

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York on Tuesday, June 4, 1985 at 7:30 p.m.

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

Also Present: Richard Ehlers, Town Attorney

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

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

RESOLVED, that the Minutes of Regular Board Meetings held on May 7 and May 21, 1985 and Minutes of Special Board Meeting held on May 30, 1985 are dispensed without objection and be approved.

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

The resolution was thereupon duly declared adopted.

#### BILLS

Bills submitted on abstract dated June 4, 1985 as follows:

General Town	\$562,665.42
PM	78.25
Highway	120,197.50
Capital Projects	174,765.01
SL	22,967.86
CF	3,367.79
Small Cities	962,336.36

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

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

General Town	\$562,665.42
PM	78.25
Highway	120,197.50
Capital Projects	174,765.01
SL	22,967.86
CF	3,367.79
Small Cities	962,336.36

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Some of the heads of the departments of government are here this evening should anyone have any questions of them. Reports Mrs. Pendzick."

REPORTS

- v Open Bid Report-Meter Vaults for Water District.  
(See Water District Minutes) Filed.
- Long Island Regional Planning Bd., "The Journey to Work to Major Employment Centers - 1984". Filed.
- Tax Receiver-Report of collections as of May 22 and May 31, 1985 - \$19,839,174.24. Filed.
- Town Clerk-Report of collections for month of May, 1985 \$15,595.39. Filed.

Supervisor Janoski, "Thank you Mrs. Pendzick. Applications and Petitions."

APPLICATIONS AND PETITIONS

- Petition-101 Signatures of residents of Jamesport, Aquebogue, South Jamesport and Laurel requesting feasibility study for water in area. Filed.
- Site Plan-Stanley Steckis, for addition to building in Manorville. Filed.
- Special Permit-Ronnie Lazrovitch to put modular home on 2 lots in R&R Mobile Home Park, Route 58. Filed.
- Sign Permit-Suffolk Lighting Supply on s/w corner of Northville Turnpike and Sound Avenue. Filed.
- Special Permit-B.J. Heavy Equipment Co., to construct and operate a business in Calverton. Filed.
- Special Permit-Douglas Miller to construct and operate a machine shop on Pulaski Street. Filed.

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

- Southampton Town, 5/29/85-Resolution for enhanced 911 emergency calling service on East End. Filed.
- Riverhead Fire District, 5/22/85-Advising that traffic conditions at 4 corners of Hamilton Avenue and Pulaski Street have become intolerable. Filed.

Supervisor Janoski, "Thank you Mrs. Pendzick. The time for the first public hearing has not yet arrived. Under Unfinished Business:

UNFINISHED BUSINESS

Kimbrooke Enterprises-Special Permit for condominiums on Sound Avenue. They are before the Planning Board.

George Nunnara-Site Plan for storage of gas/welding supplies. That is before the Town Board.

Steve Tsontakis-Site Plan for gas station facade, Route 25 and 25A. The Town Board will probably take action on this at the next Town Board meeting.

Riverhead Honda-Site Plan for office building on Route 58. There is a resolution addressing the site plan of that this evening.

Suffolk Tool and Die Corp.-Special Permit for new building in Manorville. We will be calling a public hearing on that this evening.

633 Associates-Site Plan for office building, 633 Main St.

Suffolk Tool and Die Corp.-Special Permit."

Supervisor Janoski, "There is about 10 minutes before the first public hearing. Is there anyone who wishes to address the Board on any subject? Sherry Johnson."

Sherry Johnson, Manorville, "In the recent week there has been a rash of preservation orientated articles in the newspapers. Most of them have been stories about environmental concerns and tells what different towns are doing or aren't doing about them. Some of the headlines were: "A wide angle look at patent paradise", "Brookhaven mulls new rezoning to protect recharge area", Islip to preserve 3.5 mile creek area". And as recent as yesterday; Easthampton voters approve 6.3 million dollar Grace Estate purchase. So many towns are acting now to preserve their fragile and environmental areas. I feel that Riverhead is missing the bus on this issue and I would like to read the following statement outlining my concerns. In the past year I have become increasingly concerned about Long Island's pine barrens and their preservation. I have closely followed the efforts made by the County and our neighboring towns in an attempt to preserve open space and have applauded the tremendous accomplishments made. Southampton has increased the minimum lot size to 5-acres throughout their pine barrens. Brookhaven, while opposing Article 7, previously upzoned 30,000 acres to 2-acre residential zoning and is not making plans to further protect the "extremely" sensitive central pine barrens area by updating their Master Plan for the northeastern corner of their town. A small portion of this sensitive area is in the Town of Riverhead and carries zoning designations that are not environmentally compatible with this area.

PERSONAL APPEARANCES ContinuedSherry Johnson, Continued

Immediate steps should be taken by Riverhead to limit and correctly direct the future development of this area. By establishing a town pine barrens policy you will not only be protecting the pine barrens, but also the headwaters of the main pine barrens river. Otherwise much of the Peconic wetland basin will be left vulnerable as it will not be included in the management plan when the river receives its state designation under the wild, scenic and recreational rivers act. In view of Riverhead's standing on Article 7, the adoption of its own strict regulations governing the development of its pine barrens should be put into effect as soon as possible. The excuse that preservation of the watershed area will only benefit the western towns is ridiculous. There is more involved in warding off Selden than landscaped shopping centers and properly planned commercial, business and professional districts along Route 58. We must preserve our woodlands and wetlands as well as our farmland. Open-space preservation in Riverhead's pine barrens cannot be put off. It must be planned for now before the area begins to experience strong development pressures. Land use changes that should be made include; increased minimum lot size, mandatory cluster-development of major sub-divisions and zoning changes that will direct development away from industrial use. I would also like to extend my concern for wetland areas in other parts of the town. These areas should be reviewed and a comprehensive plan drawn up to protect the natural drainage ways and wildlife habitat they provide. An environmental overlay, fashioned after the existing P.B. Overlay, could be added to the zoning code. It would be helpful in limiting development in these areas. Also consideration should be given to subtracting wetlands from total acreage to leave only buildable land thus lowering the density of these areas further. This matter also needs immediate attention as many such areas are already involved in proposals before various town agencies. Following the state environmental laws is not enough. The town's policies need review and strengthening. Riverhead is lacking strong commitment in this area. I hope that some positive changes will be forthcoming."

Supervisor Janoski, "Stay right there for a minute. Sherry, I appreciate your point of view. I take offense to some of the things you have to say because...."

Sherry Johnson, "I'm sure you would."

Supervisor Janoski, "We've done some things to the town to try to make provision for the future in planning. We were the first town on eastern Long Island to have a coastal management plan. We are involved in rezoning at the present time and we'll do some rezoning tonight. We have mapped the entire wetlands of the Town of Riverhead. Probably the only town in Suffolk County to do so. Making provision for their protection. And I could probably go on and on and on to things that we've done. Now, Sherry, you don't own the property and it's easy for you to stand at that microphone and say this is what somebody else should do with their property."

PERSONAL APPEARANCES Continued

Sherry Johnson, "I realize that."

Supervisor Janoski, "And I hope that you do. We are involved in Master Plan revisions. We are trying to protect the environment. The area that you talked about that is zoned industrial is zoned industrial for a reason and it is because of the existence of Grumman Aviation."

Sherry Johnson, "That's not an excuse. That's not a good enough excuse."

Supervisor Janoski, "I listened to you very kindly. Now will you listen to me? We have no choice. I am not giving you an excuse. We have no choice. There is no other permitted use allowed in that area around Grumman. It is a federally zoned area. We are going to try to take some steps to deal with that. Mr. Town Attorney and I have talked about it because we do have a great deal of industrial zoned land in that area. The Town Board is working on the 25A corridor which is largely industrially zoned with the idea of reducing the industrial zoned acreage. So what I'm saying to you is you don't really.... You show up here every Tuesday night or every other Tuesday. You're really not that much involved in what discussions are going on, what work has been done, what work is planned to be done. So don't stand there from that point of view and say that we're not doing anything. We are doing something but we also have to recognize that there are certain problems. You with your good intentions, would like to tell somebody else what they can do with their property and I think that's fine because you have the benefit of the community at heart. But we do have this thing that we have to be concerned about and that's private property rights. If I told you that you could not live on your property because your cesspool is contaminating the ground water, I think that you would be offended by that but it happens to be true. You are probably contaminating the ground water more than the industry which is right down the street (S.A.S. Gaskets) because they must comply with existing Article 12 provisions and will now have to deal with Article 7 and that's a simple fact. Do you have a dog? Contaminating the ground the water. One of the largest single sources of contamination in Suffolk County is not industry. It happens to be animals. When you make your lawn green with the fertilizer, you are contaminating the ground water. The industry up the street is complying with regulations which are very stringent and that's basically what I have to say about that."

Sherry Johnson, "Could you please give me some specifics in what you've done in the past year?"

Supervisor Janoski, "That stuff is being prepared actually because of a Newsday article but some of the things that I have mentioned we have done. Coastal zone management plan, I believe was the first one to be filed with the department of state of New York. The rezoning that we are underway with. The studies that are underway in Wading River. The Aquebogue area. The mapping

PERSONAL APPEARANCES ContinuedSupervisor Janoski, Continued

of the wetlands which was a very intensive undertaking that we have done. And now when somebody wants to come in and develop something, we have these maps and we are fully aware of where the wetlands are and take that into account."

Sherry Johnson, "Will you do anything.... Will the plans include anything that will try to ease the development away from the wetland areas?"

Supervisor Janoski, "Absolutely. The D.E.C. has jurisdiction over that."

Sherry Johnson, "When do you expect this to go into effect?"

Supervisor Janoski, "It is in effect Sherry. That's what I'm telling you. These things are done. What I'm saying is that you're not aware of things that are being done and that's why I think you should not be condemning the five people who are up here because we are doing something."

Sherry Johnson, "I didn't condemn them."

Supervisor Janoski, "The phraseology that you used wasn't quite flattering."

Sherry Johnson, "Will I'm sorry. No personal offense."

Supervisor Janoski, "Thank you Sherry."

Irene Pendzick, "Sherry would it be possible for me to have a copy of your statement?"

Supervisor Janoski, "And we filled up all but 2 minutes of that. Let the record show that the hour of 7:45 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, June 4, 1985 at 7:45 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Proposed Addition to Section 101-3 of Vehicle and Traffic Code "Stop and Yield Intersections".

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

Richard Ehlers, "This is a continuation of Superintendent Bloss' efforts with the Police Department to get the Town Code to correctly reflect the stop and yield signs throughout the town as well as provide for those additional signs that would be needed."

Supervisor Janoski, "Thank you. Is there anyone who wishes to address the Town Board? Yes sir."

PUBLIC HEARING Continued

Bob Skinner, Wading River, "Good evening. For reasons that I outlined more explicitly (which I won't go into) at the previous hearing when they wanted to make the stop signs at Herrods Point Road yield signs. I'd just like to say I'm in favor of this for keeping the present signs (stop signs) make them legal etc., etc. Thank you."

Supervisor Janoski, "Steve did I see your hand?"

Steve Haizlip, Calverton, "Mr. Janoski and the other Board members. As I travel around the road whether it be the Long Island Expressway or the County roads or town roads or what have you, I see people when they come up to the sign. It's a momentary thing and they zip right off. Especially the exit at 71 coming off 495 going down to the court house. I believe that these signs should definitely have the word "full stop" because its an interpretation of one's opinion of how long you're going to make the stop. Whether it's one second, 2 seconds, or 3 or 4. In other words, come up there long enough to stop. And I think the word "full" should be there. That is just my opinion and I want to put that in."

Supervisor Janoski, "Thank you Steve. Is there anyone else who wishes to address the Board on the matter of vehicle and traffic signs? That being the case and without objection, I declare the hearing closed."

7:45 PUBLIC HEARING CLOSED AT 7:48

Supervisor Janoski, "Is there anyone who wishes to address the Board on any subject? Let's not argue about it."

Steve Haizlip, "Mr. Janoski, I would like to address Mr. Boschetti. I read in the paper where he was very concerned about the D.E.C. going up to Hofstra and announcing through the back door and saying that we're going to come out to Riverhead Town and then dump that ash on the Long Island Lighting. Well Mr. Boschetti, I'm not an elected official and I don't have to be nice and say it the way you did. I'm saying that we're getting stuck in the back."

Councilman Boschetti, "Thank you Steve."

Supervisor Janoski, "Mr. Kasperovich. Did you wish to address the Board?"

William Kasperovich, "Gentlemen, last Town Board Meeting after due deliberation and pondering, I got up here and talked about liquefied petroleum gas. Yesterday I came here to the Town Hall and I talked to Councilman Artale where this matter stood. This evening I see resolution #419 and of course, I have to get on my knees and beg for a copy of the resolutions because the Town Clerk doesn't put anything out for the residents or the taxpayers. She just takes care of the press and the people who live here have to fend for themselves. And since she didn't like my telling it to her, she said say it in public. I now here say it in public. Democratic or Republican, the politicals have a

PERSONAL APPEARANCES ContinuedWilliam Kasperovich, Continued

strange, weird attitude towards the people that live here. So I went through resolution 419 and I don't find anything changed. When I talked to Councilman Artale, he said it was sent back to the commissioners and there was no indication that other people were being concerned and there was no indication that it was going to be passed upon this evening. That was yesterday. I don't know what the h--- the big sweat is about pushing this through. I've introduced a very basic simple item as being leaking wells. I suggested a change in wordage which is basic, fundamental and technically correct. No concern whatsoever. Ok. That I thought was a simple enough item for people to understand. But now when you come to safety, when you come to safety measures, when you come to fire equipment, portable temporary permanent, when it comes to installations related to the hydrants in the township. That is a subject of another magnitude. And the omission of coverage in that area to me, just brings the integrity of you gentlemen down to the soles of my shoes. The words that ring through my head right now for this type of thing, can't be uttered in public. You damn well what I think of this kind of thing. Now, it's bad enough that you deal on things that you know nothing about. But when somebody clues you in on things you should take another look at, and you don't allow enough time to go for any rapport or any backwatering or any reconsideration and you sure as h--- are not representing your constituents. I do not believe that we should find.... That we only do anything when blood runs down the street. I believe that we do things to the best of our abilities and the best of our intelligence that the good lord gave us that we prevent any such things. Now what the h--- is the big rush to push this through and yet I didn't see anything of any reconsideration. That's enough on that subject. The public hearings require enough information to be made to the public so that the public could understand and what the subject matter is and how it was arrived at, by what premise or basis it came to pass and who was sponsoring it and who feels strongly in favor or not in favor so that the people who live here would know who to talk to. When our resolutions come and you bring in an expert who in the scavenger waste system public hearing, presented outlandish exaggerated figures. He had his representative stand up here and lie...."

Supervisor Janoski, "Bill, your five minutes are up and I have to start another public hearing. I will recognize you again later."

William Kasperovich, "Thank you. I'll be back."

Supervisor Janoski, "Let the record show that the hour of 7:55 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, June 4, 1985 at 7:55 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Proposed Amendment to Chapter 108-73C of the Riverhead Town Code Regarding Permits.

Supervisor Janoski, "Mr. Town Attorney."

Richard Ehlers, "The Building Department had requested that the Town Board consider extending the period within which they must determine a building permit from 5 days to 10 working days. There was additional concern that clearly state that only completed applications would have to be considered within the ten day period giving them clear latitude to reject incomplete applications. This was the subject of a lawsuit some months ago which we prevailed on. But in order to make everything perfectly clear to the public, we thought it best to include the language "completed applications". Additionally, the amendment recognizes the current law from a case out in Easthampton which is determined at the SEQRA process, must be completed before any time periods can begin to run. So we also indicate that the SEQRA process needs to be completed before the application is complete and before the ten day process would begin."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone who wishes to address the Board on that subject? Mr. Kasperovich."

William Kasperovich, "This has been long over due and is certainly proper and correct for what ever time of period it comes, there is a need. There's one aspect of this that should be taken into consideration. And it's because we don't have that many large construction projects that require analysis or research or study in examining the plans submitted, we have played it over the last 20 or 30 years as catch as catch can. Now, when you spell out 10 days, you could have a roll of prints that would take 10 days to go through and to have this submitted prior to a 99% completed application, there should be room for that sort of thing. That the paperwork and the construction plans are given the full period and the other as some allowance. Of course, taking into consideration that no further building plans will be added too. The amendments will only come by the requests of the Building Department. And so that these large rolls of prints that come in, the Building Department can use to their advantage the full ten days. Because if it comes in at peak period, even ten days is not a long time. Now, we don't have that many construction projects in the township that, if we're going to rewrite this, we should make allowance for such things. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board? Steve."

PUBLIC HEARING Continued

Steve Haizlip, "Mr. Ehlers, could I prevail upon you to ask you what did you say there? "Sequence or "sequequence? I didn't quite understand that particular phrase? That's what I want to get cleared up."

Richard Ehlers, "The state law that requires an environmental procedure that involves the impact statement (if there is one necessary) or the determination that it is not a significant impact on the environment. You probably heard those phrases in resolutions that the Board has passed from time to time. Whenever a building permit application is made."

Supervisor Janoski, "I was just going to say that SEQRA stands for State Environmental Quality Review Act and that's what he said."

Steve Haizlip, "Ok. No. I wanted a definition of that particular word. Ok. Thank you."

Supervisor Janoski, "Attorneys always have to go on and on. Is there anyone else who wishes to address the Board on the subject of permits? That being the case and without objection, I declare the hearing closed."

7:55 PUBLIC HEARING CLOSED AT 8:00

Supervisor Janoski, "Mr. Kasperovich, would you like the opportunity to continue your dialogue of before?"

William Kasperovich, "Continuing his so called dialogue on the subject of public hearings. The only way the public can give input into a public hearing of any meaning or consequence, is when they could inform themselves of what the matter is at hand. If this matter is not made available, it is not filed with the Town Clerk, there is no way for that matter to be established as a basis...."

TAPE ENDED

William Kasperovich, "We have in the past, introduced people like Sam McLendon, expert engineer in water and sewage engineering and question and answer periods to people like Mr. McLendon. But then when question comes up, permanent proper and correct, the question is disallowed. Now with this procedure changed, that the information can not be caught up at the Town Board hearing, (at the public hearing) then the only thing the public has to do is stand on their rights that the public hearing legal only when information has been made public. And without that, the public hearing is improper and illegal. Now, it's disturbing to have to bring to light that for what ever reasons, (expedience or otherwise) that the Town Board has taken to modify the things that the public is entitled to. It's obvious that it leads to no good. Now, the subject at hand at the time that this question was disallowed, was water district 26, running a pipeline down Sound Avenue

PERSONAL APPEARANCES ContinuedWilliam Kasperovich, Continued

from around the Country Club turn off at Fresh Pond Road and the possibly branch out to the Thurm's Estate Mobile Homes. However water is gotten to the people, even if you build large umbrellas and collect the rain and store it for the people. It's not for me to judge. But it is for me to see that what is going to be done and what the intentions are and what is involved in such a matter has gotten into. This happens to be a case where it's not a clean cut cost matter. There are other things that are on the fringes. And as long as the people are informed and advised of such things, then people can chose for themselves. But when you just draw a boundary of the area and you show a pipeline down Sound Avenue and nothing else, then I say you're holding back information from the public making the public hearing improper and illegal."

Supervisor Janoski, "Thank you Mr. Kasperovich. Let the record show that the hour of 8:05 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, June 4, 1985 at 8:05 p.m. at Riverhead Town Hall, to hear all interested persons regarding: Special Permit Application of Bruce Militello to construct a 3,500 Square Foot/1-story Professional building on the south side of Route 25, Aquebogue.

Supervisor Janoski, "Thank you Mrs. Pendzick. Is there anyone present representing the applicant?"

Bruce Militello, Hampton Bays, "Good evening."

Supervisor Janoski, "Bruce, identify yourself and your address."

Bruce Militello, "I live at 11A, Flocee Lane, Hampton Bays."

Supervisor Janoski, "Ok Bruce. What you should do at this time is to present to the Board and to the public, present your project, what you propose to do, where you propose to do it and see if there is any comment on the proposal."

Bruce Militello, "I have a 2 and 3 quarter acre piece of property on the south side of Route 25 in Aquebogue just west of Broad Avenue. I plan to put up a 3,500 square foot professional building. The outside (presumably) will be of brushed aluminum and mirrored glass. One part of it will be 10 foot high and the second part of it 14 foot high. Well within the 15 foot restrictions. We are leaving the area very wooded and it should blend in very beautifully with the area. The type of tenants I expect to induce to be there.... Well one would be myself, being a developer and the others would be of the professional state where there business would be by appointment only and you wouldn't have a retail type of coming and going type of business."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you Bruce."

Bruce Militello, "Thank you."

Supervisor Janoski, "Is there anyone who wishes to address the Board on this proposal? That being the case and without objection, I declare the hearing closed."

8:05 PUBLIC HEARING CLOSED AT 8:08

Supervisor Janoski, "Let's do some resolutions."

RESOLUTIONS

#398 AUTHORIZES TIME AND ONE HALF OVERTIME FOR SEWER DISTRICT.

(See Sewer District Minutes)

#399 AUTHORIZES OVERTIME COMPENSATION FOR WATER DISTRICT.

(See Water District Minutes)

#400 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF RONNIE LAZROVITCH.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to special permit application of Ronnie Lazrovitch to amend the previously granted permit for the expansion of a mobile home park at 235 Route 58 in Riverhead, New York, to permit five (5) mobile homes instead of the six (6) previously granted as filed with the Town Clerk, and be it further

RESOLVED, that the Town Clerk mail copies of said notice to property owners within five hundred (500) feet of said premises.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 18th day of June, 1985, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following special permit application of Ronnie Lazrovitch to amend the previously granted permit for the expansion of a mobile home park at 235 Route 58 in Riverhead, New York to permit five (5) mobile homes instead of six (6) previously granted as filed with the Town Clerk.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#401 AUTHORIZES APPOINTMENT OF PARK ATTENDANTS TO RIVERHEAD RECREATION DEPARTMENT.

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

RESOLVED, that Terence O'Shea is hereby appointed to serve as Park Attendant effective May 21, 1985 to and including September 6, 1985, to be paid bi-weekly at the hourly rate of \$4.25 and to serve at the pleasure of the Town Board, and

BE IT FURTHER RESOLVED, that Lynn Rosenblad is hereby appointed to serve as Park Attendant effective June 24, 1985 to and including September 6, 1985, to be paid bi-weekly at the hourly rate of \$4.25 and to serve at the pleasure of the Town Board.

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

The resolution was thereupon duly declared adopted.

#402 BUDGET ADOPTION - EXTENSION 29 CAPITAL PROJECT.

(See Water District Minutes)

#403 BUDGET ADOPTION - EXTENSION 30 CAPITAL PROJECT.

(See Water District Minutes)

#404 TRANSFER OF FUNDS - WATER DISTRICT.

(See Water District Minutes)

#405 TRANSFER OF FUNDS - GENERAL TOWN.

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

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

<u>GENERAL TOWN</u>	<u>FROM</u>	<u>TO</u>
A1625.404 Capital Improvements	\$2,000.00	2,000.00
A1625.200 Equipment		
A3120.202 Microfilm	150.00	150.00
A3120.402 Ammunition		

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#406 BUDGET ADJUSTMENT - GENERAL TOWN.

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

RESOLVED, that the Supervisor be and hereby is authorizing the following Budget Adjustment:

GENERAL TOWN

	<u>FROM</u>	<u>TO</u>
A3510.460 Building Repairs Dog Warden	\$1,500.00	
A3510.410 Propane Gas Dog Warden		\$1,500.00
A3510.450 Vet Care Dog Warden		500.00

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

The resolution was thereupon duly declared adopted.

#407 AUTHORIZES OVERTIME COMPENSATION - ACCOUNTING DEPARTMENT.

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

RESOLVED, that the following employee of the Riverhead Accounting Department be paid time and one-half overtime compensation:

Victoria Vourakis - 10.25 hrs. @\$14.6998 \$150.67

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

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:15 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:15 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday June 4, 1985 at 8:15 p.m. at Riverhead Town Hall to hear all interested persons regarding the Special Permit Application of Ovas Realty to conduct a Wholesale Business with Accessory Retail Shop Use.

PUBLIC HEARING Continued

Supervisor Janoski, "This hearing which was scheduled by a resolution at the previous Town Board meeting, will be adjourned for 2 weeks in that this evening we will be taking corrective action on a resolution that we will be passing this evening concerning the public hearing which will be held at the next Town Board meeting. So that being said, let us continue with the resolutions."

8:15 PUBLIC HEARING ADJOURNED UNTIL JUNE 17 BOARD MEETING.

Supervisor Janoski, "I see the applicants in the back of the room. The Town Attorney advises me that your attorney was informed today. In the public notice that was published, there was a confusion of 2 things that you have going on. The expansion of your building and this special permit application and it was mistakenly public notice as a construction hearing that we were going to have this evening. So we have to republish and correct that."

RESOLUTIONS#408 APPROVES SITE PLAN OF STANLEY STECKIS.

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

WHEREAS, a site plan and elevations were submitted by Stanley Steckis for a building permit for an addition to a building for manufacture of gaskets at Wading River-Manor Road in Manorville, New York, prepared by Glueckert and Wieber, Architects dated May 15, 1985, May 16, 1985 and May 21, 1985

WHEREAS, this Town Board has reviewed the site plan and elevations submitted as prepared by Glueckert and Wieber, Architects dated May 15, 1985, May 16, 1985 and May 21, 1985.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Stanley Steckis for a building permit for the addition to a building for manufacture of gaskets at Wading River-Manor Road in Manorville, New York, as prepared by Glueckert and Wieber, Architects, dated May 15, 1985, May 16, 1985 and May 21, 1985, be and is hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.
3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

RESOLUTIONS Continued

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

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

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

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

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

9. Subject to Suffolk County curbcut approval if necessary.

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Stanley Steckis and the Riverhead Building Department.

## DECLARATION AND COVENANT

THIS DECLARATION made the \_\_\_\_\_ day of \_\_\_\_\_, 1985, by Stanley Steckis, residing at \_\_\_\_\_, Declarant.

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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



RESOLUTIONS Continued#409 APPROVES SITE PLAN OF RIVERHEAD HONDA (J.C.R. REALTY CORP).

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

WHEREAS, a site plan was submitted by Riverhead Honda for a retail sales establishment to be located at corner of Harrison Avenue and Old Country Road in Riverhead, New York, and

WHEREAS, this Town Board has reviewed the site plan and elevation submitted as prepared by Donald A. Denis, Architect, dated January 4, 1985, and

WHEREAS, J.C.R. Realty Corp. did seek and obtain on April 11, 1985, a variance to erect a building with a rear yard depth of five (5) feet instead of the required fifty (50) feet; also requesting permission to use the required fifteen (15) foot unoccupied area in the front yard for parking.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Riverhead Honda for a retail sales establishment to be located at the corner of Harrison Avenue and Old Country Road in Riverhead, New York, as prepared by Donald A. Denis, Architect, dated January 4, 1985, be and is hereby approved, subject to the following:

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

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

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

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

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

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

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

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

RESOLUTIONS Continued

9. That the six (6) parking spaces at the south end of the property and the one (1) parking space nearest Harrison Avenue on the north end of the proposed building be eliminated to comply with the determination of the Zoning Board of Appeals dated April 11, 1985.

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Riverhead Honda (J.C.R. Realty Corp.) and the Riverhead Building Department.

## DECLARATION AND COVENANT

THIS DECLARATION made the \_\_\_\_\_ day of \_\_\_\_\_, 1985, by Riverhead Honda, a corporation formed under the state of \_\_\_\_\_ with offices at \_\_\_\_\_, Declarant.

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

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

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



RESOLUTIONS Continued

WHEREAS, the Town Clerk was authorized to advertise for bids for police court detention cells, and  
 WHEREAS, on the 6th day of May, 1985, all bids received were opened and read aloud, and  
 WHEREAS, two bids were received, and  
 WHEREAS, the architect for the construction of the police court facility has recommended that said bid be awarded to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for police court detention cells be and is hereby awarded to Kenco Wire & Iron Products, Inc., 39 Evergreen Street, Keyport, NJ, the lowest responsible bidder, in the amount of \$23,000.00, and

FURTHER BE IT RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to Kenco Wire & Iron Products, Inc. and Angelo Francis Corva, R.A.

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

The resolution was thereupon duly declared adopted.

#411 AUTHORIZES OVERTIME COMPENSATION - BUILDING DEPT. EMPLOYEE.

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

RESOLVED, that the following Town Hall employee be paid time and one-half overtime compensation:

JAMES DELUCCA - 24 hrs. @\$20.4517 = \$490.84

BE IT FURTHER RESOLVED, that the explanatory report relating to aforesaid overtime be filed in the Office of the Town Clerk.

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

The resolution was thereupon duly declared adopted.

#412 RATIFIES PUBLICATION OF REQUEST FOR PROPOSALS.

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

WHEREAS, due to time constraints, the Town Clerk did publish the attached public notice with regard to a request for proposals for the Riverhead Transportation Center in the May 30, 1985 issue of the News Review.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby ratify the action of the Town Clerk in publishing the attached public notice.

TOWN OF RIVERHEAD  
 REQUESTS FOR PROPOSALS  
 CONTRACT NO. D000689  
 RIVERHEAD TRANSPORTATION CENTER

RESOLUTIONS Continued

The Town of Riverhead has been awarded an UMTA technical study grant (Section 8) entitled Riverhead Transportation Center and has entered into an agreement with the New York Metropolitan Transportation Council (NYMTC) which calls for the retention of a consultant to carry out the work program described in the enclosed Request for Proposals (RFP).

The objectives of this project are outlined in the RFP. The chosen consultant will be responsible for completing Tasks 3 through 10 in the work program section. The amount available for consulting services is approximately \$20,000 and the duration of the project is expected to be six months. Your proposal should include a detailed explanation of the methodology you will use in carrying out each of the tasks, information concerning your firm's experience on similar types of projects, information concerning the background and expertise of key personnel who will be assigned to work on the project, a project budget and a project schedule. In addition, you must complete Exhibits A, B, C, and D which are attached to the RFP.

As stated in Task 1, formal written proposals from each consultant shall be reviewed by the Sponsor. If deemed necessary, supplementary oral presentations may be required. Based upon the decision of the Sponsor, a contract for the performance of the required services will be negotiated and executed. The contract will be executed between the Town of Riverhead and the selected consultant, subject to the approval of the New York Metropolitan Transportation Council.

The USDOT DBE and WBE requirements of 12 percent and 6 percent respectively have been waived for this project due to the minimal project cost. However, the consultant should indicate a demonstrable effort to include the participation of DBE and WBE firms. The attached list includes potential DBE/WBE consultants that should be contacted.

Ten copies of your proposal should be forwarded to the Riverhead Community Development Agency Office at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, no later than close of business (4:30a.m.) on June 28, 1985.

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

The resolution was thereupon duly declared adopted.

#413 TRANSFER OF FUNDS TOWN CLERK'S OFFICE.

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

RESOLVED, that the Supervisor is hereby authorized to make the following transfer of funds:

	<u>FROM</u>	<u>TO</u>
Town Clerk Contractual 1410.400	\$370.00	
Town Clerk Equipment 1410.200		\$370.00

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#414 ACCEPTS RESIGNATION OF HOME AIDE.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.  
 WHEREAS, due to medical reasons, Sophie Stewart did submit her letter of resignation from her position of Home Aide.  
 NOW, THEREFORE, BE IT  
 RESOLVED, that the resignation of Sophie Stewart from her position of Home Aide be and is hereby accepted effective June 3, 1985.

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

#415 RE-APPOINTS CHAIRMAN AND ACTING CHAIRMAN TO THE ZONING BOARD OF APPEALS.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.  
 WHEREAS, the term of Patricia Tormey as Chairman of the Zoning Board of Appeals and Kenneth Wells as Acting Chairman of the Zoning Board of Appeals did expire May 31, 1985.  
 NOW, THEREFORE, BE IT  
 RESOLVED, that Patricia Tormey be re-appointed to the position of Chairman of the Zoning Board of Appeals at the annual compensation of \$4,200 and Kenneth Wells be re-appointed to the position of Acting Chairman of the Zoning Board of Appeals at the annual compensaiton of \$3,200 for a term of one year effective June 1, 1985.

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

#416 CORRECTS RESOLUTION #383 OF MAY 21, 1985.

Councilman Prusinowski offered the following resoution which was seconded by Councilman Lombardi.  
 WHEREAS, on May 21, 1985 this Town Board did approve resolution #383 which incorrectly noticed the public hearing with regard to the special permit application of Ovas Realty.  
 NOW, THEREFORE, BE IT  
 RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice which correctly notices the public hearing with regard to the special permit application of Ovas Realty, and  
 FURTHER, BE IT RESOLVED, that said notice be published in the June 6, 1985 issue of The News Review.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of June, 1985 at 8:15 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all in-

RESOLUTIONS Continued

terested persons with regard to the special permit application of Ovas Realty to conduct a wholesale business (non-nuisance) pursuant to Section 108-45.B(6), together with the accessory retail shop use pursuant to Section 108-45.C(1).

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

The resolution was thereupon duly declared adopted.

#417 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF DOUGLAS MILLER.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to the special permit application of Douglas J. Miller to construct and operate a non-nuisance industry in an Industrial A District, at vacant real property on the southside of Pulaski Street, west of J.T. Boulevard, Riverhead, New York.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 18th day of June, 1985, at 8:05 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of Douglas J. Miller to construct and operate a non-nuisance industry in an Industrial A District, at vacant real property on the south side of Pulaski Street, west of J.T. Boulevard, Riverhead, New York.

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

The resolution was thereupon duly declared adopted.

#418 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS RE: HIGHWAY RECONSTRUCTION OF HORTON AVENUE AND OSBORNE AVENUE.

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

WHEREAS, by resolution #384 approved May 21, 1985, this Town Board did reject all bids received with regard to the Highway reconstruction of Horton Avenue and Osborne Avenue.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the Public Notice re-letting for bid said project in the June 6, 1985 issue of The News Review.

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

The resolution was thereupon duly declared adopted.

PUBLIC HEARING

Supervisor Janoski, "Let the record show that the hour of 8:25 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:25 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, June 4, 1985 at 8:25 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Petition and Map Filed Requesting Water District Extension No. 31 in Baiting Hollow.

(See Water District Minutes)

8:25 PUBLIC HEARING CLOSED AT 8:28

Supervisor Janoski, "Let us continue with the resolutions."

RESOLUTIONS

#419 RESOLUTION ADOPTING ADDITION TO RIVERHEAD TOWN CODE TO BE KNOWN AS CHAPTER 75, LIQUEFIED PETROLEUM GASES.

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

WHEREAS, a public hearing was held on the 21st day of May, 1985, regarding the addition to the Riverhead Town Code to be known as Chapter 75, Liquefied Petroleum Gases, wherein all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT

RESOLVED, that the following addition be made to the Riverhead Town Code to be known as Chapter 75, Liquefied Petroleum Gases, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish this resolution in the June 6, 1985 issue of The News Review.

LIQUEFIED PETROLUEM GASES

Application and General Provision.

- A. Application of Article. The provisions of this Article shall apply to all uses of liquefied petroleum gas and installation of all apparatus, piping and equipment pertinent to systems for such uses, and to storage and handling of liquid petroleum gas.
- B. Compliance with standards except as otherwise prescribed. Compliance with applicable provisions of NFPA Current Standard No. 58 and NFPA Current Standard No. 54, except as otherwise prescribed in this ordinance, shall constitute compliance with this ordinance.

Definitions:

As used in this Article, the following terms shall have the meanings indicated:

RESOLUTIONS Continued

APPLIANCES -- Includes all gas-burning appliances for use with liquefied petroleum gas.

APPROVED -- Acceptable to the Fire Inspector of Riverhead in conformity with standards in this Article.

CARGO TANK -- A container used to transport LP-gas over the highway as liquid cargo, either mounted on a conventional truck chassis or as an integral part of a transporting vehicle in which the container constitutes in whole or in part the stress member used as a frame; essentially a permanent part of the transporting vehicle.

CONTAINER -- Any vessel, including cylinders, tanks, portable tanks and cargo tanks, used for the transporting or storing of the LP-gas.

CONTAINER APPURTENANCES -- Items connected to container openings needed to make a container a gastight entity.

These include but are not limited to safety relief devices, shutoff, backflow check, excess flow check and internal valves; liquid level gauges; pressure gauges; and plugs.

CYLINDERS -- Portable containers constructed to Department of transportation (formerly Interstate Commerce Commission) cylinder specifications or, in some cases, constructed in accordance with the American Society of Mechanical Engineers Code of a similar size and for similar service. The maximum size permitted under Department of Transportation specifications is one thousand (1,000) pound' water capacity.

DISTRIBUTING PLANT -- A facility, the primary purpose of which is the distribution of gas, and which receives LP-gas in tank car, truck transport or truck lots, distributing this gas to the end user by portable container (package) delivery, by tank truck or through gas piping. Such plants have bulk storage [two thousand (2,000) gallons' water capacity or more] and usually have container filling and truck loading facilities on the premises. So-called "bulk plants" are considered as being in this category. Normally no persons other than the plant management or plant employees have access to these facilities.

DISTRIBUTING POINT -- A facility, other than a distributing plant or industrial plant, which normally receives gas by tank truck and which fills small containers or the engine fuel tanks of motor vehicles on the premises. Any such facility having LP-gas storage of one hundred (100) gallons' or more water capacity and to which persons other than the owner of the facility or his employees have access is considered to be a "distributing point". An LP-gas service station is one (1) type of "distributing point".

LIQUEFIED PETROLEUM GAS EQUIPMENT -- Includes all apparatus, piping and equipment pertinent to the use of liquefied petroleum gas.

RESOLUTIONS Continued

LIQUEFIED PETROLEUM GAS (ES), LP-GAS and LPG -- Are synonymous and include any material having a vapor pressure not exceeding that allowed for commercial propane composed predominantly of the following hydrocarbons, either by themselves or as mixtures: propane, propylene, butane (normal butane or isobutane) and butylene (including isomers).

LP-GAS SYSTEM -- An assembly consisting of one (1) or more containers with a means for conveying LP-gas from the container(s) to dispensing or consuming devices (either continuously or intermittently) and which incorporates components intended to achieve control of quantity, flow, pressure or state (either liquid or vapor).

PORTABLE CONTAINER -- A container designed to be readily moved, as distinguished from containers designed for stationary installations. "Portable containers" designed for transportation, filled to their maximum filling density, include cylinders, cargo tanks and portable tanks, all three (3) of which are separately defined. Containers designed to be readily moved from one usage location to another but substantially empty of product, are portable storage containers and are separately defined.

PORTABLE STORAGE CONTAINER -- A container similar to, but distinct from those designed and constructed for stationary installation, designed so that it can be readily moved over the highways, substantially empty of liquid, from one usage location to another. Such containers either have legs or other supports attached or are mounted on running gear, such as trailer or semitrailer chassis, with suitable supports, which may be of the fold-down type, permitting them to be placed or parked in a stable position on a reasonably firm and level surface. For large volume, limited duration product usage, such as at construction sites and normally for twelve (12) months or less, "portable storage containers" function in lieu of permanently installed stationery containers.

PORTABLE TANK (also called "skid tank") -- A container of more than one thousand (1,000) pounds' water capacity used to transport LP-gas handled as a package, that is, filled to its maximum permitted filling density. Such containers are mounted on skids or runners and have all container appurtenances protected in such a manner that they can be safely handled as a package.

QUALIFIED PERSONNEL -- Qualified persons holding a certificate of fitness issued by the Fire Inspector of the Town of Riverhead.

Installation permits, plans, reports of:

- A. An installation permit shall be obtained prior to installing any liquefied petroleum gas system employing a container or aggregate or interconnected containers of over one hundred twenty five (125) gallons' water capacity.

RESOLUTIONS Continued

- B. The application for the installation permit shall be submitted to the Fire Inspector for approval prior to installation and shall be accompanied by plans as prescribed by the Bureau of Fire Prevention.
- C. All underground liquefied petroleum gas tanks and piping are to remain uncovered until the installation is approved by the Fire Inspector.
- D. Every person, firm or corporation engaged in the business of installing liquefied petroleum gas equipment shall submit written reports to the Fire Inspector no later than the 10th day of each month, setting forth the location and character of each installation made during the previous month.
- E. Every installation of liquefied petroleum gas used for temporary heat must be reported to the Fire Inspector by the installer at the time of installation.

Capacity, installation and maintenance of equipment.

- A. Within the limits established by law restricting the bulk storage of liquefied petroleum gas, the aggregate capacity of any installation shall be as follows:
  - 1. Any installations connected or accessory to any residential building shall not exceed five hundred (500) gallons' water capacity;
  - 2. Any installations connected or accessory to a commercial or industrial building shall not exceed two thousand (2000) gallons' water capacity,except that in particular installations this capacity limit may be altered at the discretion of the Fire Inspector after consideration of special features, such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed tanks, degree of private fire protection to be provided, and facilities of the local Fire Department.
- B. All equipment shall be installed and maintained in conformity with the rules and regulations of the Fire Inspector of the Town of Riverhead. It shall be unlawful to install, service, handle or offer for sale, in any form, liquefied petroleum gas and related equipment that does not conform to the rules and regulations of the Town of Riverhead.
- C. No person, firm or corporation, except the owner or those authorized by the owner to do so, shall sell, fill, refill, deliver or permit to be delivered or use in any manner any liquefied petroleum gas container for any gas or compound or for any other purpose whatsoever. Only containers designed for LP-gas may be filled with liquefied petroleum gas. Filling of liquefied petroleum gas containers with any gas or compound is prohibited.

RESOLUTIONS Continued

- D. It shall be unlawful to weld, repair, add to or subtract from the original container design unless done by a recognized manufacturer or a repair facility authorized by the Federal Department of Transportation.
- E. Replacement of parts on containers, regulators or related equipment shall be made by qualified personnel only.
- F. Cylinders used for liquefied petroleum gas shall be painted white, silver or other light-reflecting color as approved by the Fire Inspector. It shall be unlawful for any supplier to refill any container that has been painted any other color. Existing containers shall comply with the painting provision within five (5) years the date of adoption of this Article.
- G. The gas supplier shall have the right to refuse to fill the container that does not fully conform to all provisions of the Town of Riverhead Fire Prevention Ordinance or one that has been involved in a fire or is burned or scorched.
- H. Peening of weld leaks is prohibited.
- I. Tanks, cylinders or other storage vessels which previously contained gases other than liquefied petroleum gas, such of but not limited to freon, acetylene or hydrogen, shall not be revalved and used for liquefied petroleum gases.

## Portable Cylinders:

- A. Portable vapor withdrawal cylinders with water capacities greater than two and one-half (2½) pounds which are or will be owned by the user or intended user are not to be filled, refilled unless the cylinder has been properly tested or requalified in accordance with United States Department of Transportation regulations and has attached thereto a warning label approved by the Chief of the Fire Inspector. Cylinder(s) shall not be released to the owner or his representative by the seller or refiller until it has been determined that the cylinder has not been filled beyond acceptable limits (forty two percent (42%) of its water weight capacity) is free of leaks and is safe for use or continued use.
- B. Containers, except those used in liquid withdrawal service applications, may be stored or displayed in a building frequented by the public. The quantity of LP-gas shall not exceed two hundred (200) pounds.
- C. Temporary or emergency use in unoccupied building regulated. Liquefied petroleum gas may be used in buildings or portions thereof under construction with no occupancy, provided that the following regulations are complied with:
  - (1) Containers in use shall be placed so as to ensure against tipping and shall be protected from physical damage.

RESOLUTIONS Continued

- (2) Portable heaters utilizing liquefied petroleum gas must be equipped with a safety pilot device which will shut off the flow of gas should the pilot light be extinguished.
  - (3) Direct connection of heater to container without a pressure regulator suitable for the appliance in use is prohibited.
  - (4) Only hose approved for liquefied petroleum gas will be permitted and cannot exceed fifteen (15) feet in length.
  - (5) Heaters must be placed at least (6) feet from containers and at least ten (10) feet from combustible materials.
  - (6) No liquid withdrawal containers will be permitted except those containers firmly attached to industrial motorized equipment.
- D. Temporary or emergency use in occupied buildings regulated. Liquefied petroleum gas may be used in occupied buildings, provided that the following regulations are complied with:
- (1) Containers in use shall be placed so as to ensure against tipping and shall be protected from physical damage.
  - (2) Portable heaters utilizing liquefied petroleum gas must be equipped with a safety pilot device which will shut off the flow of gas should the pilot light be extinguished.
  - (3) Containers must be outside the building at an approved location.
  - (4) Supply line from the container must be approved copper tubing or piping with approved fittings, adequately secured to the building and protected against physical damage.
  - (5) An approved gas shutoff device as specified in NFPA Current Standard No. 54 must be installed at the end of copper tubing or piping inside the building when connection from this point to heater is to be approved flexible hose.
  - (6) No temporary use shall exceed seven (7) days, however, extension of 7 days, may be granted by the Fire Inspector upon application and proof that a system could not be made permanent or the affected system repaired without an extension.
- I. Supervision:  
Temporary heaters and equipment must be supervised by a competent person having knowledge of the utilization of liquefied petroleum gas, and said person is to be in attendance at all times when heaters are in operation. Supervision is the responsibility of the person, firm or corporation using temporary heat.

RESOLUTIONS Continued

- F. All openings between an occupied portion and a portion under construction shall be closed with fire-rated material of at least a one-hour fire rating.
- G. Excess flow check valve(s). All tanks used inside any building shall be equipped with an excess-flow valve to shut off the flow of gas if a hose is severed.

## Sale or Storage Permits:

- A. The owner or operator of locations where liquefied petroleum gas is sold, stored for rental or resale and/or transferred from one vessel into another must secure a permit to operate from the Fire Inspector of the Town of Riverhead.
- B. Application for permit. Applications for permits shall be made to the Fire Inspector on forms provided and shall include the applicant's answers in full to inquiries set forth on such forms. Applications for permits shall be accompanied by such data as may be required by the Fire Inspector and fees as may be required by the Town of Riverhead.
- C. Review and issuance. The Fire Inspector shall review all applications submitted, determine compliance with applicable provisions of the Code and issue permits as required. If an application for a permit is rejected by the Fire Inspector, he shall advise the applicant of the reasons for such rejection.
- D. Display of permits. A copy of the permit shall be posted or otherwise readily accessible at each place of operation or carried by the permit holder, as specified by the Fire Inspector.
- E. Permits shall be given full force and effect for a period of two (2) years.

## Transportation, permit for and method of:

- A. No person, firm or corporation shall use, or cause to be used, any motor vehicle, tank truck, tank semitrailer or tank truck trailer for the transportation of liquefied petroleum gas unless, after complying with these regulations, a permit to operate a fleet of such vehicles has first been secured from the Fire Inspector of the Town of Riverhead. No permit shall be required under this section for any motor vehicle that is used for the transportation of liquefied petroleum gas not operated or registered by an authorized dealer, in containers not larger than ten (10) gallons' water capacity each (approximately thirty-four (34) pounds' propane capacity) or when used in permanently installed containers on the vehicle as motor fuel. This section shall not apply to any motor vehicle, tank truck, tank semitrailer or tank truck trailer traveling through the Town of Riverhead and making no deliveries within the Town.

RESOLUTIONS Continued

- B. The permit shall be given full force and effect for a period of three (3) years.
- C. All liquefied petroleum gas containers shall be transported in an upright position and properly secured.
- D. The transportation of liquefied petroleum gas cylinders either empty or full, is prohibited in the trunk of any passenger vehicle.
- E. Cylinders larger than ten (10) gallons' water capacity or an aggregate in excess of twenty-five (25) gallons' water capacity shall not be transported in cars, vans or any type of enclosed vehicle or in the enclosed area of any vehicle.
- F. The parking and garaging of tank vehicles used for the transportation of liquefied petroleum gases shall be in accordance with this ordinance.

## Certificate of Fitness for certain activities:

- A. A certificate of fitness issued by the Fire Inspector shall be required of any person.
1. Filling containers at locations where liquefied petroleum gas is sold and or transferred from one vessel into another.
  2. Transferring liquefied gas from one vessel into another.
  3. Filling containers permanently located and installed outdoors equipped with appurtenances for filling by a cargo vehicle at consumer sites.
- B. Application.  
All applications for a certificate of fitness shall be filed with the Fire Inspector on forms provided by the Fire Inspector and accompanied by the applicable fee.
- C. Proof of qualifications. Every person applying for a certificate of fitness shall furnish satisfactory proof to the Fire Inspector that he is familiar with materials, formulas, tools, techniques, standards, laws, ordinances, recognized good practices, safety precautions and manufacturer's recommendations pertaining to the particular system, materials, devices or operations he will be involved with and for which the certificate of fitness is issued. He shall further prove that he is physically competent to perform any and all actions necessary or incidental to the operation for which the certificate of fitness is issued.
- D. Investigation and examination.  
The Fire Inspector shall investigate every new application for a certificate of fitness. The investigation shall include a written examination regarding the use, makeup and handling of liquefied petroleum gas, and such examination shall include a practical test. When the Fire Inspector determines that the applicant conforms to all the requirements of this ordinance, he shall issue the certificate of fitness.

RESOLUTIONS Continued

- E. The certificate of fitness shall be given full force and effect for a period of three (3) years.
- F. Refusal of certificate of fitness. When the Fire Inspector determines that a candidate has failed an examination for a certificate of fitness, he shall refuse to issue the certificate of fitness within a ten-day period following the examination.
- G. Transferability. A certificate of fitness shall not be transferable.
- H. Renewal of certificate of fitness. Application for renewal of a certificate of fitness shall be filed in the same manner as an application for an original certificate. Each such application shall be accompanied by applicable fees. The granting of a renewal of a certificate of fitness shall be accomplished in the same manner as for an original certificate of fitness, except that any person continuously engaged in any activity for which a certificate of fitness is required will not, upon renewal, be required to take a written examination.
- I. Change of address. Each person holding a certificate of fitness shall notify the Fire Inspector in writing of any change in his business, residential or other notification address within ten (10) days after such change. Failure on the part of a person to give such notification shall constitute grounds for revocation of said certificate of fitness.
- J. Contents of certificate of fitness. A certificate of fitness issued by the Fire Inspector shall be in the form of an identification card. Said card shall contain the following information to be valid:
1. The purpose for which the certificate of fitness has been issued.
  2. The date of certificate of fitness issuance and the date of expiration.
  3. Other information as may be necessary to properly identify the person to whom the certificate of fitness is issued.
  4. The signature of the person to whom the certificate of fitness is issued.
  5. The name and signature of the Fire Inspector who issued the certificate of fitness or the Fire Inspector's name and countersignature of his designated representative.
  6. Printed thereon, in bold type, the following:  
  
"THIS CERTIFICATE DOES NOT EXCLUSIVELY RECOMMEND THE BEARER."

RESOLUTIONS Continued

K. Requirement to display certificate of fitness. Any person to whom a certificate of fitness has been granted in conformance with this ordinance shall, upon request, produce and show proper identification and his certificate of fitness to anyone for whom he seeks to render his services or to the Fire Inspector.

L. A certificate of fitness may be revoked by the Fire Inspector, following a hearing, if the holder fails to comply with provisions of this ordinance.

1. Reporting of Incidents:

Any incident involving liquefied petroleum gas, including but not limited to leaks, fires, explosions or any other accidental discharge into the atmosphere in excess of eight and five-tenths (8.5) cubic feet (one (1) pound propane) must be reported to the Fire Inspector by the responsible party or his representative. The initial report may be made by telephone and followed by a written report. Under no circumstances shall a report be filed later than twenty-four (24) hours after the incident.

2. Liability for Damages:

This Article shall not be construed to hold the Town of Riverhead, its Officers or employees responsible for any damages to persons or property by reason of the inspection or reinspection authorized herein or failure to inspect or reinspect as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

3. Penalties for Offenses:

Any person, firm or corporation violating any provision of this Article or failing to comply therewith, or violating or failing to comply with any orders for regulation made thereunder, shall, upon conviction, be guilty of a violation punishable by a fine not exceeding two thousand dollars (\$2,000) or by imprisonment for fifteen (15) days, or both, for each and every such violation. The imposition of the penalty for any violations of this Article shall not excuse the violation or permit it to continue, and each day that the prohibited conditions are maintained shall constitute a separate offense.

4. When Effective:

This ordinance shall take effect ten (10) days after the date of its adoption.

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

RESOLUTIONS Continued#420 AUTHORIZES EXPENDITURE FOR LOBBYIST.

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

WHEREAS, at the March 21, 1985 meeting of the Suffolk County Supervisor's Association, the Supervisors agreed that each Town in Suffolk County, together with a number of towns in Nassau County and upstate New York, pool their collective resources to employ a lobbyist in Albany whose job it will be to oversee the special and unique interests of towns within New York State; and

WHEREAS, the Suffolk County Supervisors' Association requested that each town consider a fair and equitable sponsorship plan leading to a contribution of \$150 per 10,000 citizens within each township as certified by the most recent Federal Census, which amount would collectively support the cost of a lobbyist.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby endorses the concept of a paid lobbyist to represent the unique special interests of Riverhead and other towns within New York State, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes an expenditure of \$150 per 10,000 citizens of the Town of Riverhead as certified by the most recent Federal Census for a total expenditure not to exceed \$375, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to forward certified copies of this resolution to the Supervisors of each township in Suffolk County, Nassau County and the Township of Greece.

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

The resolution was thereupon duly declared adopted.

#421 AUTHORIZES OVERTIME COMPENSATION - BUILDINGS AND GROUNDS.

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

RESOLVED, that the following employees of the Building and Grounds Department be paid time and one-half overtime compensation.

Dominick Pantaleo	-- 18 hrs.	@\$11.4258 = \$205.66
James Gadbois	-- 11 hrs.	@\$13.2183 = \$145.40
Edward Polecki	-- 18 hrs.	@\$11.4258 = \$205.66
Oliver Miles	-- 8 hrs.	@\$12.0737 = \$ 96.59
Charles Brown	--13.5 hrs.	@\$12.7218 = \$171.74
Lawyer Jackson	--30.5 hrs.	@\$13.6833 = \$417.34
Paul Bokee	-- 19 hrs.	@\$11.4258 = \$217.09
Joseph Celic	-- 8 hrs.	@\$11.4258 = \$ 91.41

BE IT FURTHER RESOLVED, that the explanatory report relating to aforesaid overtime be filed in the Office of the Town Clerk.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#422 APPOINTS MEMBER TO BOARD OF ASSESSMENT REVIEW.

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

WHEREAS, a vacancy presently exists in the membership of the Board of Assessment Review, and

WHEREAS, the name of Lawrence Galasso has been submitted by the Board of Assessors for consideration.

NOW, THEREFORE, BE IT

RESOLVED, that Lawrence Galasso be and is hereby appointed to the position of member of the Board of Assessment Review for a three-year term effective June 4, 1985.

BE IT FURTHER RESOLVED, that he will be entitled to receive reimbursement for expenses in addition to compensation at a rate of \$55 per day taken from the Board of Assessment Review Budget.

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

The resolution was thereupon duly declared adopted.

#423 IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT IN THE TOWN OF RIVERHEAD.

(See Water District Minutes)

#424 A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO THE ESTABLISHMENT OF A PROPOSED WATER DISTRICT EXTENSION TO BE KNOWN AS EXTENSION NO. 25 TO RIVERHEAD WATER DISTRICT OF THE TOWN OF RIVERHEAD, PURSUANT TO ARTICLE 12-A OF THE TOWN LAW.

(See Water District Minutes)

#425 A RESOLUTION APPROVING THE ESTABLISHMENT OF EXTENSION NO. 25 TO RIVERHEAD WATER DISTRICT OF THE TOWN OF RIVERHEAD, AND APPROVING THE CONSTRUCTION OF IMPROVEMENTS PROPOSED THEREFOR.

(See Water District Minutes)

#426 OPPOSED COUNTY EXECUTIVE'S PRO EVACUATION POSITION AND AUTHORIZES LAWSUIT IN OPPOSITION.

Councilman Artale, "This is a rather lengthy resolution. And I believe because of its timeliness, that we should read it in its entirety. Wouldn't you rather until after the public hearing. Mr. Supervisor."

Supervisor Janoski, "Read it and we'll just call the hearing a little late."

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

WHEREAS, it is the position of the Town of Riverhead that the Shoreham Nuclear Power Station is unsafe and that a suitable emergency evacuation plan can not be developed for Suffolk County in general, and specifically for the Town of Riverhead, and

WHEREAS, the State of New York and the County of Suffolk have both shared this position, and have opposed the operation of the Shoreham Nuclear Power Station, and

WHEREAS, the position taken is firmly based upon the factual reports and evidence developed by qualified experts of said governments regarding this matter, and

WHEREAS, Suffolk County Executive Peter F. Cohalan has unilaterally attempted to reverse the position of the County of Suffolk by the issuance of Executive Order 1-1985 which would direct development and implementation of a County emergency evacuation plan which would allow the opening and operation of the Shoreham Nuclear Power Station, and

WHEREAS, said order also attempts to abandon the position of the County of Suffolk that any evacuation plan must cover a 20 mile radius from the plant by directing an evacuation plan for only the 10 mile radius area, and

WHEREAS, the Executive Order has no factual basis to support the changed position of the County Executive, and

WHEREAS, said Executive Order ignores the need for any emergency evacuation plan for a major portion of the East End, in spite of the unique geographic nature of the area, which requires emergency planning for the entire East End, and

WHEREAS, the Suffolk County Legislature has previously adopted the policy of the County of Suffolk in numerous resolutions, which have been duly enacted, that the Shoreham Nuclear Power Station is unsafe because no suitable evacuation plan can be developed and that said power station should not be permitted to open, and said Executive Order is contrary to said policy, and

WHEREAS, the Suffolk County Legislature has directed that no funds or personnel of the County be assigned for an emergency evacuation plan since no safe plan exists and said Executive Order is contrary to this policy, and

WHEREAS, said Executive Order is illegal in that the County Executive possesses no legal authority to unilaterally formulate and implement emergency planning for the County, and

WHEREAS, said Executive Order is illegal and unconstitutional, as an invasion of the province of the Suffolk County Legislature, and the separation of powers between the executive and legislative branches by purporting to override the lawfully established policy of the County as set by the County Legislature on the issue of the Shoreham Nuclear Power Station, and

WHEREAS, under the State Executive Law, the Town of Riverhead has independent emergency planning powers, and

WHEREAS, under the Article XIII of the Suffolk County Charter, police authority of the County extends only to the five Western Towns, while the Eastern Towns possess their own police departments, and

WHEREAS, the Executive Order would illegally invade the emergency planning and police powers of the Town of Riverhead, and

WHEREAS, in addition to the illegality of the Executive Order, said order would abdicate the responsibility of government to adequately protect the health, safety, and welfare of its citizens,

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead reiterates its position that the Shoreham Nuclear Power Station is unsafe and that an adequate emergency evacuation plan can not be formulated, and

BE IT FURTHER RESOLVED, that the Town of Riverhead reiterates the opposition to the granting of a license to operate the Shoreham Nuclear Power Station, and

BE IT FURTHER RESOLVED, that this Town Board condemns the illegal and unconstitutional and ill-considered issuance of Executive Order 1-1985, and

BE IT FURTHER RESOLVED, that the Town of Riverhead urges the Suffolk County Legislature and State of New York to maintain and defend its position in opposition to the Shoreham Nuclear Power Station, and

RESOLUTIONS Continued

RESOLVED, that the Office of Town Attorney, through its Shoreham special counsel, Twomey, Latham and Shea, is authorized to take all necessary steps to challenge the legality of Executive Order 1-1985 in representing the interests of the Town of Riverhead, and

BE IT FURTHER RESOLVED, that the Town of Riverhead urges the Suffolk County Legislature and State of New York to maintain and defend its position in opposition to the Shoreham Nuclear Power Station.

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:38 has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:35 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, June 4, 1985 at 8:35 p.m. at Riverhead Town Hall, to hear all interested persons regarding; The Increase and Improvement to the Facilities of the Riverhead Water District, Consisting of the Acquisition of Vehicles to be used for Construction and Maintenance Purposes.

(See Water District Minutes)

Supervisor Janoski, "We are going to take a short break now and we will be back at 10 minutes to 9."

TOWN BOARD MEETING RECESSED AT 8:40  
TOWN BOARD MEETING RECONVENED AT 9:00

#427 ADOPTS ADDITION TO THE RIVERHEAD TOWN CODE, TO BE KNOWN AS ARTICLE XXVIII, "OFFICE/SERVICE DISTRICT".

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

WHEREAS, pursuant to a master plan revision report prepared by Raymond, Parish, Pine & Weiner, and an additional report of the Riverhead Town Code creating a proposed zoning use classification, "Office/Service District", the Riverhead Town Board held a public hearing on the 11th day of February, 1985 which hearings have been continued from time to time at the bi-monthly meetings of the Riverhead Town Board, and

WHEREAS, the Town Board has determined itself to be the lead agency for the purpose of SEQRA review and as such lead agency has reviewed the environmental assessment forms and other environmental comments received, and

RESOLUTIONS Continued

WHEREAS, the Town Board now wishes to adopt these portions of the recommendations of Raymond, Parish, Pine & Weiner as contained in the master plan update for the Route 58 corridor as follows.

WHEREAS, the Riverhead Town Planning Board has made a review of the proposed re-zoning and this Board has examined their recommendations.

NOW, THEREFORE, BE IT

RESOLVED, this Board finds that to promote the general welfare and orderly development of the Route 58 corridor based upon the recommendations of Raymond, Parish, Pine & Weiner, public comments and written input, that the addition of a zoning use classification, to be known as Article XXVIII, "Office/Service District", be made to the Riverhead Town Code.

BE IT FURTHER RESOLVED, that the record of the hearings had herein be closed.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution.

BE IT FURTHER RESOLVED, that this amendment shall take effect ten (10) days after publication.

ARTICLE XXVIII  
OFFICE/SERVICE DISTRICT

108-142 PURPOSE

To provide opportunity for the location of business and professional offices, research facilities, institutional uses and similar activities in a well-planned, open setting in areas which are not necessarily appropriate for commercial or industrial activity or low-density residential development. In this area, such uses can be established in an attractive environment and serve both as a means of preserving the open qualities of an area and as a transition between more intense and less intense uses.

108-143 USES

No building or premises shall be used and no building shall be erected, reconstructed, altered or added to, unless otherwise provided in this ordinance, except for the following permitted uses, special exception or special permit uses and the customary accessory uses:

A. Permitted Uses

- (1) Office buildings for businesses, governmental, and professional uses, including administrative training, data processing, publication, financial and sales offices and related facilities in connection with such office uses.
- (2) Offices or agencies for scientific or technical development including laboratories, libraries, administrative training, data processing, publication, financial offices, and related facilities in connection with such uses, provided that:

RESOLUTIONS Continued

- (a). No machinery or equipment shall be installed and no labor shall be engaged upon the premises for the manufacture, processing or assembly of goods or articles, except the manufacturing, processing or assembly of pilot prototype or experimental products in which the close supervision by scientific personnel of a permitted research laboratory is required.
  - (b). All mechanical and other apparatus and manual services employed in such use shall be devoted to scientific research and technical development of manufactured, processed or compounded products.
  - (c). No such process shall involve the handling, storage or discharge of explosives or permit upon the premises any virus or other type of infectious organisms identified with diseases of animals or humans.
  - (d). No manufacturing, processing or assembly of goods or articles of any kind for sale shall be permitted on the premises, except for the sale of pilot prototype or experimental products which are the result of the end product of scientific research, development or engineering.
  - (e). No offensive noises, gases, fumes, smoke, odors, dust, effluent or vibrations shall emanate from such use and no waste products shall be discharged therefrom of a character to create a nuisance or to be injurious to health.
  - (f). The grounds and exterior of all buildings shall be kept and maintained in conformity with the prevailing standards of adjacent residential neighborhoods.
- (3) Offices for service businesses in which no merchandise or physical product is sold, traded or serviced such as but not limited to insurance, real estate, accounting and travel agency.
  - (4) Telephone exchanges.
  - (5) Computer centers.
  - (6) Radio and television studios.
  - (7) Bank and financial institutions.
  - (8) Conference centers.
  - (9) Public utility structures and utility rights-of-way, excluding garages or storage yards. Electric sub-stations shall not be permitted, except by Special Permit.

RESOLUTIONS Continued

- (10) Museums, art galleries (but not public auction rooms), libraries or other cultural center.
- (11) Churches, religious schools, community centers, social clubs, lodges, civic clubs.
- (12) Single-family residences which have a minimum lot area of 40,000 square feet and is of sufficient lot area to allow conformance with the off-street parking schedule for the Business PB District.
- (13) Funeral homes and undertaking establishments.
- (14) Restaurants (not including diners, cafeterias, drive-up types, fast food facilities, luncheonettes, coffee shops, automats, canteens, delicatessens, take-out types) which provide for all food consumed upon the premises and require printed menu and table service; including catering facilities.
- (15) Professional office; office; service uses as defined by the following:
- (a) Accountants
  - (b) Architects
  - (c) Artists
  - (d) Attorneys
  - (e) Audiologists
  - (f) Bookkeepers
  - (g) Chiropractors
  - (h) Dentists
  - (i) Draftsmen
  - (j) Engineers
  - (k) Income tax preparers)
  - (l) Insurance agents or brokers
  - (m) Interior designers
  - (n) Journalists
  - (o) Medical doctors
  - (p) Nursery schools
  - (q) Optometrists
  - (r) Osteopaths
  - (s) Podiatrists
  - (t) Photographers
  - (u) Physical therapists
  - (v) Real estate agents brokers
  - (w) Surveyors

B. SPECIAL PERMIT USES

- (1) The cutting, processing, polishing and mounting of precious stones, including the incidental sale thereof on the premises.

RESOLUTIONS Continued

- (2) The production, processing and assembly of small, light or microscopic or electronic parts or precision instruments in which the close supervision by scientific personnel of a permitted research laboratory is required.
- (3) Transient hotels or motels, provided that:
- (a) There shall not be less than 3,000 square feet of lot area per rentable sleeping room (up to two beds) contained therein if water and sewer systems are provided. Where water and sewer systems are not provided, 6,000 square feet per unit is required.
- (b) Off-street parking space for each rentable room in a transient hotel or motel shall be provided within 100 feet of the ground floor entrance hearest to such accomodations, and designated by the room number thereof.
- (c) Said hotel or motel shall be set back not less than 75 feet from any street and not less than 50 feet from any other lot line.
- (d) As accessory to any such hotel or motel there may be a restaurant within the principal structure, provided there be an additional off-street parking area on the basis of one parking unit for each four seats of such restaurant.
- (4) Institutions for higher learning including colleges, universities, junior colleges technical schools, seminaries and convents, along with accompanying service and adminstration buildings, dormitories, fraternity and sorority houses and customary indoor and outdoor recreation facilities, such as playfields, gymnasiums, stadiums, subject to the following:
- (a) The minimum lot area shall be ten acres of contiguous land;
- (b) No building, parking or loading area or recreation facility shall be nearer than 200 feet of any street or lot line;
- (c) Each recreation facility shall be operated primarily as an adjunct to some cultural, social or athletic activity of such institution of higher learning and not leased or otherwise operated primarily for the purpose of gain or profit.
- (5) Health spa provided there is a central water hookup to the Riverhead Water District. This facility must also have sewer service or an on-site wastewater system which must be approved by the Suffolk County Department of Health Services.
- (6) A use which provides for the location of a business, research facility, professional office, service, or institutional use which is considered by the Town Board to be as a permitted, special permit or accessory use and serves to achieve the goal of development which is well planned, is an open setting and acts as a transition between more intense and less intense uses.

RESOLUTIONS Continued(C) ACCESSORY USES

The following accessory uses provided none shall be within 50 feet of any lot line:

- (1) Retail or personal service uses that are specifically designed as accessory to principal uses, such as but not limited to pharmacy, lunch counters, lunch stands, newsstands, barber shops and beauty parlor, shoe repair, provided that said retail or personal service accessory use shall have no separate exterior entrance and no exterior signs advertising said retail or personal service use. In addition, said accessory retail or personal service use shall not comprise more than 0.5% of the gross floor area of the principal uses to which it is accessory.
- (2) Restaurants (not including diners, luncheonettes, drive-in and fast food facilities) for the use of executives, employees and visitors of the principal use.
- (3) Lodgings for Visitors of the principal use.
- (4) Indoor and outdoor recreation facilities for the exclusive use of employees, and guests of the principal use, and their families.
- (5) In-service training schools for employees of the principal use.
- (6) Private garages for the storage and service of motor vehicles owned by the owner of the principal use of the executives or employees thereof, or visitors thereto, including the sale of them, but not to the public generally of gasoline, oil and minor accessories.
- (7) Central heating and power plants accessory to the principal use and the service of all structures on the premises.
- (8) Fully enclosed storage facilities incidental to the principal use.
- (9) Maintenance and utility shops incidental to the principal use.
- (10) Off-street parking and loading. Said areas shall not be nearer than 50 feet to any lot line or street, and if generally adjacent to any street or any residence district, shall be suitably screened by a landscaped strip of at least 25 feet in width, containing a shrubbery screen complying with all requirements set forth in the site plan and landscaping sections of this Ordinance, Article XXVI and Section 108-64.1.
- (11) Accessory signs subject to the applicable provisions of the sign regulations of the Town of Riverhead, Section 108-56 of the Zoning Ordinance.

RESOLUTIONS Continued

(12) Other customary accessory uses incidental to the principal use on the site.

(13) Trash compactors and dumpsters which are screened from sight.

(D) NON-PERMITTED USES

No building structure, premise, or lot in the Office/Service District shall be occupied for any of the following uses:

(1) Retail sales of consumer merchandise, unless the use is of the type permitted under Section 108-143C(1) of this ordinance.

(3) Theatres and cinemas.

(4) Game rooms.

(5) Mixed use buildings, except those provided under Section 108-143C (1) of this ordinance.

(6) Gasoline service stations and auto repair facilities.

(7) Wholesale businesses, warehouses, building material and storage and sale, including storage of coal, coke, fuel oil, or junk.

(8) Building, plumbing, and electrical contractors.

(9) Cold storage plants, food processing plants.

(10) Motor vehicle sales, including the sale of recreational vehicles, trailers, and boats.

(11) Car washes.

(12) Printing plants.

108-44 GENERAL LOT, YARD AND HEIGHT REQUIREMENTS

A. Minimum lot area. 80,000 square feet, unless otherwise specified.

B. Minimum lot width. 300 feet, unless otherwise specified.

C. Maximum Building Area. Unless otherwise specified: 15 percent.

D. Minimum Yards. Unless otherwise specified:

(1) Front: 100 feet

(2) Side: 50 feet

(3) Rear: 100 feet

RESOLUTIONS Continued

No building or structure will be permitted in required yards and no parking will be permitted within 25 feet of any property lines.

E. Minimum Distance from Detached Accessory Buildings of Off-Street Parking Areas to:

- (1) Principal building: 25 feet
- (2) Side lot line: 50 feet
- (3) Rear lot line: 50 feet

F. Maximum Height. Unless otherwise specified:

Two stories or 35 feet.

108-145 SPECIAL REQUIREMENTS

A. Off-Street Parking:

Required parking for all principal and accessory uses shall be computed based upon the Town of Riverhead Parking Schedule except as follows:

Non-medical offices - 1 space per 300 square feet of net leasable area.

Retail and service uses - 1 space per 250 square feet of net leasable area.

Required parking spaces shall be 10 feet wide and 20 feet long and shall be provided upon the same lot as the use to which they are accessory, except that required parking spaces may be provided by utilizing, on a shared use basis, parking facilities, including required parking for office buildings, situated on one or more adjacent lots, provided that agreements, satisfactory to the Town Attorney, assure the continued existence of such shared use parking to serve such hotel uses as long as they may exist. In no event shall such agreements for shared parking be terminated without the consent of the Town and unless the premises will provide parking facilities for its own use in accordance with all requirements of this section. In no event shall such parking and loading spaces be located in any Residential District.

B. Off-Street Loading. One loading unit 15 feet wide by 45 feet long shall be provided for each 15,000 square feet of restaurant, service, banquet and meeting room space. No loading area shall be located within required front yards or driveways, or blocking access to a required parking space.

C. Freshwater Wetlands - No site preparation, grading, filling, excavating or development affecting property containing an identified wetland shall begin prior to review of the appropriate authority. In the case properties containing wetlands 12.4 acres or more, or individual smaller wetlands determined to be of unusual importance, the reviewing agency shall be the New York State Department of Environmental Conservation under the authority of the Article 24 and Title 23 of Article 71 of the Environmental Conservation Law. In the case of properties containing wetlands of less area, the reviewing agency shall be the Riverhead Town Board under the authority of Town of Riverhead Local Law Number 5, Chapter 107 of the Riverhead Town Code.

\*Underscore indicates addition

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#428 ADOPTS CHANGE OF ZONE AT SOUTHWEST CORNER OF NORTHVILLE  
TURNPIKE AND MIDDLE ROAD FROM AGRICULTURE A TO RESIDENCE A.

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

WHEREAS, pursuant to a master plan revision report prepared by Raymond, Parish, Pine & Weiner, the Riverhead Town Board held a public hearing on the 11th day of February, 1985 which hearings have been continued from time to time at the bi-monthly meetings of the Riverhead Town Board, and

WHEREAS, the Town Board has determined itself to be the lead agency for the purpose of SEQRA review and as such lead agency has reviewed the environmental assessment forms and other environmental comments received, and

WHEREAS, the Town Board now wishes to adopt those portions of the recommendations of Raymond, Parish, Pine & Weiner as contained in the master plan update for the Route 58 corridor as follows.

WHEREAS, the Riverhead Town Planning Board has made a review of the proposed re-zoning and this Board has examined their recommendations.

NOW, THEREFORE, BE IT

RESOLVED, this Board finds that to promote the general welfare and orderly development of the Route 58 corridor based upon the recommendations of Raymond, Parish, Pine & Weiner, public comments and written input, that the property described in Exhibit A attached hereto should be re-zoned to Residence C.

BE IT FURTHER RESOLVED, that the firm of Young & Young be retained to draw on the official map of the Town the new zoning changes, and

BE IT FURTHER RESOLVED, that the record of the hearings had herein be closed.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution.

BE IT FURTHER RESOLVED, that this amendment shall take effect ten (10) days after publication.

## EXHIBIT A

BEGINNING at a point on the west side of Northville Turnpike, which point is 600+/- feet north of County Route 58; thence proceeding 766+/- in a northerly direction to a point (the southwest corner of the intersection of Northville Turnpike and Middle Road); thence proceeding west along the south side of Middle Road 1,950+/- feet to a point; thence proceeding in a general southeasterly direction 1,305+/- feet to a point; thence proceeding in an easterly direction 1,000+/- feet to the west side of Northville Turnpike, the point or place of beginning.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#429 ADOPTS CHANGE OF ZONE AT SOUTHWEST CORNER OF NORTHVILLE  
TURNPIKE, SOUTH OF ROUTE 58, FROM BUSINESS B TO RESIDENCE C

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

WHEREAS, pursuant to a master plan revision report prepared by Raymond, Parish, Pine & Weiner, the Riverhead Town Board held a public hearing on the 11th day of February, 1985 which hearings have been continued from time to time at the bi-monthly meetings of the Riverhead Town Board, and

WHEREAS, the Town Board has determined itself to be the lead agency for the purpose of SEQRA review and as such lead agency has reviewed the environmental assessment forms and other environmental comments received, and

WHEREAS, the Town Board wishes to adopt those portions of the recommendations of Raymond, Parish, Pine & Weiner as contained in the master plan update for the Route 58 corridor as follows.

WHEREAS, the Riverhead Town Planning Board has made a review of the proposed re-zoning and this Board has examined their recommendations.

NOW, THEREFORE, BE IT

RESOLVED, this Board finds that to promote the general welfare and orderly development of the Route 58 corridor based upon the recommendations of Raymond, Parish, Pine & Weiner, public comments and written input, that the property described in Exhibit A attached hereto should be re-zoned to Residence C.

BE IT FURTHER RESOLVED, that the firm of Young & Young be retained to draw on the official map of the Town the new zoning changes, and

BE IT FURTHER RESOLVED, that the record of the hearings had herein be closed.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution.

BE IT FURTHER RESOLVED, that this amendment shall take effect ten (10) days after publication.

## EXHIBIT A

BEGINNING, at a point on the east side of Northville Turnpike 300+/- feet north of the intersection of Oliver St. and Northville Turnpike; thence proceeding in a general easterly direction 900+/- feet to a point; thence proceeding in a northwesterly direction 306+/- feet to a point; thence proceeding in a general southwesterly direction 455+/- feet to a point thence proceeding in a general westerly direction 275+/- feet to a point on the east side of Northville Turnpike; thence proceeding along the west side of Northville Turnpike 500+/- feet in a southerly direction to the point or place of beginning.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#430 ADOPTS CHANGE OF ZONE AT THE EAST SIDE OF OLIVER STREET FROM RESIDENCE C TO BUSINESS B.

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

WHEREAS, pursuant to a master plan revision report prepared by Raymond, Parish, Pine & Weiner, the Riverhead Town Board held a public hearing on the 11th day of February, 1985 which hearings have been continued from time to time at the bi-monthly meetings of the Riverhead Town Board, and

WHEREAS, the Town Board has determined itself to be the lead agency for the purpose of SEQRA review and as such lead agency has reviewed the environmental assessment forms and other environmental comments received, and

WHEREAS, the Town Board now wishes to adopt those portions of the recommendations of Raymond, Parish, Pine & Weiner as contained in the master plan update for the Route 58 corridor as follows.

WHEREAS, the Riverhead Town Planning Board has made a review of the proposed re-zoning and this Board has examined their recommendations.

NOW, THEREFORE, BE IT

RESOLVED, this Board finds that to promote the general welfare and orderly development of the Route 58 corridor based upon the recommendations of Raymond, Parish, Pine & Weiner, public comments and written input, that the property described in Exhibit A attached hereto should be re-zoned to Business B.

BE IT FURTHER RESOLVED, that the firm of Young & Young be retained to draw on the official map of the Town the new zoning changes, and

BE IT FURTHER RESOLVED, that the record of the hearings had herein be closed.

BE IT FURTHER RESOLVED, that the owner of record of the property covered by this zone change shall record a covenant with the Suffolk County Clerk running to the Town of Riverhead as follows:

1. The planting buffer adjacent to Oliver Street shall be a minimum of 70 feet to a maximum of 100 feet as developed during any site plan application pursuant to the Riverhead Town Code that may be made.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution.

BE IT FURTHER RESOLVED, that this amendment shall take effect ten (10) days after publication.

## EXHIBIT A

BEGINNING at a point on the east side of Oliver Street, which point is 292+/- feet south of the County Route 58; thence proceeding 1,655+/- feet in a southerly direction along Oliver Street to the intersection of Northville Turnpike with Oliver Street; thence proceeding north along the west side of Northville Turnpike 200+/- feet to a point; thence proceeding in a northwesterly direction 1,000+/- feet to a point; thence proceeding in a westerly direction 2--+/0 feet to the point or place of BEGINNING.

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Just a minute Irene. I would ask that the members of the Board appoint Councilman Prusinowski to function as chairman."

Councilman Boschetti moved to appoint Councilman Prusinowski to function as chairman for the remainder of the meeting.

Councilman Lombardi seconded the appointment of Councilman prusinowski as chairman for the remainder of the meeting.

Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Councilman Prusinowski was thereupon appointed chairman for the remainder of the meeting.

RESOLUTIONS#431 ADOPTS CHANGE OF ZONE OF ROUTE 58 CORRIDOR TO OFFICE/SERVICE DISTRICT.

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

WHEREAS, pursuant to a master plan revision report prepared by Raymond, Parish, Pine & Weiner, the Riverhead Town Board held a public hearing on the 11th day of February, 1985 which hearings have been continued from time to time at the bi-monthly meetings of the Riverhead Town Board, and

WHEREAS, the Town Board has determined itself to be the lead agency for the purpose of SEQRA review and as such lead agency has reviewed the environmental assessment forms and other environmental comments received, and

WHEREAS, the Town Board now wishes to adopt those portions of the recommendations of Raymond, Parish, Pine & Weiner as contained in the master plan update for the Route 58 corridor as follows.

WHEREAS, the Riverhead Town Planning Board has made a review of the proposed re-zoning and this Board has examined their recommendations.

NOW, THEREFORE, BE IT

RESOLVED, this Board finds that to promote the general welfare and orderly development of the Route 58 corridor based upon the recommendations of Raymond, Parish, Pine & Weiner, public comments and written input, that the property described in Exhibit A attached hereto should be re-zoned to Office/Service District.

BE IT FURTHER RESOLVED, that the firm of Young & Young be retained to draw on the official map of the Town the new zoning changes, and

BE IT FURTHER RESOLVED, that the record of the hearings had herein be closed.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution.

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RESOLUTIONS Continued

BE IT FURTHER RESOLVED, that this amendment shall take effect ten (10) days after publication.

EXHIBIT A

BEGINNING at a point on the east side of Northville Turnpike 800 feet north of the intersection of Oliver Street and Northville Turnpike; thence proceeding in an easterly direction along a property line as outlined in tax map #109 274+/- feet to a point; thence proceeding in a northeasterly direction 400+/- feet to a point; thence proceeding in a southerly direction 506+/- feet to a point;

Thence in an easterly direction 1,236+/- feet along the existing dividing line between the "Business B" and Residence "C" use district to a point; thence proceeding northeasterly along the boundary line of the existing "Business B" to the point where the "Business B" boundary joins the "Business C" boundary such point being approximately 400 feet south of County Route 58; thence easterly approximately 1,100 feet parallel to Route 58 along the existing "Business C" boundary to and crossing over East Main Street (NYS Route 25)

Thence proceeding in a generally easterly direction on a course 650+/- feet south and parallel to NYS Route 25 to a point 1,600+/- feet east of NYS Route 25;

Thence proceeding northerly 600+/- feet to a point on the north side of NYS Route 25; thence proceeding 75+/- feet easterly to a point at a property line; thence proceeding north 2,050+/- feet along a property line to a point; thence in a westerly direction 650+/- feet along a property line to the east side of Doctors Path; thence proceeding in a westerly direction and crossing over Doctors Path; thence proceeding along the westerly side of Doctors Path in a northerly direction 300+/- feet to a point; thence proceeding in a westerly direction 900+/- feet to a point; thence proceeding southerly 800+/- feet to the north side of Middle Road; thence proceeding southerly and crossing over Middle Road; thence continuing in a southerly direction 233+/- feet to a point; thence proceeding in a generally southwest direction 835+/- feet to a point which general direction line is 176+/- feet north of County Route 58; thence proceeding in a northerly direction 800+/- feet to the east side of Northville Turnpike; thence proceeding in a general southwesterly direction 1,200 +/- feet to the intersection of two property lines such line intended to be the southerly boundary of the "Residence C" use district adopted herewith by resolution #428; excluding the property covered by Stipulation of Settlement Index No. 85 1968 filed in the Office of the Town Clerk on April 17, 1985;

Thence proceeding northerly along a property line 375+/- feet; thence proceeding in a westerly direction 1,000 feet, which course is parallel to County Route 58 approximately 800 feet north of County Route 58 to a point; thence proceeding in a southerly direction 800 feet and crossing over Route 58 along the easterly boundary of Northville Turnpike to the POINT OF BEGINNING.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#432 APPOINTS SPECIAL POLICE OFFICERS.

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

RESOLVED, that the following individuals be and are hereby appointed to the position of part-time, seasonal, Special Police Officers effective June 5, 1985 at the hourly rate of compensation of \$5.50, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Chief Palmer and the Accounting Department.

GARY CHAPMAN  
TED MILOLASKI

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

The resolution was thereupon duly declared adopted.

#433 MAKING SEQRA DETERMINATION EXTENSION 25 TO THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#434 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: ADOPTING LOCAL LAW MOTOR VEHICLE RACEWAY REGULATIONS OF THE RIVERHEAD TOWN CODE.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to adopting a Local Law # -1985, Motor Vehicle Raceway Regulations of the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 2nd day of July, 1985, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following proposed Local Law # -1985 to the Riverhead Town Code, Motor Vehicle Raceway Regulations as follows:

MOTOR VEHICLE RACEWAY REGULATIONSSection 1. Purpose:

Purpose of this Local Law is to develop an orderly system of rules governing the operation of motor vehicle raceways within the Town of Riverhead.

Section 2. Definitions:

Motor vehicle raceways shall be any premises used for the purpose of the operation of any motorized vehicles in competition as determined by elapsed time.

RESOLUTIONS ContinuedSection 3. Hours of Operation:

No motor vehicle raceway shall permit any motor vehicle to warm-up or compete except during the hours commencing 5 p.m. through 10:45 p.m. Saturday nights during the months of June, July and August.

Section 4. Penalty for Offense:

No person shall operate a motor vehicle raceway or operate a motor vehicle at such raceway except in conformity of the requirements of this Local Law. A violation of this Local Law shall be an un-classified misdemeanor.

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

The resolution was thereupon duly declared adopted.

#435 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: ENACTMENT OF SECTION 48-11.5 OF BEACHES AND RECREATION CENTERS OF THE RIVERHEAD TOWN CODE, RE: "IMPOUNDMENT FEES".

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to enactment of Section 48-11.5 of Beaches and Recreation Centers of the Riverhead Town Code, Re: "Impoundment Fees".

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 18th day of June, 1985, at 8:25 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following enactment of Section 48-11.5 of Beaches and Recreation Centers of the Riverhead Town Code as follows:

48-11.5 Impoundment fees.

In addition to any other penalty imposed herein, the motor vehicle used in violation of this chapter shall be impounded by the Riverhead Town Police Department. No such impounded vehicle shall be released until a payment of one hundred dollars (\$100) plus ten (\$10) for each day of impoundment after the 1st day shall have been paid to the Town of Riverhead. No owner of such impounded vehicle shall have any civil claim against the Town of Riverhead for such impoundment pursuant to this section.

\*Underscore indicates addition.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#436 APPOINTS WORKER TO TOWN HALL CEMENT CREW.

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

WHEREAS, by resolution #392 of 5/21/85, this Town Board did appoint three individuals as temporary laborers to the Town Hall Cement Crew, and

WHEREAS, two of said individuals have since notified the Town Board of their inability to serve in those positions.

NOW, THEREFORE, BE IT

RESOLVED, that Vincent Lamb, be and is hereby appointed to the position of temporary Laborer with the Town Hall Cement Crew at the hourly rate of compensation of \$5.00 effective June 10, 1985.

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

The resolution was thereupon duly declared adopted.

#437 REQUESTS SENSIBLE PLAN FOR HAWKS CREEK DREDGING.

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

WHEREAS, the Army Corp of Engineers has held proceedings regarding the dredging of the inlet to Hawks Creek in South Jamesport, and

WHEREAS, the dredging was approved by the Army Corp of Engineers. This approval was similar to approvals granted in previous years, which provided for the distribution of spoil material along the property to the east, and

WHEREAS, the property to the east consists of residences which could suffer significant erosion of their beachfront property if the past practice of replenishment is not continued, and

WHEREAS, this Board understands that the Department of Coastal Zone Management under the direction of Secretary of State Gail Schaeffer, has recommended to the Army Corp of Engineers that the granted permit be modified so that the beach to the east not be replenished.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead requests that the Army Corp of Engineers not alter the Hawks Creek inlet dredge plan as approved and reject the suggestions of the Department of Coastal Zone Management since these suggestions will result in loss of real property to the residents of the Town of Riverhead, and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead is to send a certified copy of this Resolution to the Army Corp of Engineers, Senator Kenneth LaValle, Senator Alfonse D'Amato, County Legislatore Gregory Blass, the Department of Coastal Zone Management, Department of Environmental Conservation (Atn. Charles Hamilton) and Suffolk County Department of Public Works, Principal Engineer, Divison of Waterways, John Guildi.

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "Would anyone else like to address the Town Board on any subject? I know Mr. Smith would."

Allen Smith, Attorney, "I promise to be brief. For the stenographer, the name again is Allen Smith, the firm is Tooker and Smith. I am not speaking on behalf of any particular client. I will, however, tell the Board that since the enactment of Article 7 by the Public Health people, there has been a stream of owners, some resident, some non-resident of our community into my office and the other office of the attorneys that do municipal work in the Town of Riverhead trying to figure out what, if anything they can do with their property west of Roanoke Avenue. Most especially, the master plan of the Town of Riverhead which was developed during the years when I was active in both the politics and the actual implementation of that master plan calls for (logically as it seems) at that particular point in time the industrial development of our community to be around the Grumman Aerospace facility. The practical effect of Article 7 is to totally negate the master plan and the zoning ordinance of the Town of Riverhead. The industrial uses are wiped out. Essentially in my opinion, (this is my professional opinion from working with the zoning and the planning of the Town of Riverhead over the last 15 plus years) is that the effect has been sterilized the industrial uses or most of the industrial zoned land down around Grumman. I really suggest to you that what is warranted is an examination either internally with the planning people within the town or through the Raymond Parish, Pine and Weiner people or whom ever you may wish to chose and to give serious consideration to changing the zoning down there. Whether you change it to residential or whatever you change it to, but certainly you're not going to get any developer. Certainly one such as I represented like Adchem, Miller Machine and the others that I have brought the town to risk the uncertainty. It's worse than uncertainty. It's the sterilization of that industrially zoned property down there. They're just not going to do it. Some of that property is very very lovely property and it could be used for residential purposes and I suggest you give serious consideration to rezoning certainly amending the master plan and then rezoning that property for some uses that it can be put to. If you don't, I doubt that anything meaningful is going to happen around the Grumman Calverton firm at any foreseeable time. Thank you."

Councilman Prusinowski, "Thank you Allen. Would anyone else like to address the Board? Steve."

Steve Haizlip, "I'd like to re-address that issue what I spoke about the ash dump. Maybe I was a little abrupt. So what I want to do is go back over it. Now that this Article 7 and Mr. Smith talks about, they are so concerned about that messing up a contamination ground water. And now they come right along and put this ash (and I know Mr. Lombardi has been out with a petition trying to go against this) because it probably will have an effect on the land

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PERSONAL APPEARANCES Continued

Steve Haizlip, Continued

and the water. Now, as the paper said Mr. Boschetti, they don't tell us anything. They just come in. They go into Hofstra and just say; we're going out there and dump it. Since they're the domination powers and they ought to be at least courteous enough and let you know ahead of time and then not announce it through no newspaper. Thank you."

Councilman Prusinowski, "Thank you Steve. Anyone else wishing to address the Board on any subject? That being the case, thank you for coming tonight, adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:21 p.m.

IJP:nm



Irene J. Pendzick  
Town Clerk