Cathy Casey: "Maybe at our next meeting I'm going to suggest that we contact Senator LaValle, the civic (inaudible), and do something. I mean, because this is ridiculous. In fairness, while it is not used strictly used by Wading Riverites, you know, it does, in fairness, give others in the Town of Riverhead an opportunity to get their boats into the water. So, again, I'm not trying to mince words here. I just wanted a little clarification."

Councilman Prusinowski: "No, I agree with you. It's a very frustrating thing."

Cathy Casey: "And I think we should try and do this-- it's ridiculous."

I also want to just tell you that to my knowledge other than perhaps Mr. Danowski, Mr. Macaro called me and quite honestly it was my idea as I told him that I thought he should come to one of our meetings and be heard in terms of what he wants to do. I told him my personal feelings, however, we have discussed it at quite length and he is at this point to our knowledge going to be coming to our June one. So I don't want it distorted, you know, that, in other words, in sounds that some people in Town are endorsing or accepting what he wants to do as opposed to the other end of the spectrum. It was only my opinion which is shared by most of the community and certainly the members of the Civic Association that he should have an opportunity to come forth, explain to us what he wants to do, and then we go from there. So, I just don't want it to be distorted that, you know, in other words, because we are doing that, that we are endorsing and giving our approval. That's what I'm trying to say."

Councilman Prusinowski: "I figured that when he came and spoke to me, I kind of figured that after because he said that he had spoken to you. And then he said he was going to the June meeting and I highly endorsed that."

Cathy Casey: "Oh, absolutely."

Councilman Prusinowski: "I said I think it's a good idea."

Cathy Casey: "I think the man should have a right to be heard by the community."

Councilman Prusinowski: "Because, you know, he was explaining it to me."

Deputy Supervisor Stark: "You do realize that he can do most anything he wants-- "

Cathy Casey: "I know I'm hearing this. It doesn't, you know-- "

Deputy Supervisor Stark: "His application is in-- in the process. And I believe if you want to change the zone on it and stop him, you'd have one hell of a lawsuit with him."

Cathy Casey: "Well, I think we are going to have to-- "

Deputy Supervisor Stark: "What I think he's trying to do now from the best I can understand, Cathy, is to work with the community and do something that's going to be aesthetically pleasing or (inaudible) be able to live within the community. Now that's up to you what-- "

Cathy Casey: "Right. This is the point of seeing what you can do-- "

Deputy Supervisor Stark: "This is the legal opinions I'm getting."

Cathy Casey: "As a result of the meeting. Also, I just wanted to comment to Peter, if I may-- "

Deputy Supervisor Stark: "Peter (inaudible)."

Cathy Casey: "Well, that's all right."

Deputy Supervisor Stark: "He can read the minutes."

Cathy Casey: "True. Let him do the research. He's better at that than I am anyway. I just want him to understand that while this is his business, you know, we all become aware of things as a result of them happening in our backyard and all of a sudden the zoning, or whatever the case may be, so we all need a motivator and sometimes that's what causes people to get up and start saying, well, could we do this? Okay. So I just wanted him to understand. It's his business. He goes through this all the time. We don't."

Councilman Prusinowski: "I think he'll survive."

Cathy Casey: "I hope so."

Deputy Supervisor Stark: "Thank you, Catherine. Bill?"

Bill Roberts: "Bill Roberts, Baiting Hollow. I read with interest a letter appeared in the Wading River Community Journal and I want to

read it, some of the Council members have not read it I'm sure. And it bothers me that it was sent by somebody from the Department of Traffic to the Acting Supervisor. And then it's published-- the letter is published in the news. It's not right.

In meeting with yourself, representatives of the Town and police and with Councilperson H. Gilliam and members of the Wading River Civic Association, we described the objectives and alternatives for the subject project. In each meeting there was general agreement on the advantage of aligning a connector road, Sound Breeze. Although we have made continual efforts to gain assurance of the construction and location of the development road, we are not aware of any firm commitment or permit approved.

In order to meet our project schedule and provide a timely safety improvement, we must proceed without delay. In analyzing the cost, environmental impacts, ease of construction, optimum land utilization, and comments received at our meeting, the preferred alternative is to align the connector road along the property dedicated as Fairview Avenue.

This will require the developer to provide a compatible alignment for his road. Therefore, since there is no approved permit, we request that you require the developer to accommodate our preferred alignment.

This is signed by CP Shepherd (phonetic), Regional Design Engineer, Department of Traffic.

Now, I can't believe-- "

Councilman Creighton: "What's the date on that?"

Bill Roberts: "This appeared in (inaudible) journal."

Councilman Creighton: "No, the date of the original letter. Does it say?"

Bill Roberts: "No. It doesn't say. But it was the edition of May 10th. Community Journal. I can't believe that anybody would be so stupid like that to send a letter like that and that letter then appears published in a newspaper. Something-- somebody really has to be investigated and I fear they may be using this as a dodge, hold us ransom if for-- if that land is not or that road is not placed where they want

it, they then will not proceed with the realignment of Sound Avenue with 15A. So that's a thing that I bring to your attention now."

Deputy Supervisor Stark: "Thank you, Bill."

Bill Roberts: "Two other things."

Deputy Supervisor Stark: "I have to agree with you."

Bill Roberts: "Two other things."

Deputy Supervisor Stark: "That letter-- if it's the same letter that I think, it was also copied to the Board. It was probably sent to me because I'm Acting Supervisor but with copies to the Board."

Bill Roberts: "But then why would the letter appear in the newspaper?"

Councilman Creighton: "We all got copies, I think."

Deputy Supervisor Stark: "I don't know why-- usually a letter appears in the newspaper and the newspaper people are here, by the sender and they verify that the sender did send it, etc., that you don't put anonymous letters in."

Bill Roberts: "All right. This is also on traffic. I spoke to Vic about this."

Councilman Creighton: "Can I just give my opinion and impression on this thing?"

Bill Roberts: "Sure."

Councilman Creighton: "For years, you know, this Town Board has tried to get the State DOT to fix that intersection up there, right?"

Deputy Supervisor Stark: "Yes, about 1980."

Councilman Creighton: "Yes. Many years, decades. And nothing has happened. This development was approved a couple of years ago, the alignment of the road was laid out, and they went ahead and approved the alignment, required it to be at a certain location, and the work has

started, you know. The ground-- the earth moving is done and now the state comes in and says, oh, by the way, our solution is to put in a connecting road which has to align with that road and this one doesn't align where we want to put our connecting road. So get the developer to change it. And we have no basis to do that. We can't. It's too late. You know. So after decades of waiting for them and asking them to do something, they come in after the fact and lay something like this on us and I wouldn't be surprised at all if the intent is to try to use this as an excuse but it won't wash. You know, we don't have any legal basis to force the developer to change that."

Bill Roberts: "If there's any chance that the developer does not get approval for that golf course, then what happens with that piece of property?"

Councilman Creighton: "The road is a part of the subdivision which was approved a long time ago."

Bill Roberts: "But let's say, for some reason or other-- "

Councilman Prusinowski: "This has nothing to do with the golf course."

Bill Roberts: "All right. Okay. All right. Two other things about traffic. The entrance to K-Mart on 58. It's a county road. It never should have been placed there. Because it backs up like crazy there."

Deputy Supervisor Stark: "We should call Peter back quickly."

Bill Roberts: "Because it backs up like crazy over there especially people trying to go-- coming west that try to turn into the K-Mart entrance on 58 rather than on the Turnpike-- Northville Turnpike."

Another dangerous place and Vic told me about this, is the exit from Tanger Mall onto Route 25. I know the money has been allocated, although it's just a matter of construction, but come summertime that's going to be an even worse situation than it is now. People going-- exiting the mall going west, there's not even a yield sign there. They just come barreling right through.

And last thing, with summer traffic exiting off the LIE and with

the Tanger Mall in full swing, maybe then the State will realize that the LIE has to be extended further and not end at exit 73."

Deputy Supervisor Stark: "Thank you, Bill. Is there anybody else in the audience who would like to-- Steve? Dean, you can wander up as you see Steve starting to wind up, please."

Steve Haizlip: "Steve Haizlip of Calverton. In the Reports on Open Bid, what is concern-- considered rather, settling tank to do with in the use of the Town business? I-- "

Councilman Prusinowski: "The settling tank is the sewer plant."

Steve Haizlip: "Oh. All right."

Councilman Prusinowski: "It separates the solids-- some of the solids float up, some of the solids sink to the bottom."

Steve Haizlip: "Okay, Vic, I got it."

Councilman Prusinowski: "Then it's skimmed off."

Steve Haizlip: "Right. Now, under Resolutions, number 327. Maybe I'm under a little apprehension here that something is taking place after the building is already done. I thought that it says about termination of significance of a special permit site plan and a petition at 889 Harrison. That's that new three story over there, right? Behind Taco Bell."

Councilman Creighton: "It's for a sign. A directory sign."

Steve Haizlip: "My goodness. You know, I've said it time and time again why we can't make things simple and plain in this stuff. I've got-- oh gosh, all right. Now-- "

Councilman Prusinowski: "This is for an off premises sign? This is for an off premises sign. The reason why we require a special permit, many, many years ago, was because, Steve, off premises sign, you have to go the property owners to get permission to put the sign on the property. A special permit requires a Public Hearing. So if say a business makes an arrangement with a private property owner, it might impact your property. That's why we have a Public Hearing. In order to have a

special permit you have to make a determination for SEQRA and that's what we're doing. I know it's a big rigamarole for an off premises sign but if somebody puts an off premises sign in front of an intersection where you are and we've talked about it up there, Edwards Avenue and 25, you know, I think it's appropriate that the public have the right to, you know, comment on it."

Steve Haizlip: "I understand it."

Councilman Prusinowski: "People in the neighborhood know better than we."

Steve Haizlip: "I understand all that, Vic. It's just that the Resolution the way it was wrote up. If it's just merely stated about a sign, I wouldn't even ask the question."

Councilman Prusinowski: "That's okay."

Steve Haizlip: "Right. You know I mean that's what I'm saying. Resolutions just don't come out and spell things out too clearly."

Councilman Prusinowski: "That's okay."

Steve Haizlip: "Today I was doing my inspection of the parking lot by Dunkin Donuts and Aids. We're loaded with cans and things again. So I think that your friend should be notified and if nothing-- "

Councilman Prusinowski: "Is it from the auto parts place or is it-- "

Steve Haizlip: "No, it's from Aids. It's oil cans. They get squashed and people run over them and then they put additives in the cars and they drop them. I mean it is really bad consideration of the public to be-- not to have any better scruples than that, just to drop stuff and then let it drain and drip out in there."

On May the 2nd, I couldn't attend the Board meeting and, of course, I don't know when this happened. It probably didn't happen on May the 2nd. I had to go up to Rhode Island and give my son a hand up there with his apartment, so when I got back on Saturday, I think it was the 8th I believe or the 7th whatever it was, I had no more than pulled in my yard 'til I had people coming over and telling me that a trailer went into Tuthill's oil depot, which is now P&G. And they said everybody that was

anybody in the police and all that was down here. Man, they were like buzzards all over. I says, Oh, you know what I'm going to do? I'm going to get me a trailer and I'm going to pull it right up in front of Calverton Deli in that old nasty house with all the crap all over the yard and that there stand there with all kinds of holes and I'll see if I can get some attention. I'm not getting it otherwise, for the Calverton Civic Association.

All right. Now. I know you don't have nothing to do with the election laws, but before I could leave to go up to Maine, I'm sorry Rhode Island, I didn't want to break my trend of being able to vote every year in the school. So I go over and I ask the lady over there about filing an absentee ballot. I say I won't be here because I'm getting a 9:00 ferry and they are not opening until ten. This is the first time that I have ever seen an absentee ballot. I thought that a man's vote and a lady's vote in this country was secret and sacred."

Councilman Prusinowski: "Not absentee ballot."

Steve Haizlip: "Absentee ballot has got it all over, who you are, what you are doing and so on. I think that's not right and of course I said you don't have nothing (inaudible) but I just as Joe started the trend here which is go, Mr. Stark is carrying it on, you can speak about any thing and express your feelings. So, I'm through. Thank you very much."

Deputy Supervisor Stark: "Thank you, Steve. Dean?"

Dean Terchunian: "Good evening. Dean Terchunian from Bear Estates in Riverhead. I'd like to ask the Board on the status of the arbitration and the bond with Two Bears and the Bear Estates issue and that's what I expected when I asked the same question at the work session, I get very little response. In fact, I was told I had seven minutes to speak because you wanted to go out to lunch. It doesn't seem very polite or professional. So I have to-- "

Deputy Supervisor Stark: "I believe that's a misrepresentation right there, Dean, and I take offense to that. I said we were breaking at twelve noon. You had not called and asked for a specific appointment and it was a courtesy of the Board to listen to you that morning."

Dean Terchunian: "Well-- "

Deputy Supervisor Stark: "So don't make a statement-- "

Dean Terchunian: "Well, Mr. Stark, I did speak to three members of the Board and request to be scheduled for the work session and I showed up-- "

Deputy Supervisor Stark: "Scheduling for the work session is done through the Supervisor's office. It is a courtesy of the Board and the Board always sends me a memo asking for subjects to be placed on the agenda."

Dean Terchunian: "So at this time, I'd like to address Mr. Creighton. Mr. Creighton, I believe that you wish to be our next Town Supervisor."

Deputy Supervisor Stark: "Creighton."

Dean Terchunian: "Creighton."

Councilman Creighton: "By the way, which three members of the Board did you ask?"

Dean Terchunian: "Mr. Stark, Mr. Prusinowski, and Mrs. Gilliam."

Councilman Creighton: "Oh, I thought I lost my memory."

Dean Terchunian: "No. I believe you wish to be the next Supervisor of the Town of Riverhead, and what Riverhead really needs is leadership, not reaction but a plan and a path for the future. I ask you to take this opportunity between now and the election to show the people of Riverhead that something can be done about this Bear Estates issue. I should not have to come up here on so many Town Board meetings and request information or come down here and request information. There should be a clear path of communication between the homeowners and the Town. I'd like you to take the next six months and see if we can solve this problem. The bond money is available to the Town. I'd like the Town to take that money and do the corrections to the flooding problems on the nine or 10 properties that the Town has already promised to do, has drawn up the plans, has spent over \$5,000 with Mr. Raynor and has spent about \$1,500 with Mr. Smith in dealing with this situation. Thank you."

Deputy Supervisor Stark: "Thank you. Is there anybody else? If

not, let us take up the Resolutions."

Resolution #319

Councilman Prusinowski: "Calling for a Public Hearing construction of a lateral sewer main in Madison Street. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #320

Deputy Supervisor Stark: "Awards bid for the rehabilitation of settling tank No. 4, the Riverhead Sewer District. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #321

Councilman Creighton: "This approves the application of the Polish Independent Club for erecting of a dance tent on Saturday and Sunday evenings, August 19th and 20th, in conjunction with the Polish Town Fair. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #322

Councilwoman Gilliam: "Authorizes the use of manpower and/or resources to the County of Suffolk for enforcement of Article II of Chapter 270 of the Suffolk County Code - crack houses. This is a provision which would authorize the Town to set up a plan to work in conjunction with Suffolk County law enforcement agencies and the County Attorney and the District Attorney in order to address some of the situations that are occurring at various properties within the Town, illicit activities, drug use, to give us stronger arm of enforcement in addressing these situations. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #323

Councilman Prusinowski: "Retains Malcolm Pirnie to prepare plans to comply with the no-net nitrogen increase (Riverhead Sewer District). So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski?

Councilman Prusinowski: "About five years ago Jimmy and I held out to the very bitter end on authorizing a Resolution for the Peconic Estuary program. As then, as now we were getting bombarded with a lot of criticism as people were threatening us and bullying us and saying you're against the environment. You're against this. And what we wanted was some assurances that when the Estuary program was started, that whatever action plan or recommendations from this group would also follow with some funding if it-- if they made recommendations that turned into mandates.

This is a classic case. And they wonder why we're concerned about

the Pine Barrens. A classic, classic case. Here is a case where the action-- by the way, I live on the water, I'm a boater, I've never seen the bay as clean as it is now and it's a lot of reasons why the bay is getting a lot cleaner. Number one, that the Corwin Duck Farm has stopped discharging since 1989. The Town Board over the last six years, all Town Boards, having been moving in a direction to have denitrification of the primary sewer plant. By the way of which one-third comes from the County of Suffolk County Center is one of our biggest customers. So here we go-- they have identified it as one of the point sources for the Peconic Estuary as a potential site of nitrogen loading in the bay and this is a result. Now they have an action plan. The DEC has voluntarily told the estuary program, yes, we will endorse your findings and we will reduce Riverhead's permit which is now 1.2 million gallons per day down to 650,000 gallons-- by the way, we're discharging 650,000 gallons a day right now.

In order for Riverhead to go back up to that, you must immediately every 20,000 gallons go ahead and implement your \$4,000,000 plan which we already have on the books which we're charging K-Mart, Peconic River Lady, the laundromat across the street, \$6.18 per gallon capital cost one time to collect this money to achieve that goal. So they are going to mandate this to us and naturally there's no money coming along with the mandate.

This is a classic example why we're concerned here, people come in and start threatening us and bullying us and saying we're all for saving the environment. In fact, the Town has already imposed this tax over the last six years and a lot of developers have screamed and yelled but they've paid it, like Mr. Breslin and the Peconic River Lady. Just off the top of my head, because we don't have that many new hookups in the sewer plant.

So we're hiring Malcolm Pirnie. Now we have to spend another \$22,000 in addition to what we're doing to review the new nitrogen standard because this thing was on News 12 last night so I want to kind of get our response out there. We're operating within the State limits on nitrogen loading in the bay. We're making improvements there. We're authorizing \$196,000 tonight, so this is another step. But I just want to make that point clear that this is-- it's a classic. And unfortunately I vote yes on 323."

The Vote (Cont'd.): Stark, yes. The Resolution is adopted.

Deputy Supervisor Stark: "Wait a minute. Did we move that?"

Barbara Grattan: "Yes, you did."

Councilman Prusinowski: "Sure we did."

Deputy Supervisor Stark: "I got lost on that one."

Councilman Prusinowski: "Well, it's been bothering me."

Deputy Supervisor Stark: "Vic is absolutely correct."

Councilman Prusinowski: "And we wrote a big five page memorandum which Ricky spent the time to do before we voted and-- "

Deputy Supervisor Stark: "Yes. No problem."

Councilman Prusinowski: "Okay."

Deputy Supervisor Stark: "Yes, ma'am."

Resolution #324

Deputy Supervisor Stark: "Releases 5% bond of East Wind Country Inn. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #325

Councilman Creighton: "Releases the 5% bond of the REJ Corporation also known as Riverhead Building Supply Corporation for a warehouse. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #326

Councilwoman Gilliam: "Determination of significance of special permit/site plan petition of David Macknee. So moved."

Councilman Creighton: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #327

Councilman Prusinowski: "Determination of significance and authorize the Town Clerk to publish notice of a Public Hearing on the special permit of 889 Harrison Avenue. This is the Taco Bell sign. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #328

Deputy Supervisor Stark: "Without objection of the Board, Resolutions 328 through 346 are appointing summer recreation aides and lifeguards, etc., to our summer programs. Without objection, I will move 328 through 346."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolutions are adopted.

Resolution #347

Councilman Prusinowski: "Approves site plan of Charles R. Hoeg. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #348

Deputy Supervisor Stark: "Appoints Maintenance Mechanics II to Buildings and Grounds. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #349

Councilman Creighton: "This appoints Christopher Schroeher as Maintenance Mechanic II, also in Buildings and Grounds. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #350

Councilwoman Gilliam: "Approves site plan of Riverhead Toyota. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #351

Councilman Prusinowski: "Appoints Provisional Account Clerk Typist in the Accounting Office. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #352

Deputy Supervisor Stark: "Approves the site plan of McGuire's Hearing Aid Center. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #353

Councilman Creighton: "This approves the site plan for Toys "R" Us which is going into the old Meatway facility on Route 58. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #354

Councilwoman Gilliam: "Authorizes Supervisor to execute change order for sewer pump station upgrade project. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #355

Councilman Prusinowski: "Authorizes attendance of police officer to seminar. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #356

Deputy Supervisor Stark: "Authorizes the attendance of Officer Dennis Wynan (phonetic) DARE officer at conference. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #357

Councilman Creighton: "Approves the application of Garsten Motors, Inc. for a tent sale. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #358

Councilwoman Gilliam: "Approves application of Okeanos Ocean Research Foundation for a fund raising event entitled Casino Night to be held on Saturday, June 3, 1995, between 7 and 12. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #359

Councilman Prusinowski: "Approves application of Long Island Maritime Heritage Society. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton?

Councilman Creighton: "I should say that this is for a fund raiser cocktail party between 6 and 9:30 p.m. on June 10th, at Dockside by the Little Jenny (phonetic) in South Jamesport entitled a Night of Romance on the Seas. Yes."

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

Resolution #360

Deputy Supervisor Stark: "Appoints police officer with the Town of Riverhead Police Department. This officer will go to the academy May

2nd, Chief?"

Chief Grattan: "Yes."

Deputy Supervisor Stark: "For the class which will be out, so moved, and the name is Christopher James."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #361

Councilman Creighton: "This authorizes Deputy Supervisor to execute an agreement on behalf of the Town with the Volunteer Ambulance Corps. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "And seconded."

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

Resolution #362

Councilwoman Gilliam: "Appoints additional membership to the Riverhead Hamlet Study Task Force in the name of Dean Terchunian. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #363

Councilman Prusinowski: "Appoints a summer intern to the Town

Attorney's Office. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Deputy Supervisor Stark: "I believe this young lady is going to be a free intern for you, Bobby, isn't she not? Yes. Save the taxpayers some money."

The Vote (Cont'd.): Stark, yes. The Resolution is adopted.

Resolution #364

Deputy Supervisor Stark: "Authorizes the Deputy Supervisor to execute analysis and cost estimate for the restoration service of the Benjamin Corwin house. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #365

Councilman Creighton: "This approves the application of Tanger Factory Outlet Center for a tent ceremony for a grand opening of additional stores. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #366

Councilwoman Gilliam: "Authorizes the Town Clerk to publish and post a help wanted ad for Detention Attendant. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: Can we add an "s" to that attendants? We're seeking more than one. We're seeking to develop a list. Could you correct that Barbara, and then we don't have to-- "

Barbara Grattan: "You want Attendants."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #367

Councilman Prusinowski: "Authorizes the Town Clerk to publish a Public Hearing regarding Chapter 108. Frank, you wanted to table this?"

Councilman Creighton: "I have a problem with the language."

Deputy Supervisor Stark: "Would you make a motion to table Resolution #367? Is there a second to that?"

Councilman Creighton: "So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded to table 367."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution to table.

Resolution #368

Deputy Supervisor Stark: "This is a budget adoption to move some money from the special trust fund, Recreation Fund, to Construction to repair the damage at Ronaoke Landing to regain entrance to the beach for

our local fisherman and bathers. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #369

Councilman Creighton: "This establishes a budget adjustment for a capital project for a Plant 8 site improvement in the Sewer District. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #370

Councilwoman Gilliam: "Authorization to publish bid for janitorial supplies. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #371

Councilman Prusinowski: "Approves site plan of Cross Ready Mix, Inc. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Resolution #372

Deputy Supervisor Stark: "This is a budget adjustment for-- we redid the parking field at Stotzky Park. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Deputy Supervisor Stark: "Is there a motion to pay the bills?"

Councilman Prusinowski: "So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski-- "

(Discussion)

Councilman Prusinowski: "Let's take a five minute recess and just write-- "

Barbara Grattan: "Can I have a vote?"

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

Councilman Prusinowski: "I want to make a motion to have a five minute recess."

Deputy Supervisor Stark: "All right. While-- I see Henry has his hand up. We will take a little relief from the Resolutions. Victor, if you and the Town Attorney would get together and develop-- . At the request of my fellow colleague we will take a five minute recess."

(Recess)

Meeting called to order at 8:30 p.m.

Deputy Supervisor Stark: "Why don't you go ahead?"

Henry Pfeiffer: "You can extract the most important part of my statement and pass it along to Mr. Creighton if you will. Henry Pfeiffer, Wading River. All I wanted to do really very briefly, to call your attention to two important occasions that are occurring at the tail end of this month. The first of which is the Memorial Day ceremony sponsored by the Department of Veterans Affairs to be held at the Calverton National Cemetery at 1:00 p.m. on the 29th of May, which is where we are celebrating Memorial Day. There are quite a few of us World War II people about. You remember World War II? It was in all the local papers. Remember?"

Deputy Supervisor Stark: "That's my birthday, May 29th."

Henry Pfeiffer: "Congratulations. Another 39 year old."

Deputy Supervisor Stark: "I'm not so sure about that."

Henry Pfeiffer: "Well, you know, the nice thing is if you watch your health, eat well, diet properly, get to bed on time, and so forth, you may get over that business of being young."

Deputy Supervisor Stark: "That is true."

Henry Pfeiffer: "Okay. The second one is the Golden Donors Blood Drive which takes place at the Ramada Inn on Route 25 on the 30th, between 8:30 and 2:00 p.m. We're very short-- that is the-- "

Deputy Supervisor Stark: "I would ask the press to cooperate with you. If you would put a blurb in the paper for Henry and their group."

Henry Pfeiffer: "Yes. There's quite a bit of-- "

Deputy Supervisor Stark: "All three papers that are here, plus it will now be on Cablevision for the next two to three weeks."

Henry Pfeiffer: "Thank you very much if you will do that. I'd

like to call your attention to the fact that they no longer take all of your blood. They take it out in one arm. They take out the platelets and they put the DNA and the rest of the stuff back in the other arm. So you will only be short a few platelets. But we do really need the blood and we'd be happy to have you there. I and-- "

Deputy Supervisor Stark: "Steve Haizlip."

Henry Pfeiffer: "-- will be there. Thank you."

Deputy Supervisor Stark: "Thank you. Let us continue taking up the Resolutions. I believe we have a Resolution in front of us. Victor would you or somebody like to move-- this would be Resolution-- "

Barbara Grattan: "374."

Deputy Supervisor Stark: "374. Victor?"

Councilman Prusinowski: "Authorizing the naming of a private road in Riverhead to Tara Lane. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

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

Deputy Supervisor Stark: "I believe we have a Resolution that has been sitting on the table."

Barbara Grattan: "Yes. I have it right here."

Deputy Supervisor Stark: "Would you give that to me, Barbara."

Barbara Grattan: "I don't know if I have copies of it for everybody."

Deputy Supervisor Stark: "There is a Resolution #273 that has tabled. Is there anybody who is willing to make a motion to retrieve this from the table?"

Councilman Prusinowski: "So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, no; Creighton, yes; Prusinowski, yes; Stark, yes. This Resolution is adopted.

Deputy Supervisor Stark: "Bobby, do you have some-- "

Barbara Grattan: "Off the table. That's right."

Deputy Supervisor Stark: "This is tabled 273 has been brought off the table. I would offer an amendment to Resolution #273 in the first Whereas paragraph substituting the word final plat for preliminary approval-- final plat approval for the word preliminary. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Any discussion? Moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "I'm voting no again with regard to my position on the Sound Breeze subdivision. I believe that the approval of the overlay was premature and there have been subsequent correspondence from New York State DOT referencing request or requirements for a final environmental impact statement and I think before we go any further I had asked the Board for a response to DOT letters and I haven't gotten any."

I think before we go any further in solidifying this project we need to get those issues resolved. I vote no."

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

Councilman Prusinowski: "I move to take Resolution #273 off the table."

Deputy Supervisor Stark: "No, I just did that."

Councilman Prusinowski: "Oh. And I want to make one other

Resolution here. Since January 16th of this year, Jim Stark has stepped in and performed the duties of Supervisor of the Town of Riverhead. Previous to that, we've compensated him by giving him an additional \$20,000 on top of his Town Board salary and I believe that it's only fair and just that he be compensated the amount of money that the Supervisor should be paid. He's here every single day. He has turned over his business to an outside agent. And he performs the duties and I believe that it's time that we compensate him. So I would like to just call off the top of my head Resolution #375 to authorize the Deputy Supervisor salary to \$43,001 effective January 16th, 1995. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "I'm voting on the matter of principle. The position of Deputy Supervisor is not the same as the position of Supervisor. While Mr. Stark may be filling in in that capacity he was not chosen nor elected by the people of the Town of Riverhead to serve in that capacity and I believe that those two things go hand in hand. If an individual is elected to serve in that position and the salary has been designated for that position, then it would be appropriate. But in this case, there was no such election or selection by the majority of the people in the Town of Riverhead and it's not for the same position. It's Deputy Supervisor as opposed to Supervisor. So I vote no."

The Vote (Cont'd.): Creighton?

Councilman Creighton: "I think it's a tough job and a lot of things have been done here in the Town of Riverhead that took a great deal of leadership and hard work on the part of this Town Board and I think that the Acting Supervisor deserves to get compensated for his work in that area. So I vote yes."

The Vote (Cont'd.): Prusinowski?

Councilman Prusinowski: "In the Town of Southampton they have a Town law that says in the event that a Supervisor is absent from his duties or is out of Town for 10 days, and that Deputy Supervisor performs those duties after 10 days, that the Deputy Supervisor shall be compensated

for that. Our sister town to the south, Southampton, we are in a very unique position. As I was talking to some of their Board members. We've had four member Boards on and off for the last four years, you know, sometimes they were at full strength, sometimes we were. And it's a unique situation. There's no question that Jimmy stepped in. This is the time of year, I know, like today he'd love to go out and play golf. I was-- down at work on my boat this afternoon, but he was in the office doing the job and I've got to say, Jimmy, I've been here a long time and you are doing one hell of a job. And I want to personally thank you on behalf of myself and the rest of the Town and the Board and I absolutely vote yes."

Deputy Supervisor Stark: "Thank you, Victor. In a minute Alice."

Councilman Prusinowski: "You've got to vote."

Deputy Supervisor Stark: "I'm going to vote. The-- if I may make some comment first. I feel that the office of the Supervisor's integrity must be kept. It's very difficult to find qualified people who, in fact, want to run for that position. I have been sitting in Joe's office since January 16. I find no gold in there. I find no oil in there. I find a lot of hard work and a lot of aggravation and I see a smile on former Supervisor Allen Smith's face. It is a tough job. We need a Supervisor. I am the Acting Supervisor by law now. I have no problem fulfilling my commitment that I gave to Joe when he asked me to become Deputy Supervisor."

I will have to be honest that at the time I didn't know he was going to have five heart attacks and I was going to end up basically running the show for almost a year and a half in that office. I do it with great pride. I do it with a sense of responsibility to this community. Even if it takes my yes vote in order to maintain the integrity of the Supervisor's office of which my fellow colleague ran for last year, then I will do that and I vote yes, and whoever takes over this position comes November, December, whenever they are certified or he or she, I hope that the entire Board continues to hold the respect for the Supervisor's office because that is the leader of the community, the governmental community, it should be treated with that respect. So I vote yes."

Barbara Grattan: The Resolution is adopted.

Councilman Prusinowski: "Jim, one point, too, it's my position and I know Jimmy and I have spoken about it, is that whoever the winner of the election is come November, as soon as they are certified by the Board of Elections, I intend to introduce a Resolution appointing that person immediately upon receiving that piece of paper from the Board of Elections so that they can jump start as Supervisor in November. And that, I think, is appropriate because I think the Town needs a full time Supervisor and I think that the voters would have spoken by then. There will definitely be five members to the Board or at that point there might only be four, but there will be five come January, and the bottom line is that I think that's appropriate and that's what I intend to do at that time and by that time the voters will have spoken and it should be an interesting election."

Deputy Supervisor Stark: "I know for one thing come January 1, we will have a full Board of five members."

Alice, did you want to say something before we call-- "

Alice Graff: "Well, it's just that supposing somebody came-- "

Deputy Supervisor Stark: "Alice, would you come up to the microphone, please, for the record? Thank you."

Alice Graff: "I agree with your salary increase because supposing, just supposing somebody was elected for the next term that actually had no experience whatsoever and they were automatically granted that Supervisor's salary? I think that would be the horrendous thing. You have had the experience. You deserve the salary."

Deputy Supervisor Stark: "Whoever is elected I'm sure the Board will continue to cooperate in a compatible and continuity way in order for the benefit of the Town of Riverhead, not our own self (inaudible), but for the Town of Riverhead. Bill, last comment. Then we can call it even and go watch the Rangers."

Bill Roberts: "One thing. Why don't we follow the example of the Town of Southampton that in the event that the Supervisor is incapacitated for any reason whatsoever for a certain period of time, there will be and he will be designated the Acting-- or the Deputy Supervisor and he will take over and he will be earning the money that the Supervisor would get."

Deputy Supervisor Stark: "That certainly is something that I will consider to propose in January is the election of the new Supervisor to name their Deputy Supervisor. They must do it within five days of election."

Bill Roberts: "But I feel we should have the-- "

Deputy Supervisor Stark: "-- after January 1 and then if not the Board can do it."

Councilman Prusinowski: "They have it in Town law."

Bill Roberts: "Yes. That's what I'm saying."

Deputy Supervisor Stark: "No problem. Without objection, this meeting is closed."

Meeting adjourned: 8:40 p.m.

Barbara Hutton
Town Clerk