

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, April 20, 1982 at 7:30 P.M.

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

Absent: 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.

Supervisor Janoski: "Councilman Boschetti is absent this evening because he is representing the Town of Riverhead — Councilman Boschetti is absent this evening due to his representation of the Town of Riverhead in Albany at a meeting and conference concerning cablevision and he was kind enough to undertake that trip for us.

We have with us this evening, of course, the department heads who would be available should any questions be asked of them."

BILLS

Bills submitted on abstract dated April 20, 1982 as follows:

General Town	\$81,170.01
Federal Revenue	\$ 214.41
Street Lighting	\$14,502.29
Highway Item #1	\$ 4,408.30
Highway Item #3	\$ 452.92
Highway Item #4	\$ 110.26

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

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

General Town	\$81,170.01
Federal Revenue	\$ 214.41
Street Lighting	\$14,502.29
Highway Item #1	\$ 4,408.30
Highway Item #3	\$ 452.92
Highway Item #4	\$ 110.26

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "Reports Mrs. Pendzick."

OPEN BID REPORT - LIQUID ASPHALT - HIGHWAY DEPARTMENT

After being duly advertised the bids for Liquid Asphalt for the Highway Department were opened by the Town Clerk on Monday, April 19, 1982 at 11:00 A.M.

NAME OF BIDDER: R.O. Welch Asphalt Company

ADDRESS OF BIDDER: 1064 Woodcrest Avenue, Riverhead, New York 11901
1064 Woodcrest Avenue (½ miles) &

LOCATION OF PLANT: Middle Road, Riverhead, New York (1½ miles)

DISTANCE OF PLANT ½ & 1½ MILES FROM RIVERHEAD HIGHWAY DEPARTMENT YARD.

Item #1: Liquid asphalt cutback supplied in quantities at various locations within the Township as directed by the Superintendent of Highways.

Item #2: Liquid Asphalt cutback supplied and applied with bidder's distributor at various locations within the Township as directed by the Superintendent of Highways.

MC-30	\$1.48	PER/GAL.	MC-30	\$1.54	PER/GAL.
MC-70	\$1.48	PER/GAL.	MC-70	\$1.54	PER/GAL.
MC-250	\$1.48	PER/GAL.	MC-250	\$1.54	PER/GAL.
MC-800	\$1.48	PER/GAL.	MC-800	\$1.54	PER/GAL.
RC-70	\$1.48	PER/GAL.	RC-70	\$1.54	PER/GAL.
RC-250	\$1.48	PER/GAL.	RC-250	\$1.54	PER/GAL.
RC-800	\$1.48	PER/GAL.	RC-800	\$1.54	PER/GAL.

OPEN BID REPORT - LIQUID ASPHALT - continued

Item #3: Liquid Asphalt cutback picked up at plant of successful bidder as required by the Superintendent of Highways.

MC-30	\$1.39	PER/GAL.
MC-70	\$1.39	PER/GAL.
MC-250	\$1.39	PER/GAL.
MC-800	\$1.39	PER/GAL.
RC-70	\$1.39	PER/GAL.
RC-250	\$1.39	PER/GAL.
RC-800	\$1.39	PER/GAL.

FILED.

NAME OF BIDDER: Lansdell Asphalt & Bituminous Corp.

ADDRESS OF BIDDER: Old Northport Road, Box 697, Kings Park, N.Y. 11754

LOCATION OF PLANT: Old Northport Road, Kings Park, New York

DISTANCE OF PLANT 41 MILES FROM RIVERHEAD HIGHWAY DEPARTMENT YARD.

Item #1: Liquid Asphalt cutback supplied in quantities at various locations within the Township as directed by the Superintendent of Highways.

Item #2: Liquid Asphalt cutback supplied and applied with bidder's distributor at various locations within the Township as directed by the Superintendent of Highways.

MC-30	\$1.60	PER/GAL.	MC-30	\$1.75	PER/GAL.
MC-70	\$1.60	PER/GAL.	MC-70	\$1.75	PER/GAL.
MC-250	\$1.60	PER/GAL.	MC-250	\$1.75	PER/GAL.
MC-800	\$1.60	PER/GAL.	MC-800	\$1.75	PER/GAL.
RC-70	\$1.60	PER/GAL.	RC-70	\$1.75	PER/GAL.
RC-250	\$1.60	PER/GAL.	RC-250	\$1.75	PER/GAL.
RC-800	\$1.60	PER/GAL.	RC-800	\$1.75	PER/GAL.

OPEN BID REPORT - LIQUID ASPHALT - continued

Item #3: Liquid Asphalt cutback picked up at plant of successful bidder as required by the Superintendent of Highways.

MC-30	\$1.425	PER/GAL.
MC-70	\$1.425	PER/GAL.
MC-250	\$1.425	PER/GAL.
MC-800	\$1.425	PER/GAL.
RC-70	\$1.425	PER/GAL.
RC-250	\$1.425	PER/GAL.
RC-800	\$1.425	PER/GAL.

FILED.

OPEN BID REPORT - BLUE STONE and/or TRAP ROCK -
HIGHWAY DEPARTMENT

After being duly advertised the bids for blue stone and/or trap rock for the Highway Department were opened by the Town Clerk on Monday, April 19, 1982 at 11:15 A.M.

GOTHAM SAND AND STONE CORP.
East Shore Road
P.O. Box 351
Port Washington, N.Y. 11050

Price per ton blue stone delivered to Riverhead Town Highway Yard, Osborne Avenue, Riverhead, N.Y. as directed by Superintendent of Highways:

BLUE STONE	\$ 16.23
TRAP ROCK	\$ 16.23

Price per ton blue stone/trap rock picked up at plant of successful bidder:

BLUE STONE	\$ 14.60
TRAP ROCK	\$ 14.60

LOCATION OF PLANT: Port Jefferson, New York

DISTANCE IN MILES FROM HIGHWAY YARD, OSBORNE AVENUE, RIVERHEAD, N.Y.

25 miles plus or minus

FILED.

OPEN BID REPORT - BLUE STONE and/or TRAP ROCK -
continued

JOHN WHITE
P.O. Box 482
Calverton, New York 11933

Price per ton blue stone delivered to Riverhead
Town Highway Yard, Osborne Avenue, Riverhead, N.Y.
as directed by Superintendent of Highways:

BLUE STONE	\$	_____
TRAP ROCK	\$	<u>16.50</u>

Price per ton blue stone/trap rock picked up at
plant of successful bidder:

BLUE STONE	\$	_____
TRAP ROCK	\$	<u>16.50</u>

LOCATION OF PLANT: West Nyack, N.Y.

DISTANCE IN MILES FROM HIGHWAY YARD, OSBORNE AVENUE, RIVERHEAD, N.Y.

150 Miles

FILED.

McLAIN DOCK & STONE CO., DIV. OF HENDRICKSON BROS, INC.
P.O. Box 356
Port Jefferson, New York 11777

Price per ton blue stone delivered to Riverhead
Town Highway Yard, Osborne Avenue, Riverhead, N.Y.
as directed by Superintendent of Highways:

BLUE STONE	\$	<u>16.80</u>
TRAP ROCK	\$	<u>16.80</u>

Price per ton blue stone/trap rock picked up
at plant of successful bidder:

BLUE STONE	\$	<u>14.80</u>
TRAP ROCK	\$	<u>14.80</u>

LOCATION OF PLANT: Port Jefferson, N.Y.

DISTANCE IN MILES FROM HIGHWAY YARD, OSBORNE AVENUE, RIVERHEAD, N.Y.

20 Miles

OPEN BID REPORT - BLUE STONE and/or TRAP ROCK -
continued

The collusion statement for this bidder was not filled out.

FILED.

A & G MATERIALS, INC.
168 Town Line Road
Kings Park, New York 11754

Price per ton blue stone delivered to Riverhead
Town Highway Yard, Osborne Avenue, Riverhead, N.Y.
as directed by Superintendent of Highways:

BLUE STONE \$ 17.38

TRAP ROCK \$ 15.95

Price per ton blue stone/trap rock picked up
at plant of successful bidder:

BLUE STONE \$ 17.38

TRAP ROCK \$ 15.95

DISTANCE IN MILES FROM HIGHWAY YARD, OSBORNE AVENUE, RIVERHEAD, N.Y.

40 Miles

LOCATION OF PALNT: 168 Town Line Road, Kings Park, New York 11754

FILED.

MIDHAMPTON ASPHALT CORP.
P.O. Box 325
15 Remsen Avenue
Roslyn, New York 11576

Price per ton blue stone delivered to Riverhead
Town Highway Yard, Osborne Avenue, Riverhead, N.Y.
as directed by Superintendent of Highways:

BLUE STONE \$ 18.00

TRAP ROCK \$ 18.00

Price per ton blue stone/trap rock picked up at
plant of successful bidder:

BLUE STONE \$ 16.60

TRAP ROCK \$ 16.60

OPEN BID REPORT - BLUE STONE and/or TRAP ROCK -
continued

DISTANCE IN MILES FROM HIGHWAY YARD, OSBORNE AVENUE, RIVERHEAD, N.Y.

Bidder left blank

LOCATION OF PLANT: Calverton, New York

FILED.

OPEN BID REPORT - UNIFORM CLOTHING - POLICE DEPARTMENT
After being duly advertised any bids that were to be received for Uniform Clothing for the Riverhead Police Department were to be opened by the Town Clerk on Monday, April 19, 1982 at 11:30 A.M.

NO BIDS WERE RECEIVED ON THIS DATE.

FILED.

REPORTS

Tax Receiver's report dated April 12, 1982. Filed.

Supervisor Janoski: "Thank you Mrs. Pendzick. Applications?"

APPLICATIONS

Parade permit - Riverhead Fireman's Association for
5/02/82 at 6:00 P.M. Filed.

Parade Permit - combined Veteran's Committee for
5/30/82 at 9:00 A.M. Filed.

Special Permit - Island Wholesale Wood Suppliers,
Sound Avenue. Filed.

Supervisor Janoski: "Thank you. The time for the first public hearing has not yet arrived, so we will move onto correspondence."

CORRESPONDENCE

Town of Brookhaven - re: proposed amendments to Code: Chapter 33, Chapter 85, Part I & Part II, and J-5. Filed.

Chamber of Commerce, 4/05/82 - advising support for tax exemption for eligible business. Filed.

L.I. Tourism & Convention Commission - application for town to be designated for 1982 L.I. Fall Festival. Filed.

Beatrice Miller, 4/05/82 - submitting resignation as Bingo Inspector. Filed.

Kathy Grosselfinger, 4/16/82 - opposed to aerial pesticide spraying in Wading River & inviting officials to informational meeting on 4/20/82. Filed.

Planning Board, 4/16/82 - recommendation that the special permit application of Joseph & Linda Sullivan be denied. Filed.

Janet Fater, 4/16/82 - submitting resignation as Home Aide. Filed.

John & Ann Marie Masek, 4/18/82 - objecting to the Riverhead Airpark. Filed.

Harvey Arnoff, 3/03/82 - advising that firm that prepared DEIS has reviewed comments & states that comments were addressed in the DEIS. Filed.

Environmental Quality Review Board, 4/08/82 - that application of J. & T. Goelz/R. & G. Lewis is a Type II Action. Filed.

County Planning Department, 4/12/82 - comment re: application of Mitacchione that appropriate screening warrants consideration. Filed.

Gregory Blass, 4/12/82 - requesting letter re: court centralization be sent from Town Board to Lee Koppelman, County Planning Director. Filed.

CORRESPONDENCE - continued
H2M Corp., 4/09/82 - re: Parker Road drainage &
Water District storage tank. Filed.

UNFINISHED BUSINESS
Riverhead Airpark - special permit for general
aviation report.

Joseph & Linda Sullivan - special permit for mobile
home park.

Riverhead Flagg Corp., - change of zone & special permit
for condominiums.

Great Peconic Beach Club Hotel - site plan for hotel
at South Jamesport.

Steven & Josephine Mitacchione - special permit at
Sound Avenue & Route 25A.

Longwood Realty - site plan for Jiffy Lube at Roanoke
Avenue & Route 58.

Northfork Plumbing Supply - special permit.

Anthony Angelelli - special permit for a game arcade,
312 West Main Street.

Gregory Kaloustian - special permit for amusement games,
Route 58 & Roanoke Avenue.

George Nadjjar - special permit for game room at 525
Osborne Avenue.

Milton Tepper - special permit for game room at 159
Railroad Avenue.

Supervisor Janoski: "Thank you Mrs. Pendzick. Under
unfinished business we have a special permit application for a
general aviation airport of Riverhead Airpark which is still
in the period of waiting for comment on the amending —
actually they're supposed to submit an amended Environmental
Impact Statement.

Joseph and Linda Sullivan special permit for a mobile
home park will be the subject of Board action in the very near
future.

Riverhead Flagg Corp. we are waiting the submission of
the Environmental Impact Statement.

Supervisor Janoski continues:
Great Peconic Beach Club Hotel site plan for South Jamesport, I don't know that that's been submitted."

Irene J. Pendzick: "The site plan, yes, a month ago."

Supervisor Janoski: "There is some confusion on this Great Peconic Beach Club Hotel and their attorney has not indicated what direction they want to move in.
Steven and Josephine Mitacchione's special permit will be the subject of calling for a public hearing this evening.
Longwood Realty site plan for Jiffy Lube at Roanoke Avenue, Route 58 is being reviewed by the Town Board at the present time.

Northfork Plumbing Supply special permit is before the Planning Board.

Anthony Angelelli special permit for game arcade at 312 West Main Street. He's going to have a problem there because we don't allow arcades on Main Street. Yes it will be returned to him.

Gregory Kaloustian special permit for amusement game for Route 58 and Roanoke Avenue is that indicated as an arcade? Irene do you know? That last one, I go . . . "

Irene J. Pendzick: "I don't recall."

Supervisor Janoski: "If that is for an arcade, it would require a special permit of the Town Board.

George Nadjar special permit for a game room at 525 Osborne Avenue will be handled in the Building Department as an accessory use.

Milton Tepper special permit for a game room at 159 Railroad Avenue will also be handled in the Building Department as an accessory use.

There are seven minutes remaining before the first public hearing. I will open the meeting to anyone who wishes to be heard on any subject at this time? Yes ma'am. Yes please."

"My name is Maria. . ."

Irene J. Pendzick: "Excuse me, is that button pushed forward so we all can hear you."

Maria Parson, 111 Sound Avenue and Northville Turnpike; "I'm involved in the advertising business so I don't have much background in public speaking. I'm very nervous. I'll try to

PERSONAL APPEARANCES - continuedMaria Parson continues

be very brief. I'm here tonight to address myself to the special application — special permit application by Island Wholesale Wood Suppliers for a permit to run a wholesale wood business on Sound Avenue. I think how you feel about this depends upon what side of the fence you're sitting on or in our case living on because this property is adjacent to our home and property.

In our opinion and in the opinion of our neighbors this kind of operation has no place on a historic corridor or in a place as beautiful as Sound Avenue. I think unless this company is planning to cut wood with laser beams, it's going to be a noisy filthy operation and an eyesore as well. I realize that this will come up in a public hearing and we will discuss it then so I won't go into it. Okay. However, I do want to voice my disapproval, many neighbors couldn't make it tonight because this thing has gone through so quickly. How did this happen, we don't know. We do know that one of the parties involved in the purchase or proposed purchase of this property is a Suffolk County Legislator. It is my understanding that the application for a public hearing can only come after the Planning Board has submitted it's recommendations on the matter to the Town. My question is has the Planning Board submitted it's recommendation, and if so, what are they?"

Supervisor Janoski: "Well I want to address the first thing you said which was how did it happen so quickly? They went through the normal procedure of submitting a special permit application. Let me finish. We have had a discussion just a little earlier this evening concerning the point that you raised about the Planning Board and our public hearing. When we do take a break, we are going to discuss tabling the resolution calling for a public hearing because it would be my observation that the Planning Board cannot make a recommendation before the public hearing would be scheduled. I had thought that they would have a meeting before the fourth, but that's not the case and it will probably be tabled."

Maria Parson: "Okay, well I do thank you and you can be sure that there will be many people at that public hearing."

Supervisor Janoski: "Of course, the Planning Board will also be having the opportunity to speak on that."

Maria Parson: "Thank you."

Supervisor Janoski: "You are aware that that's industrial up there?"

PERSONAL APPEARANCES - continued

Maria Parson: "We are aware of that and we are aware that mistakes have been made in the past on Sound Avenue. We are interested in preserving what is left. Thank you."

Supervisor Janoski: "Thank you. Does anyone else wish to be heard at this time? Bart Morrison."

Bart Morrison, Wading River; "At the Town Board Meeting I attended last Monday, a presentation was made by a representative of LILCO. This concerned a renewal of a lease that had expired. At the completion of this presentation the LILCO representative turned to the audience and said he would be happy to answer any questions the audience might have. I full well recognize the prerogative and procedures practiced by this Town Board and its Chairman, but feel the technique used by the Chairman, Supervisor Janoski was abrupt, rude and arrogant. It was my feeling that the Chairperson should have explained immediately when the offer was made by the LILCO representative that questions would only be accepted at the rostrum.

We had an excellent administrator as we do now and a past administration and I believe that his downfall was due in great part to what we are starting to experience with this Supervisor, an aloof, arrogance and a tendency to forget how he arrived in the position that he now finds himself. If you have forgotten, I'll remind you, you were elected. I have the utmost respect for this Town Board and this Town Government, and I expect the same courtesy and respect to be returned. As far as I'm concerned now, the case is closed.

The other thing that has been disturbing me greatly is that there's a great concern about the possible removing or removal of part or all of our Court System from the County Seat. Not only should — not only should it not be done and Mr. Cohalan said it would not be done, but we should fight with great vigor for strengthening and renewal at all levels of government administration for renewal at the County Center. This was, is, and should remain the County Seat and all citizens should bombard our County Officials with our thoughts on this matter, preferably in writing. Also I might advise the County Executive to move his office to the County Seat four days a week and spend one day a week at his office in Hauppauge. This might add some prestige to the County Seat if the County Executive would come down here where he should be and we might — in Riverhead clean up our own act by removing the unauthorized sign from the parking field off Peconic Avenue proclaiming this as the gateway to the mythical County of Peconic. I don't recall any referendum by our citizens indicating that the majority of us are in favor of forming another County. The only people I see in favor of this, are those who would benefit most from creating it and that would be aspiring politicians. I would very much like to see that sign

PERSONAL APPEARANCES - continuedBart Morrison continues:

removed or a reason why you think whoever put it up, you're in power to do so. Thank you."

Supervisor Janoski: "There is one minute remaining before the public hearing. Does anybody wish to use that? Let me see, Bill Nohejl?"

Bill Nohejl, Wading River; "I'm interested if anything's been done on the bike racks?"

Supervisor Janoski: "Yes, as a matter of fact, we're talking with Photocircuits Inc. They have indicated that they might wish to donate bike racks to the Town."

Bill Nohejl: "Also I've read in the paper about getting policemen for the parking meters. Is this going to be a regular policeman or part-time policeman, or meter maids or what?"

Supervisor Janoski: "Well what it is, it's described as a parking meter officer very much like the position that Malcolm has Constable. The intent of the Town Board here is to provide a police presence on the Main Street and in the parking are."

Bill Nohejl: "I agree with that. But is it going to be a police officer or a . . ."

Supervisor Janoski: "A certified police officer in the state of . . ."

Bill Nohejl: "One or two?"

Supervisor Janoski: "Two is what we're talking about."

Bill Nohejl: "You mean to say that we have got to have two men to take the place of Malcolm?"

Supervisor Janoski: "No, no we're not."

PERSONAL APPEARANCES - continued

Bill Nohejl: "I know he's good, but I didn't think we had to . . ."

Supervisor Janoski: "We're not replacing Malcolm, we are adding to him."

Bill Nohejl: "I thought he's retiring."

Supervisor Janoski: "Malcolm is going to go on for one more year. The State of New York has just informed me that they are going to extend him until April of 1983."

Bill Nohejl: "But why do we have to have a full-fledged officer to do the parking meters? Is it just for the parking meter or is it for a general town routine?"

Supervisor Janoski: "It's to provide a police presence on Main Street."

Bill Nohejl: "A regular police officer?"

Supervisor Janoski: "No, they are parking meter officers. This is a Civil Service title. They are certified by the State of New York as police officers. They have attended the Academy for 285 hours. They have gone through the Academy Training. The title Parking Meter Officer, is confusing and I understand what you're saying. We need two guys to watch the parking meters? No we don't need two guys to watch the parking meters. But we are trying, we're using that Civil Service title in an attempt to hire two people to provide a police presence on Main Street and in the parking areas. I have assigned to those areas in the past month or so, special officers and that presence has been appreciated by both the businesses and the people who shop downtown and the recommendation, if it was to make it a full-time."

Councilman Prusinowski: "Just to add one thing, Bill, when we re-paved the Peconic River Parking Lot, according to Federal Law, we have to provide a certain amount of handicap parking areas in the parking district. The problems that we're having is enforcing this regulation as well as the new red lining that we put into the parking lot. The merchants, themselves, the people who paid for the parking district have requested that a certain amount of spaces be red lined, that is to provide parking for the customers. In order to enforce this, you have to have

PERSONAL APPEARANCES - continuedCouncilman Prusinowski continues:

more man power. And I don't believe that you want full-time police officers who should be partolling the neighborhood giving out parking tickets. The rationale. . ."

Bill Nohejl: "Or vice versa."

Councilman Prusinowski: "The rationale is if you go to Westhampton in the summertime, they have police — they have meter officers."

Supervisor Janoski recessed the meeting to hold the public hearing in regard to Increase & improvement to Roanoke Avenue Sewers. See 1982 Sewer Minutes.

Supervisor Janoski: "We have five minutes until the next public hearing. Let's move onto the resolutions."

RESOLUTIONS

#212 AUTHORIZES OVERTIME COMPENSATION SANITATION DEPARTMENT

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

RESOLVED, that James Baldelli and Walter O'Kula, employees in the Sanitation Department, be compensated at time and one-half for overtime worked on April 9, 1982, Good Friday (Holiday).

JAMES BALDELLI	10	Hours	@	\$10.4469	\$104.47
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WALTER O'KULA	10½	Hours	@	\$ 9.59	\$100.70
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TOTAL					\$205.17
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and be it

FURTHER RESOLVED, that an explanatory report detailing said overtime be filed with the Town Clerk's Office.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#213 DESIGNATES KINGSWOOD PROPERTY AS A PARKLAND PRESERVE

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

WHEREAS, property is owned by the Town of Riverhead which

RESOLUTIONS - continued

totals approximately 15 acres located between Northville Turnpike and Kings Drive to the east and Ostrander Avenue to the west, and

WHEREAS, this Board is in receipt of the memo dated July 21, 1980, from the Riverhead Parkland Preserve Committee, and

WHEREAS, such memo recommends that the Kingswood property should be left in its present condition with no park or preserve development, and

WHEREAS, Section 239-x of the General Municipal Law provides that the Town may set aside property as a parkland preserve,

NOW, THEREFORE, be it

RESOLVED, that the Kingswood property as hereinabove described be and is hereby dedicated as a parkland preserve, and be it

FURTHER RESOLVED, that this property shall be closed to the public and a sign shall be posted noting that the Kingswood area is a Parkland Preserve and that loitering and littering in the area is prohibited.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#214 AMENDMENT TO POLICE RULES AND REGULATIONS SECTION 114-23(63)

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

WHEREAS, the Police Department has been instructed by this Town Board to institute a tow truck assignment system, and

WHEREAS, such assignment system requires a modification of the rules of the Police Department as currently embodied in section 114-23(63) of the Riverhead Town Code,

NOW, THEREFORE, be it

RESOLVED, that Section 114-23(63) of the Riverhead Town Code shall be amended as follows:

Recommending to any citizen any bondsman, lawyer, undertaker, physician, hospital, towing, repair or other professional or commercial service except where the Desk Officer on duty shall assign a tow truck operator from the rotating list in accordance with the Rules and Regulations forwarded to the Chief of Police by the Supervisor of the Town of Riverhead.

and be it

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

FURTHER RESOLVED, that the Town Clerk shall forward a copy of this resolution to the Chief of Police who thereafter

RESOLUTIONS - continued

shall provide each member of the Police Department with a copy thereof.

*Underscore marks addition.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#216 DESIGNATES OFFICERS TO ENFORCE CHAPTER 79 OF THE RIVERHEAD TOWN CODE, MOBILE HOMES AND TRAILER PARKS
Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, pursuant to Section 79-28 of the Riverhead Town Code, the Town Board shall designate an Administrative Officer to enforce Chapter 79 dealing with mobile homes and trailer parks, and

WHEREAS, Raymond Wiwczar and James V. DeLuca have expressed a willingness to so serve,

NOW, THEREFORE, be it

RESOLVED, that Raymond Wiwczar and James V. DeLuca are hereby designated as Administrative Officers to enforce Chapter 79 of the Riverhead Town Code dealing with mobile homes and trailer parks at no additional compensation.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "Let the record show that the hour of 7:55 p.m. has arrived."

Supervisor Janoski recessed the meeting at 7:55 p.m. to hold the public hearing.

PUBLIC HEARING - 7:55 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, April 20, 1982 at 7:55 p.m. to hear all interested persons regarding the proposed local law deleting Chapter 54 of the Town Code entitled: "Buildings and Structures, Dangerous".

The affidavits were ordered to be placed on file.

Supervisor Janoski; "Thank you Irene. Mr. Town Attorney?"

PUBLIC HEARING - continued

Richard Ehlers, Town Attorney: "There are two public hearings on tonight regarding the dangerous building and collapsed structures section of the Riverhead Town Code. The first one is to delete the previous section and I think the most salient portion of that section which will indicate to you why it might be in the interest to the Town to delete, would be to read that section. It indicates that no person, firm or corporation shall allow any building or structure in the Town to be deteriorated to such a condition or degree that the building or structure shall become dangerous and unsafe to the public. The section later goes on to describe that an engineer or licensed architect is to make an inspection of the building. That the owner of the building may then contract with his own engineer and basically after that a battle is set up between the two experts by an engineering question. That is, will the building fall down of its own, if nobody touches it? That section has caused problems in the past, in the enforcement of the dangerous building ordinance.

The proposed new ordinance which is currently enforced and used by Southold as well as other communities talk in a different light. That one indicates and that's the subject of the next public — that all buildings or structures which are structurally unsafe, dangerous, unsanitary or not provided with adequate egress or which in relation to existing use constitute a hazard to safety or health by reason of an adequate maintenance, delapidation, obsolescence or abandonment are severely for the purposes of this chapter, unsafe.

Now that determination is initially made by the Building Inspector under the new section after which notice is forwarded to the legal owner of the property and a sign is posted at the property. A request is made in the notice that the building be boarded up and made to comply with what would make it safe, provide the adequate ingress or egress or make sure that it won't fall down or that it's not unsanitary. If that is not complied with, then the Building Inspector may petition the Town Board for an order declaring the building unsafe. This procedure permits the Town Board overall jurisdiction to determine and override the determination of the Building Inspector. As in the previous section, the owner of the building may bring in architects, licensed engineers to show that the Building Inspector's determination is inappropriate or inaccurate, however, it does not place the initial burden on the Town to show it to be a dangerous or unsafe building. It must be shown by an engineer, the building will, in fact, fall down. And that is in a nut shell the difference between the old section which is to be repealed and the new section which is to be adopted."

Supervisor Janoski: "Thank you. I would ask anyone who wishes to address the Town Board on this issue. Yes see Paul."

PUBLIC HEARING - continued

Paul Podlas, Riverhead; "I strongly disagree with that Town Attorney. I think the original law has a little checks and balances in it which is very necessary on democratic society and if we want to run the two hearings together, I object to the new proposed ordinance that's being put in because it gives too much authority to the Building Inspector. And the way I read it, it says that the Building Inspector can walk into any house and ask for any assistance that's necessary to go in to inspect it. And it also says that he can close off a public or private road if he feels it's necessary and it also feels — speaking about one individual that he can go next door and say you have to get out because this building (the tape ended) (the new tape began) . . . in the new proposed ordinance does issue his findings that the Town Board has the authority to review it and everything. I'm kind of getting the feeling that the Town of Riverhead — that the Town Board is putting too much on themselves. Now the Councilman up there are part-time individuals and I'm getting to be concerned where they all have an outside job, they're going to get involved with so many hearings and determinations that maybe we're going to get quantity and not quality in decisions. You're not going to have an opportunity to really look into things.

Now the original ordinance we're talking about, the way I read it, had a builder, an engineer, an architect, there can be two or three people involved in it, like our Town Attorney says, that's where the problem's been. Maybe it has been a problem, I'm not familiar with it, but I would say one thing. At least there's more than one person involved in our democratic society, to me that's very important. And where one man, whether it be Ray or Jim, both our Building Inspectors right now, can walk in and the way I read it, can walk right into my own house right now, if something looks wrong to them. They can walk in with assistance and I have to interpretate the word assistance, to me it would mean probably with a local policeman. But they can walk in and say this is unsafe and issue me a notice, then I have to fight the Town Board. I have no recourse. I can't sit down with two or three other people and get an opinion. And there's a lot of meanings for unsafe. Now I think we have a fairly good ordinance in there. It maybe needs some cleaning up, but I think the new one coming in is way too strong."

Supervisor Janoski: "Thank you Paul. I'm sorry ma'am. I haven't recognized you yet. I just wanted to say one thing, that certainly the constitution protects your private property rights and no one can enter your home without a proper search warrant. Did you wish to be recognized, Claudia?"

Claudia: "In regards to this particular hearing on . . ."

PUBLIC HEARING - continuedIrene J. Pendzick: "Can I have your name?"

"Yes. Claudia DeGennaro: "I'm from Shirley. I'm an out of townner. In regards to this law, first of all, it said that the hearing was supposed to start at 8:05. Well the Town Attorney took up about four minutes of that explaining what the law entails and I feel that should be extended because he took up most of the time and maybe other people in the audience have something to say."

Supervisor Janoski: "Claudia, the hearing goes on until everybody that wants to speak to it does, but I may have to stop, in fact, I have to stop in one minute and recess it, but then I will open it up again."

Claudia DeGennaro: "Okay, very find. First of all, I do not feel that one person or two people should be allowed to make a decision as to — if a building is safe or unsafe or if there is a hole in the floor of a building, that does not constitute as being unsafe, which your Town Attorney was quoted in a local newspaper saying that perhaps it might have a hole in the floor, but it's not about to tumble down. So I feel that the only reason a building should be condemned or asked to be fixed is if it was an absolute — I guess the word is wreck and was just like a wind could blow it over.

In addition to that, I've had difficulties with the Building Department and I don't feel that they are capable of handling something like this. And to give you a good example, about three weeks ago, I received a phone call over my tape machine which played "Man of LaMoncha," "The Impossible Dream", then came "Scotch and Soda", and then somebody does bizt, bizt, bizt, and they say "Mr. Cue", "Mr. Cume", I want soda, two sodas from Shirley. And then you could hear Jim DeLucca in the background laughing and he says yes I want two of them. And then they went back to play "Scotch and Soda".

Another occasion Mr. DeLucca put a red building condemnation notice sign on my building."

Supervisor Janoski: "Claudia, I'm going to have to interrupt you. You're not addressing the issue and you're really . . ."

Claudia DeGennaro: "I'm explaining to you that the Building Department is not capable . . ."

Supervisor Janoski: "Fine."

PUBLIC HEARING - continued

Claudia DeGennaro: ". . .of handling it."

Supervisor Janoski: "I can respect that. That addresses the issue."

Claudia DeGennaro: "Okay, very fine."

Supervisor Janoski: "Let the record show that the hour of — I'm recessing that hearing. Let the record show that the hour of 8:05 P.M. has arrived."

Supervisor Janoski recessed the hearing at 8:05 p.m. to hold the 8:05 p.m. hearing.

PUBLIC HEARING - 8:05 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, April 20, 1982 at 8:05 P.M. to hear all interested persons regarding the proposed local law adding Chapter 54 to the Town Code, to be entitled: "Unsafe Buildings & Collapsed structures Law".

The affidavits were ordered to be placed on file.

Supervisor Janoski: "Thank you Mrs. Pendzick. I would recognize anyone — do you have to — Hank?"

Henry Fioto, 642 Northville Turnpike, Riverhead; "Basically what we're discussing here is — what we're doing as a Town Board, everybody knows here is we have a situation well back in Riverhead with the Raspberry Hilton and the Town was taken to Court and they say the building was unsafe and he hired an architect so that it was safe, it wound up costing the Town \$60,000 to buy this building, cause they already decided it was unsafe, then we turn around and lost another \$25,000 in taxes, then we turn around — we just sold the piece of property for 25,000. But it happened to be that the person who owned the piece of property had money and was able to, by going through motions of fighting the Town could do this. But what you're proposing right now without the safeguard of this other thing, an average individual who doesn't have any money who is struggling, who owns a piece of property, who's struggled to pay his taxes, right on down the line now has to face Mr. DeLucca over there who can walk on your piece of property and turn around and say it's unsafe and go to the Town Board and automatically then you have

PUBLIC HEARING - continuedHenry Fioto continues:

to go to a lawyer and you have to go through all this stuff and a lawyer today costs you thousands of dollars. If you don't have any money, you have no recourse, you're dead. And that's exactly what you're playing out. You're looking to protect the Town because the Town got beat out of things that cost the taxpayers money, but you're eliminating the poor person who can't afford to fight the Town, or fight as they say City Hall, which is exactly what Mr. Saxstein, rest his soul did. He fought City Hall, and he won. It cost the Town \$60,000 after they said the building was unsafe. Now they're going to change the law around. They're saying even though he turned around — somebody else couldn't come along and do this and I think it's 100% wrong. I think we have a safeguard in here, we have somebody with qualifications. Mr. DeLucca is not an architect, he is not an engineer and I don't feel Mr. Wiwczar is the same, that he has the right to say that that building is condemned. Right now you have to have an architect or engineer who will turn around and say the building is unsafe. And I don't feel they have the qualifications for that job and I don't feel the way it is that you should go through with this thing. Thank you."

Supervisor Janoski: "Thank you. Does anyone else wish to — George?"

George Schmelzer, Calverton: "I never read this thing, but what I've heard, it appears that an owner of a building is guilty, unless he can prove himself innocent, this is not the American law, sounds like Roman Law, not American Law. I don't see how that's even legal and I don't like to be repetitious but does this apply to public buildings or private buildings or what?"

Richard Ehlers: "It would apply to any building and to address your question of the burden of proof at any hearing of the due process clause of the federal constitution at a hearing which is held the burden is always on the moving party, in this case, the moving party is the Town of Riverhead. We would have to prove and the burden would be on the Town, to prove to the Town Board and the Building Inspector to prove to the Town Board that, in fact, the building met the requirements of the chapter and was dangerous and/or unsafe and only at that point, and if that determination were made, would the individual's house or building, is under attach, have to come forward in any way. No attorney would be required up to that point. It would be the same as the adversary proceeding in the nature of a criminal or civil proceeding."

PUBLIC HEARING - continued

George Schmelzer: "I think it's more like a declaration not proof. You said the public. Now what right has the public to go on private property without permission anyway."

Richard Ehlers: "This section certainly cannot advocate the constitutional right of a property owner to be safe and secure in his own home."

George Schmelzer: "I didn't ask you that."

Richard Ehlers: "It has no intention to."

George Schmelzer: "I didn't ask you that. I said what right has the public to go on private property without permission. You said you're protecting the public. If it's private property, it's strictly a private building. The public has no business there."

Richard Ehlers: "I'm not sure I understand how your question relates."

George Schmelzer: "I understand you said before — this thing isn't working too well."

Councilman Artale: "You're too close to it."

George Schmelzer: "This is all right here. I can talk loud enough without it. I understood you to say to protect the public. You strictly said public. You didn't say the owner or the architect, you said the public. Now what right has the public to go on private property without permission anyway in the private house. So how can it be protecting the public, he's got no business anyway? Are you protecting vandals that might break in or something or burglars? Are they to be protected?"

Richard Ehlers: "I think that there's an attractive nuisance theory in the law which you might be aware of. The insurance company is always very concerned about that. If you have an open refrigerator with a door on it on your property . . ."

PUBLIC HEARING - continued

George Schmelzer: "You're talking about buildings, not refrigerators?"

Richard Ehlers: "We're talking about a building that can fall on somebody's head or if you're talking about a hole in the building or a rat in the building that can give somebody a disease. Those are all public concerns, I think."

George Schmelzer: "An ice box is part of a building? So what you're — you're getting around the issue, I think. So a burglar has to be protected if he burglarizes somebody. So would you say that's an attractive nuisance — the fact that somebody might be carrying money in his pocket is that an attractive nuisance, so a mugger has a right to take the money, that's the same line of thinking, really? Is there any house in the last ten or twenty years in Riverhead Town or fifty years that has fallen down or hurt someone? Have you any case history?"

Supervisor Janoski: "George, the purpose of a public hearing is for you to tell us how you feel, not to ask the Town Attorney . . ."

George Schmelzer: "Well I wanted to get the basis of this. It's — try to find some purpose in it. What purpose is it."

Supervisor Janoski: "Quite honestly the purpose is that should there exist in the township dangerous, hazardous buildings and we can talk about sanitary conditions and so forth as well as structural . . ."

George Schmelzer: "Yeah."

Supervisor Janoski: ". . . that the Town Board would like to have a mechanism with which to address that problem. As was pointed out this particular ordinance word for word exists in the Town of Southold at the present time and has a number of years. It is my understanding that the Town of Southampton is also adopting it."

George Schmelzer: "Southold Town has less Police than Riverhead, too. And they got just as big an area and

PUBLIC HEARING - continuedGeorge Schmelzer continues:

and it's not like a rectangle like Riverhead is, if you like to make comparisons.

Now we have a speeding law — speeding laws are made because someone got killed in the car — car accidents. That's how speed laws came about, or laws against driving while being drunk because some drunk killed someone. Now can you come up with any cases as to where they give reasons for this. Has anybody been killed because a house fell down in Riverhead Town, five, ten, fifty years ago, one hundred years ago? There's no reason for this? Do you have any case history?"

Supervisor Janoski: "George, potentially an automobile can kill someone, potentially."

George Schmelzer: "Often has potential or not."

Supervisor Janoski: "But we're not talking . . ."

George Schmelzer: "But is has, but has a house killed anybody?"

Supervisor Janoski: "We're not talking about necessary death. You know if you don't recognize. . ."

George Schmelzer: "Has a house hurt anybody? Has a house fallen down on anybody, injured them?"

Supervisor Janoski: "George, if you don't recognize what exists in this Town as more than a hazard to health and safety, if you don't know what's going on in this Town George, then you better take a look around."

George Schmelzer: "Well that's right, what's going on? There is a hazard and it's not in people's houses either. It's in the parking lot in stores. It might be in peoples houses where they've broken in, they've broken into somebody's mobile home. Now that mobile home wasn't ready to fall down either and that didn't call for hazard."

Supervisor Janoski: "I appreciate your point of view George, I really do. But what this Town Board is trying to

PUBLIC HEARING - continued

Supervisor Janoski continues:
do is to address some problems which exist in this Town. We are trying properly to find a mechanism with which to deal with them, which is why we have a public hearing."

George Schmelzer: "That's right."

Supervisor Janoski: "To get your ideas."

George Schmelzer: "But you got here — a house as can be declared in this condition as somebody's opinion. It's only somebody's opinion. Now this building right here has two outlets from the cellar. Suppose there was a fire down the north east — southeast corner. How could somebody get out? Now this house is a hazard also. Would you want to knock it down because of that reason. There might be a fire trap, somebody sitting down the basement on the westerly end."

Councilman Prusinowski: "Joe, can I say one thing?"

Supervisor Janoski: "You're recognized."

Councilman Prusinowski: "Okay, you know George. . . "

George Schmelzer: "What?"

Councilman Prusinowski: "I think everybody in the Town of Riverhead has a little short memories and for those people who are from out of Town and have only been here for the last couple of years, I can remember driving down East Main Street, Riverhead four and a half years ago and there was a big problem and you know it required action. It required doing more than just talking."

George Schmelzer: "What problems be specific please?"

Councilman Prusinowski: "Well if you don't remember, the former complex which is now called Mill Brook Apartments, you know years ago previous Town Boards used to say, it's never going to happen to Riverhead."

PUBLIC HEARING - continued

George Schmelzer: "You mean across the street there?"

Councilman Prusinowski: "Excuse me. Right. When things get out of hand then they come to the Town Board. You got to do something now. And sometimes it's too late. And what we're doing is just talking a look, exploring ways. We're not saying this thing's going to be passed tonight.

George Schmelzer: "I don't know about that. With the structures of the building and the people in there. . ."

Councilman Prusinowski: "George you're not listening."

George Schmelzer: "I'm listening."

Councilman Prusinowski: "The purpose of a public hearing is to get input from everybody in this room. Now if you have a better way, we want to hear it."

George Schmelzer: "All right."

Councilman Prusinowski: "But I don't want to hear the criticism and the constant complaining, you got to do something, but don't do anything."

George Schmelzer; "I didn't say that."

Councilman Prusinowski: "Because I walk around Town . . ."

George Schmelzer: "I didn't say you got to do something."

Councilman Prusinowski: "I'm just saying a lot of people in Town want the Town Board to take actions on some conditions. And we're here tonight to listen to what everybody has to say. I understand you are against . . ."

George Schmelzer: "Don't say I was complaining."

PUBLIC HEARING - continued

Councilman Prusinowski: "No, I'm saying that you are against the resolutions they way they are written. So I just made a note and we got you on the record."

George Schmelzer: "Okay. Now you compared 821, was that the structure or the tenants that did that mess?"

Councilman Prusinowski: "Both."

George Schmelzer: "The structure was no good."

Councilman Prusinowski: "Both."

George Schmelzer: "Well then the building person must have been no good when it was put up then."

Supervisor Janoski: "George I'm going to have to interrupt you. You are way over time."

George Schmelzer: "Thank you."

Supervisor Janoski: "I'm recessing this hearing, moving on to the 8:15 hearing. Let the record show that the hour of 8:17 p.m. has arrived."

Supervisor Janoski recessed this hearing at 8:17 p.m. to hold the 8:15 p.m. Public hearing.

PUBLIC HEARING - 8:15 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, April 20, 1982 at 8:15 P.M. to hear all interested persons regarding the proposed local law repealing former Article IX of the Town Code, known as the Board of Housing Appeals.

The affidavits were ordered to be placed on file.

Supervisor Janoski: "Mr. Town Attorney."

PUBLIC HEARING - continued

Richard Ehlers, Town Attorney: "This started out as a bookkeeping type of local law that was on the agenda tonight. Back in 1968 when the Town Board adopted it's Housing Standards Act, it included in that act, the right of review to the Housing Board of Appeals, which was to be made up of three members of the Town Board to review a charge at the request of a defendant where the Building Department lodged such a charge alleging a violation of the Town Building Law, Building Code. In 1979, in fact, on July 3, 1979 the Town Board nullified that Board of Appeals or so they thought. They did it by a resolution. They did it without a public hearing. It was taken off the Town Code Book, a responsible citizen came forward, showed us where in fact that had not been done correctly and tonight's effort is to, in fact, determine if it should be done correctly, whether it should be repealed or not. That is why it is on the agenda this evening. Basically the Housing Board of Appeals permitted the citizen who was charged with an ordinance violation to request a hearing before that Board.

If they wanted to allege with the destruction to the premises was caused by the tenant, they could do so. However, if they did make that allegation they were deemed to have admitted the violation did, in fact, exist. The only question was one of proof, whether or not the tenant did it or the owner did it. And there was a hearing to be held before that Board to make that determination. If it was found that the tenant had, in fact, caused the violation, the charge against the owner would be dismissed at that time. It's been thought that this was a particularly cumbersome procedure since both the tenant and the owner may be charged abinitio and, therefore, it was unnecessary. And I believe that it was repealed in 1979."

Supervisor Janoski: "Thank you."

Hank Fioto, 642 Northville Turnpike, Riverhead; "I'm glad this thing was brought up tonight. I never knew this — this existed. About a year ago, I was charged on some property on 644 Northville Turnpike by esteemed Mr. DeLucca who went into a premises and he turned around and the place — the premises had a fire and he claims he went into inspect the premises after which I went to court for. And I never knew this thing had even existed; that I had a right and come to the Board and go through this thing. I came to court and I was tried in front of Judge Leonard and all these cases are tried in front of Judge Leonard, I don't know why, I don't know if it's a one-sided thing or not. But everyone of these housing things goes to Judge Leonard's Court and everybody's guilty. The only problem or difference there, if you go out and mug somebody and go into Judge Leonard's Court my basic opinion is you wouldn't get off with nothing.

PUBLIC HEARING - continuedHank Fioto continues:

It wouldn't cost you nothing. See, but if you have a housing violation, it all goes into Judge Leonard's Court. And everybody's guilty. I don't care who it is. They're guilty. I just wish, I just wish that I knew this thing existed then, believe me. If it isn't appealed yet, I haven't paid the fine. Can I make a request now to come in front of the Board to have a hearing on this thing that I was connected of. That they told me I didn't have a right. I was told that it was a complaint and I said who made the complaint? We can't tell you that. I wish I would have known this existed. I learned something. Of all the meetings I come to I learned something tonight. It's amazing. Mr. Town Attorney is this thing still in existence? Has it been repealed yet? I have a right to appeal that thing that I was found guilty by the Kangaroo Court and come up in front of the Board."

Richard Ehlers: "I don't think you could."

Hank Fioto: "Why not?"

Richard Ehlers: "That's done with now. You'd have to open up with an Article 78 proceeding in the Supreme Court."

Hank Fioto: "Oh I can do that, though?"

Richard Ehlers: "You're welcome to try."

Hank Fioto: "Me try — I still can come in front of the Board. Do I have a right to come in front of this Board? This law existed that nobody knew nothing about? It was hidden under the mattress. All I want to know, is if I have a right? Now I'm finding out something. You say I have to go to a thing — now this law was hidden. Nobody told me that. I wasn't advised of my rights."

Supervisor Janoski: "Hank, the purpose of this hearing is to get information from you about how you feel about the repeal of this particular section of law."

Hank Fioto: "Now that — I think it's a godsend now that I'm informed we have it."

PUBLIC HEARING - continued

Supervisor Janoski: "Hank, quite honestly, the Town Board, in 1979 thought that they repealed it. We discovered that they had not."

Hank Fioto: "I thank God that they didn't repeal it. I'm glad it's still on the books."

Supervisor Janoski: "It never existed."

Hank Fioto: "I hope it does that. I hope it stays."

Supervisor Janoski: "That's what I want to hear. Yes Ma'am."

Unidentified Speaker from the audience: "I'll be brief for once. By the time I say my name, five minutes is passed."

I'm Betty Edwards. I want to say that I understand that you are trying to upgrade Riverhead and hallelujah I hope you make it. But unfortunately, we're all only human. And many mistakes are made. The individual doesn't have the right — I, myself, have been hampered so much of my endeavors to upgrade one small piece of property in Riverhead. Every time I turned around, I was slapped with a summons. I told the Court, I told the people doing it to me, give me a chance. I'm working at it. I'm upgrading it. Two steps forward, ten steps back. I was so busy running to Court, I was so busy taking money and paying fines, that that money would have gone to upgrade the very property in question. And you do have to have control. Because nobody is perfect. And a man can make a mistake and people have to have a place where they can go and air out their side and what this man said was so honestly said, so true and so basic, because I, myself, have been up before Judge Leonard. I have never, never won. Never, no matter how right I was. No matter how glaringly, obviously, completely, unquestionably wrong the other party was, they always won every time I appeared before Judge Leonard.

I have another — I have a hearing difficulty. Half of the things I couldn't even defend myself about because nobody would raise their voice to talk loud enough. Maybe they were afraid I would hear what they were saying and, therefore, be able to defend myself. My hearing difficulty, I am happy to say will be over with. Next month, I am having surgery, hallelujah for that too.

But I think the Town is doing a great thing in upgrading Riverhead. I'm for it. But sometimes the means does not always

PUBLIC HEARING - continuedBetty Edwards continues:

justify the answer. You cannot push down people who are going forward, who are trying in their way to do the same thing in a small way that you're trying to do in a big way. Give people a chance. Let the individual be heard. Give them a place to be heard. Then determine, is the person truly trying to upgrade? Is this person truly trying to do something good and that's why it is important to keep that appealed, that the amendment that they're just speaking about, in my opinion. Okay."

Supervisor Janoski: "Thank you Betty. I'm going to recess the hearing on repealing of the Housing Board of Appeals and move on to the 8:25 p.m. hearing."

Supervisor Janoski recessed this hearing to hold the 8:25 P.M. Public Hearing.

PUBLIC HEARING - 8:25 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, April 20, 1982 at 8:25 P.M. to hear all interested persons regarding the proposed local law amending Chapter 103, Section 103-5(B)3 of the Town Code in regard to the imposition of fees at the Riverhead Landfill for the disposal of scavenger wastes.

The affidavits were ordered to be placed on file.

Richard Ehlers, Town Attorney: "Scavenger Waste is currently collected at the landfill. It will hopefully in the future be collected at the Scavenger Waste Facility which the Town has signed the agreement with Southampton to construct with federal and state funds. However, there is an interim point. The fee is charged by the Town for depositing of scavenger waste that excludes duck blood as well as cesspool leavings with the Town dump. That fee is a penny a gallon. It was felt that charging for a full truck sometimes can cause a problem for a consumer if in fact two loads or two cleanings are placed on one truck, there's a possibility that the individual cleaning the tanks could charge both customers for the full fee. So it's been changed to use a sight glass which evidently is on the side all of the vacuum trucks which are the ones used presently. A fee of half the amount can be charged correctly among the users."

Supervisor Janoski: "Thank you Mr. Town Attorney. Does anyone wish to address the Town Board? Yes Sir."

PUBLIC HEARING - continued

Nash Cesspool Service; "Now as far as this dumping — you know we're dumping at a landfill, it's been there. That particular landfill has been there since 1979. I don't object to charge the people for it, but I do feel that we're being discriminated against as cesspool men. But you have other businesses in this Town that go to that same landfill that we go to. There is no fee being charged to go a step further. Any time that there is any kind of up bringing of any kind, it always starts with the cesspool men first. Now our fee is two hundred dollars. Your sanitation is one hundred fifty dollars, right. The landfill men up there have to cover, move, backfill, etc. As far as we go, we go to designate it to one particular area. There is the amount of work that is done for us is nothing.

Now I feel that as far as the Town people go, charging a dumping fee for a landfill, I can't see it. If you could charge one, why not charge everybody. Because you have people that's on a second income, right? This is an additional expense to him. It's a hardship to him. Oh they pay it, but it's a hardship to them. If you have the sewer plant open, I can see everybody paying because there's more work involved, there's more men involved, and so forth and so on. Up there, there is no big amount of work that's done. And the people are — I can't see this. And . . ."

Supervisor Janoski: "Mr. Nash, for the record, would you just give us your address, your. . ."

Mr. Nash: "I'm not your (the rest of this sentence was uncomprehensible)."

Supervisor Janoski: "No no, no no. For the public hearing, we need your name and address and you just said Nash Cesspool Cleaner."

Mr. Nash: "Nash Cesspool Service, d/b/a Marshall Nash, 1399 Pulaski Street, Riverhead; "Now when it started off, it's a half a cent a gallon — I mean a cent a gallon, okay. Now this is the way it was wrote in the books. But what they did is to go a step further to say when you go to the dump, your truck is rated as two thousand gallons, constitutes twenty dollars. If I pick up five hundred gallons in Riverhead, my next job is in Flanders, I have to go to the dump to dump. Five hundred gallons is costing the people twenty dollars. Now I can't see where this is right. Now it cost them five hundred dollars for — I mean it cost them twenty dollars for five hundred gallons. It will cost somebody else

PUBLIC HEARING - continuedMarshall Nash continues:

twenty dollars for two thousand gallons. There is — I mean I can't see where there is any happy medium in that what-so-ever."

Supervisor Janoski: "That's the problem that we're trying to address (the tape ended)."

(the next tape began)

Marshall Nash: ". . . I'm a cesspool man and it cost me forty dollars to pump my own pool. I think that's a little absurd. I don't — whether anybody agrees with this or not.

And — all right when you make your articles, put your articles in the paper, it should be where people can see them. You put it in one paper and the majority of the people read the classified ads in there, what went on in the Town, this and that. But as far as the — your legal notices and all this and that they don't read. As a cesspool man I didn't even see it. Mrs. Pendzick can tell you. I came down to ask her to see the Article that was put in the paper. When it first started off, I was called up and told there was a dumping fee going on. Now as far as the Town people go, they figure, hey, the ways it's written up in the paper, hey the cesspool men will pick up the tab. There is no way that we can pick up the tab. They are the ones that are picking up the tabs.

The only other thing I have to say is why is it that the cesspool men are being condemned. Everybody else is riding high. We're the only ones that are in there paying fees. We are the only one that — excuse me, we're the only ones that are buying a permit. It's higher than anybody else. And there's less work involved for us than anybody else. This part, I can't understand. I spoke to different people about it as far as the Board and everything goes, I spoke to different people about it. But I still haven't got a satisfactory answer from anybody. I personally, think it's wrong."

Supervisor Janoski: "Thank you Marshall. George, you got four minutes."

George Schmelzer: "I think the gentleman is right. I wanted to tell you something else. Years ago, when I was a kid, I think they dumped this stuff in the woods. And I believe it should be done again. Let's say we got these so-called pine barrons, the RCA land, really, when the Health Department or Town, whatever, says you got to dump it in one

PUBLIC HEARING - continuedGeorge Schmelzer continues:

spot they'll louse up the underground waters everytime. Just like fertilizer makes things grow, but you can prove fertilizer will kill anything. Just dump a whole bag against a tree, it will kill a tree. So that proves fertilizer kills trees, even though it makes them grow if you spread it out. Now there's two thousand acres across the river there, state land. If you dump this sludge, never once in the same spot in five years, you'd have such lush trees . . ."

Supervisor Janoski: "I'm sure Marty Lang's going to like that. But I'd like to do it."

George Schmelzer away from the microphone: "What?"

Supervisor Janoski: "I'm sure Marty Lang would love that. But I really would like to do it, what you're suggesting."

George Schmelzer: "It was done before. You know Eric Forwood in Southampton, he was on the Trustees before. He said in his father's woods, they did that for years and they had — trees never grew so fast."

Irene J. Pendzick: "George, put your mike on."

George Schmelzer: "Now it works. I must have shut it off and didn't know it. In realistic, if you think about that, if you dump that stuff over there, not in the same place all the time but scattered around, it doesn't smell. But one day, you say your people are not allowed in the Town Preserve, so they can't be allowed in there either unless they want to get their feet dirty, so . . ."

Unidentified speaker inaudible.

George Schmelzer: "If you put anything in one spot too much, too long, it becomes a problem. Like New York City dumping their sludge out in one spot twelve miles out, and now if they dump that sludge in a different spot every day, there's hundreds of thousands of square miles out there. If you had a thin film of that muck, why the fish would grow

PUBLIC HEARING - continued

ten times as big, really out there. Nothing grows from white sand. I don't want to use the other words. But you can't grow a garden on white sand, you know that. You can't grow fish either. I guess my five minutes — four minutes are up. Thank you."

Supervisor Janoski: "Actually, you got one more minute George. You want . . ."

George Schmelzer: "There was something I was supposed to say in the other hearing. I forgot to say it until I sat down. I can save the minute for that, okay?"

Supervisor Janoski: "Technically, no George. Did you want to say anything?"

Unidentified speaker: "No."

Supervisor Janoski: "There's a minute left and I'm going to have to stop you. Go right ahead. Pardon?"

Anthony DeGennaro: "I'd just like to say that if one person is charged for dumping, all people should be charged for dumping. If no one is charged for dumping, then no one should be charged. I believe that everyone is equal no matter what they're dumping. If you go to pay ten cents to use the men's room, you should pay ten cents to use the ladies room. I believe that equality should be overall. Thank you."

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

Councilman Prusinowski: "Yes Joe. Joe I just want to inform, for a matter of information that for the last forty-five years those people who have been using our sewer system which was one of the first built in Suffolk County have been paying their full share. None of the other taxpayers have paid any part of the burden for the sewer district. The purpose of building the Scavenger Waste Plant is to preserve the ground water supply on the Island. It's built with a federal grant. The purpose of charging a dumping fee or a tipping fee at the landfill is a charge those people will be using the Scavenger Waste Facility who previously have never used the sewer district. It's going to be fair across the

PUBLIC HEARING - continuedCouncilman Prusinowski continues:

Board. The other problem that we have is that the DEC, George, just won't allow us to dump it in the woods like the good old days and there's a lot of things that — to run the landfill . . . "

Supervisor Janoski: "Or the Health Department."

Councilman Prusinowski: "Or the Health Department. It's just not sanitary. Unfortunately, the new regulations concerning the landfill is very, very strict and there is a problem in all landfills concerned about the ground water supply. So these things are not done because we just feel like we're going to charge people and any Town Board, any elected officials, say gee we want to add tax, we want to build a plant, there's a purpose behind it. If you look at the foresight of the people in 1932 who build the Sewer District in this Town. The guy was thrown out of office. But today if we had to build that Sewer District in Riverhead it would cost a hundred times as much. So the guys that sat here over forty years ago, had the foresight to put this sewer plant in and they did it efficiently and the thing has worked great for forty-five years."

Unidentified Speaker from the audience: "Joe, may I say something."

Supervisor Janoski: "No. I'll give you a chance later Hank, but I have to go on to the next public hearing."

Marshall Nash from the audience: "Okay."

Supervisor Janoski: "I'm sorry sir — the — let the record show — I will recognize you later on on this subject Marshall.

Okay, let the record show that the hour of 8:36 p.m. has arrived."

Supervisor Janoski recessed this hearing to hold the 8:35 p.m. public hearing.

PUBLIC HEARING - continuedPUBLIC HEARING - 8:35 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, April 20, 1982 at 8:35 P.M. to hear all interested persons regarding an amendment to the Town Code Section 108-3, the definition of "Boardinghouse".

The affidavits were ordered to be placed on file.

COMMUNICATION

County Dept. of Planning, 3/18/82, stating that the matter is considered to be a matter for local determination. Filed.

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

Richard Ehlers, Town Attorney; "It's interesting to begin, initially that the Suffolk County Planning Board has indicated that it is a matter of local concern and, in fact, the zoning laws are considered to be a matter of local concern under the state statutes, particularly the Town Law. You've had zoning here in the Town since the 1965 or 5, I believe was when it was implemented. And the boarding house question is a question of how you want, as a community to determine which areas have what type of utilization. There was perceived to be a question on the distinction between a multiple family, a single-family use and a boarding house use. I think most people probably have in mind the traditional single-family home is, in fact, a home with one set of fixtures. One kitchen, one bathroom. That is an easily identifiable quantity. You can go into the house and look and see.

The more difficult question arises when you attempt to address the number renters or dwellers which can pay a fee to live in what you might think is a single-family house. In other words, if you're in a single-family district and you think that you have a single-family house and that your neighbors all have single-family houses that might be easy to determine if you're just checking bathrooms and kitchens.

However, if you want to look beyond that to an older concept called boarding house, there is a greater problem. The earlier statute and section of Town Code stated that three people you could collect rent from three or more people and that that would be a boarding house. The question then arises is the number three, the appropriate number or not. This amendment offered for the consideration of the Town Board as well as the public is to decrease that to what might be in line with the more traditional consideration that a one-family unit is the traditional renting unit. And that's the question."

PUBLIC HEARING - continued

Supervisor Janoski: "Thank you Mr. Town Attorney.
Hank?"

Henry Fioto, 614 Northville Turnpike, Riverhead;
"I think we're going to have — first of all, I think you're going to have trouble here again. Specifically with gay rights, anybody living together under this thing is in violation of the law. Also if somebody's living, somebody in common law, they'll be in violation of this law. Somebody has children that are being subsidized, foster children will be also under the violation of this law. I mean, I don't understand you guys come with these things — there's no thought given to these things. I really don't understand it. It amazes me. It really amazes me. I — I — you know."

Richard Ehlers: "I think you have to look at part of the words which indicate that this is a collection of rent question from either a family unit or one individual."

Henry Fioto: "So basically there again, let's say for argument sake, I'm living with somebody common law and we share expenses. So under your ordinance, we're in violation. I'm collecting rent for children staying under my room from the state, for boarding children under your law, they're contributing to my thing. So I'm in violation, right? I got two gays living in there, they're in violation. Why am I wrong? I mean I'm answering your questions, answer mine. I mean I could see what you're trying to get around. But I think it should be thought out before you even waste our time and the money it costs to put this stuff in the newspaper, and waste the people's time to come down here. There should be more thought — I would think maybe you should call in maybe people — input. I'm sure — a lot of people would love to turn around and have an informal hearing some other night when it's not — doesn't do with Town business to put some input into some of these things. You people have a lot of things on your mind, you've got a big town to ride, but just to come up with these things. You know — so we come up here, it's just — to me it's ridiculous."

Supervisor Janoski: "Hank?"

Hank Fioto: "And it's enforceable."

Supervisor Janoski: "Hank, I think it's wonderful that you have the opportunity to come in here and say the things that you say. This Town Board recognizes the problem and each one of

PUBLIC HEARING - continuedSupervisor Janoski continues:

us recognize that perhaps the way this thing is written does not carefully address what we're trying to address. We know that there's a problem. That's the reason for having a democratic society which allows you to come in and say, you're not going about it the right way fellows and we are trying to go about it the right way. We are having this — Hank, we are having this public hearing for you to point out things that may not be right. We know what we're trying to address. We're trying once again to find a mechanism because there are those that have taken advantage of loop holes in this law, which have been an abomination and this Town is fed up with it and we really want to try to change this Town. Hank, if you don't appreciate the sincerity of this Town Board trying to address conditions that exist in this Town that people come to us and say do something. We are trying to do something. And we would ask you as a resident of this Town, as a citizen, to help us do it, which is the purpose of this public hearing."

Henry Fioto: "Joe, I know — I know — I know basically what you're trying to do."

Supervisor Janoski: "Thank you."

Henry Fioto: "All I'm saying to you is that really maybe not only the hearings there should be maybe informal thing to try to get more input before it comes to this point. I think you'll find that people are interested in a lot of these different ordinances you would want to have. Just like having hearings on the nuclear plant or anything else. You have other — not a Town Board Meeting. In other words, address maybe a special meeting, just to these issues. Try and decide what you're . . ."

Supervisor Janoski: "I don't see . . ."

Henry Fioto: "Instead of saying five minutes."

Supervisor Janoski: "I don't see the difference between having a forum right here at this public hearing and having another public hearing at different times."

Henry Fioto: "Well basically, I'll tell you the reason what would happen. I'm not saying this Board, but it's been, basically the Boards prior to this and before this, they've had

PUBLIC HEARINGS - continuedHenry Fioto continues:

hearings and they make up their mind what they're going to do and whatever happened it just went in. And it's always the same old situation. Laws have been passed to write this book right now and Mr. Lombardi's trying to revise some of the old laws and they turn around and say well we didn't mean to interpret it like that. We didn't mean — yet the laws are there. And they can be selectively enforced, or anybody who wants to enforce them and I don't think it's right. It's back to the same thing, like he said before."

Supervisor Janoski: "Did you want to say something?"

Unidentified speaker from audience was inaudible.

Supervisor Janoski: "Well let me just look and see what the schedule is here. Ernie, you have two minutes."

Ernest Langhorne, Director of Riverhead Local Action Center; "First of all, I'd like to state that as of now, the Riverhead Local Action Center are opposed to all three laws that you're talking about tonight. I think I understand your intent, but I think because of problems such as 414 and other multi-family units that you're requesting all residents who live in single family to have to pay the same price that these landlords who are renting these units have to pay. I'm particularly against this particular law because that means any house with one person in it with three bedrooms would have to — would fall into this category if they have somebody else staying in the house who's paying rent for that particular property? Is that correct?"

Supervisor Janoski: "That's not the intent Ernie. I will very carefully try to express the intent of the Town Board. We recognize, each one of us sitting here, the way that's written represents some certain problems. We are trying to address a situation, it is simply this, that right now that we think that there's a loop hole existing in the Town Code which will allow you, Ernie Langhorn to come to Riverhead and buy a single-family house and then rent it out to several families if you will, to a large group of people.

Now Ernie, I don't think the people of this Town want that to happen on their block. It's a difficult and complex question to address, because Hank pointed out, gee what are you going to do if you have two people who just want to live together. We recognize that and we know that there's a problem. It is

PUBLIC HEARING - continuedSupervisor Janoski continues:

difficult, but we're trying to formulate something which will help us address what we want to get at. Your comment on the rents and the number of rents, I don't understand that."

Ernest Langhorne: "Well, what I'm saying is that we're as concerned that your are in terms of the conditions of the houses and stuff in Riverhead, however, what I'm also concerned about is just because you're trying to get at a specific purpose that you don't jeopardize other people, other senior citizens who are sharing their household, other family, who have a family situation sharing their household and sharing the rent and what I understand by this proposed law, I interpret that as meaning that all people if I have three people standing in my household whether they're distant relatives or what not, that they would fall into that category. Even though I would have the space for them. I mean — I don't think your law is clear enough and at this point, we're opposed to it."

Supervisor Janoski: "Absolutely, we agree with you Ernie, that it's present form that there are problems with it. Which again, I have to repeat, is the purpose of this public hearing, so we can identify problems."

Councilman Prusinowski: "Joe? Ernie, the boarding house definition does not apply to every house in the Town of Riverhead. Right now, on the books, two family-houses in the Town of Riverhead, like many other Towns in Suffolk County are illegal. The boarding house is only in certain sections of the urban area in the Town of Riverhead, that it even applies to you if you live in Jamesport. I don't — I can't think of an area in certain parts of the Town it applies to. It's on the zoning map. I don't have it in front of me. Nobody on the Town Board wants to legislate morality. Me, certainly I've said it a million times, Vince, already sick and tired of me, hearing that with the games and everything else. But you know when you look at the record and I'm amazed tonight because of some of the criticism that we've gotten. You know Riverhead is one of the best records on the east end to addressing this problem that you're talking about. And I think that you know everybody sitting up here or some of us because a few of us haven't been here before, have put up or other Towns have shut up. We've addressed the problem, we've cleaned up our act and we're trying to move on from here to increase the housing stock to make it liveable and to protect the rights of really of all the citizens. And I don't think we want to go in reverse, we're trying to go ahead, not in reverse. And I know what you're concerned about. You're afraid that we might go in reverse and we're not going to do that. What we're trying to do is get some public input to help us go forward."

PUBLIC HEARING - continued

Ernest Langhorne: "Well my suggestion is that I would get a definition of a boarding house that's a real boarding house because I don't think your definition here constitutes a boarding house. I see it as a — that's my problem with the particular law. And I would like to say there's no question that the Town of Riverhead, it is one of the best Towns — it is the best Town in terms of meeting the needs of housing for people in Suffolk County. There's no question in my mind about that. But when I see a law like this, I just want to make sure that you guys are doing what you're supposed to be."

Councilman Prusinowski: "Right, and I'll tell you I'm glad we're having this discussion and I know it's going to continue later."

Ernest Langhorne: "Thank you."

Supervisor Janoski: "It is going to continue later, but right now that is the last public hearing."

Unidentified voices: "No, no."

Councilman Prusinowski: "Tax exemption."

Supervisor Janoski: "Let the record show that the hour of 8:49 p.m. has arrived."

Supervisor Janoski recessed this public hearing to hold the 8:45 p.m. Public Hearing.

PUBLIC HEARING - 8:45 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on Tuesday, April 20, 1982 at 8:45 P.M. to hear all interested persons regarding the proposed adoption of a local law regarding tax exemption for eligible business facilities.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Riverhead Chamber of Commerce, 5/04/82, stating that the Chamber supports the Town's efforts to implement a tax

PUBLIC HEARING - continued

COMMUNICATIONS - continued

exemption for eligible business facilities in Riverhead, and commending the Board for taking this first step to revitalize the economy. Filed.

Thomas R. Costello, 4/16/82 - objecting to tax abatement for business and not for all taxpayers, in a letter to Mr. William Smith, Executive Director of the Chamber of Commerce. Filed.

Edward Patterson, Photocircuits, 4/20/82 - Urging the Board to adopt the Tax Exemption for eligible business facilities, and that this program is what Riverhead needs to compete with neighboring Brookhaven Town to lure new business to area. Filed.

Supervisor Janoski: "Thank you Mr. Pendzick. Is there anyone present who wishes to address the Town Board — did you want to say something Mr. Town Attorney? Why don't you explain what it is."

Richard Ehlers, Town Attorney; "This tax abatement proposal is a five year proposal. It abates the taxes on the Riverhead portion only of the tax bill. That's about seventeen percent of your tax bill. In the amounts of fifty percent in the first year, forty, thirty, twenty, ten, over the years down to zero at the end of the fifth year. It is for eligible business facilities as determined by the State Board. The State Board is the one that examines the forms and determines whether or not they are, in fact, creating five or more new jobs in a non-retail establishment within the boundaries of the Town of Riverhead. They then give a certificate which is accepted by the Assessor of Taxes and the abatement then goes into effect. It is not an abatement on retail establishments. It is only an abatement on manufacturing or tourist facilities. Tourist facilities includes those which will enhance or encourage or promote the growth of the community through the travel of people from other parts of the state. And that is the gist of the abatement. It is not the type of abatement which was voted down by the Town Board several years ago which provided a blanket tax abatement to any establishment including the retail establishments."

Supervisor Janoski: "Thank you Mr. Town Attorney. Mr. Schmelzer?"

PUBLIC HEARING - continued

George Schmelzer: "I didn't think this was going to be so enjoyable tonight. I suggest you . . ."

Supervisor Janoski: "It's the best show in Town, George."

George Schmelzer: "I think you should hire Hank as the Court Justice. It would make every hearing pleasant.

This abatement business — I suppose the other Towns are doing it. We got to do it too. I suppose so, I don't know how it's going to end up though when all the Towns do with the — in Riverhead Town you see we got the farmers who want to pay less taxes, they got that, less taxes and the senior citizens are paying less taxes and veterans are paying less taxes, I don't know who the hell's going to pay to make up the rest of the taxes. Now the new business wants to have tax abatements. I really don't understand why the Town Board rejected that oil refinery study. If we had an oil refinery here, they'd pay half the taxes and it'd hire about two dozen people. You'd have about a million dollars — five million dollars."

Councilman Prusinowski: "George."

George Schmelzer: "Investment."

Councilman Prusinowski: "George are you . . ."

George Schmelzer: "For each."

Councilman Prusinowski: "George."

George Schmelzer: "For each employee, that's what we need. We don't need some dumpy business that has a tax abatement, hires fifty people, low wages and send two hundred kids to school. We don't need that."

Councilman Prusinowski: "George are you in favor of this proposal?"

George Schmelzer: "Well."

PUBLIC HEARING - continued

Councilman Prusinowski: "I got you down against the rest of them so I just want to know. I want to keep my score card accurate. Are you for this or are you against this?"

George Schmelzer: "I don't know. I'm trying to figure how I can use the damn thing."

Councilman Prusinowski: "I got you as a question mark."

George Schmelzer: "No, no."

Councilman Prusinowski: "If it affects me, I'll go for it."

George Schmelzer: "No, no. I said the other Towns are doing it. We got to do it too, I suppose. That isn't no real objection, but getting down . . ."

Supervisor Janoski: "Can I just point . . ."

George Schmelzer: ". . .to the basic of it. Hanh?"

Supervisor Janoski: "Can I just point out one thing. You mentioned that you don't know who's going to pay the taxes. Under this proposal, if a business did come in the Town manufacturing . . ."

George Schmelzer: "You mean like Wellington — Wellington Stoves?"

Supervisor Janoski: "How about like Photocircuits?"

George Schmelzer: "Yeah, well that's something better."

Supervisor Janoski: "Okay, they would be paying fifty percent of the taxes — but it would be fifty percent more than we were receiving prior to them, coming into the Town."

PUBLIC HEARING - continued

George Schmelzer: "Yeah, that's what Grumman says. They took all the land off the tax rolls and we pay more than what the woods paid at that time, yeah. But anybody who buys a house lot and builds a house on it, if he had no taxes on his house, he said well I'm paying just as much taxes as the former owner did. Same thing isn't it? Well Mr. Supervisor I guess you got to go along with this. The other Towns are doing it, so you're stuck, see. So . . ."

Irene J. Pendzick: One out of five."

Supervisor Janoski: "Actually, Brookhaven, offers one hundred percent tax abatement, at least we're looking for half."

George Schmelzer: "Well you must be scared to ask for the other half, then hanh? I really — the Town Board should beg LILCO and Grumman and Northville Dock to look into an oil refinery study again. If we had something like that — that's what we need. Cause everybody wants less taxes, but nobody wants less the industry to pay for it. And that's going to cost people to leave. And it'll even give prospect in business coming with tax abatement, they'll take a look at this huh — what are you going to do after five years — you better not settle here or go to some other Town or some other State or County."

Councilman Artale: "If they come to Rvierhead, they'll be paying less in taxes after five years than they would be if they were in Brookhaven in five years."

George Schmelzer: "I don't know, I'll take your word for it."

Councilman Artale: "Brookhaven is offering one hundred percent tax abatement."

George Schmelzer: "Don't forget, part of Brookhaven has the Riverhead School District in it, don't forget. You know — how about that part of Brookhaven?"

Supervisor Janoski: "We never forget that George. George, I think your five minutes are up on this subject."

RESOLUTIONS - continued
George Schmelzer: "Okay."

Supervisor Janoski: "We thank you very much . . ."

George Schmelzer: "Okay, so long."

Supervisor Janoski: ". . . for your comment."

George Schmelzer: "So I guess you can put me down in favor of it. Okay."

Supervisor Janoski: "Is there anybody else who wishes to be recognized on this matter?"

Councilman Prusinowski: "Paul Podlas."

Supervisor Janoski: "Paul."

Paul Podlas: "I guess I have a little more serious question. I asked the Town Attorney, after the first year in theory, if the company moved out, is there any way we could get back the half of taxes that we gave them back in the tax abatement? What I'm thinking about, is if a company comes in and just for the tax abatement for one year and saves fifty percent of the taxes and moves out, I think the Town of Riverhead is kind of losing. And is there any method that — do you have anything in the law right now that would protect the Town?"

Richard Ehlers: "Yeah, we indicate that if an exemption has been granted for a business under this section and in the — it has been revoked or modified by the State Board. In other words produce the five jobs or if they didn't, in fact, invest in the facility as they told the State Board they would, it would then be reassessed in a retro-active fashion for the year. So that is covered in the statute. This statute is — basically, the ordinance is basically written to model the New York State Statute which provides for the exemption and they put that into that statute as well."

Paul Podlas: "Thank you."

PUBLIC HEARING - continued
Supervisor Janoski: "Thank you Bill?"

Bill Smith, Riverhead Chamber of Commerce; "As you know from our correspondency Board of Directors, that the Chamber of Commerce has voted to back this particular bill. We feel it's a very very good step in improving the economic climate of Riverhead and if I may, I would like to just commend Councilman Artale because it certainly is refreshing to see a campaign promise become a reality so early in administration. Thank you."

Councilman Artale: "Thank you."

Supervisor Janoski: "Is there anyone else who wishes to address the Town Board on this issue?"

No one else wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:58 P.M.

Supervisor Janoski recessed the meeting after which the meeting resumed at 9:12 P.M.

Supervisor Janoski: "The meeting will please come to order."

At this time (the tape ended) (the next tape began) . . . at this time, I am re-opening the hearing dealing with the deletion of Chapter 54, Buildings and Structures, Dangerous. I would also point out that if you have already spoken to this issue, that before I can recognize you again, I'm going to have to recognize those who have not spoken, if I can remember. So that right now that hearing has been re-opened dealing with the deletion of Chapter 54, Buildings and Structures, Dangerous. Mr. Schmelzer have you addressed the Town Board on this?"

Irene J. Pendzick: "No he didn't."

Supervisor Janoski: "No he didn't."

Irene J. Pendzick: "I got my notes."

PUBLIC HEARING - continued

George Schmelzer: "I think you got them a little reversed there. If you're not going to adopt that other hearing, why consider whether you abolish this one. It might be a good idea if you have no ordinance and people can live better."

May I ask you a question? We have some old buildings in Town that are considered under historical preservation. Would they pass the test of safety or not? Would they — would they pass the safety test?"

Councilman Prusinowski: "George, which buildings are you talking about?"

George Schmelzer: "I don't know. You must know some buildings around here. I don't pay that much attention to them. See, to me, a building starts off new, used, old, decrepit, an eyesore, it still stays there. It becomes fit for historical preservation. See if you leave it long enough. So we have a — I noticed many old sturdy buildings in Riverhead Town in the past be knocked down because the vandals knocked the windows, bust holes in them. But the frame was good. The wood — the wood construction, the cornices and everything was beautiful. But if knocked down, I think we should try to save buildings for rehabilitation even privately rather than harrass people so they have to knock them down in disgust."

Supervisor Janoski: "We agree with you whole-heartedly and that's why this ordinance as it is presently being considered provides for the owner of the property to rehabilitate and fix it."

George Schmelzer: "Also tenants — they should make tenants more responsible. Many people are in . . ."

Supervisor Janoski: "I'd love to."

George Schmelzer: "Are in disgust, like this thing across the street. If the tenants were more responsible, held responsible, it would have happened. 821 and . . ."

Councilman Prusinowski: "Well George, I don't think anybody twisted his arm to have those tenants in there. So let's put it right on the table. You know when you accept money from other sources and nobody's twisting your arm to put those tenants in there, I think half the blame is with the landlord

PUBLIC HEARING - continued
Councilman Prusinowski continues:
too. So I don't buy that agreement."

George Schmelzer: "He wasn't allowed — he wasn't allowed."

Councilman Prusinowski: "Wait a minute, excuse me."

George Schmelzer: "Sure."

Councilman Prusinowski: "He was allowed, but he did it on his own and fortunately, that gentleman's not here anymore to defend himself so I'm not even going to discuss his situation. But it's a fifty-fifty deal."

George Schmelzer: "You're supposed to take anyone that comes along, right, as a tenant?"

Councilman Prusinowski: "No. I'm saying you don't have to take everybody that comes along."

George Schmelzer: "I thought that was the law."

Councilman Prusinowski: "No I'm not talking about race, I'm not talking about black or white."

George Schmelzer: "You said it, I didn't."

Councilman Prusinowski: "No, I'm saying it."

George Schmelzer: "I said anybody."

Councilman Prusinowski: "Now wait a minute. Don't argue the . . ."

George Schmelzer: "Everybody belongs to the human race."

Councilman Prusinowski: "That's exactly right."

PUBLIC HEARING - continued

George Schmelzer: "All right."

Councilman P. Prusinowski: "I'm saying you cannot discriminate according to race. I'm saying if you can make a selection, according to previous rent histories and how a guy pays his rent, and how he keeps up his house, and everything else."

George Schmelzer: Yeah, so then what the Town — they'll come and put welfare any place — is there any case history looked into them? How about it?"

Councilman Prusinowski: "Repeat the question?"

George Schmelzer: "When it comes to welfare, tenants, is there any case history on them?"

Councilman Prusinowski: "You tell me."

George Schmelzer: "You tell me, you're in the business."

Councilman Prusinowski: "No, I'm not in the business, thank God."

George Schmelzer: "Well you're on the Town Board, you see what goes on."

Councilman Prusinowski: "No I'm not going to answer that question."

George Schmelzer: "Why not? Well come on, come on Vic, answer the question."

Councilman Prusinowski: "No, I'm not going to answer the question. You answer the question."

George Schmelzer: "I can answer."

Supervisor Janoski: "George, would you please give us your feelings on this particular issue?"

PUBLIC HEARING - continued

George Schmelzer: "Well if nobody took in a welfare client, what would you do with them?"

Councilman Prusinowski: "That's not — we're not talking about that."

George Schmelzer: "Well sure, it boils down to that if . . ."

Supervisor Janoski: "George the issue under consideration here is buildings and structures, dangerous, deletion of Chapter 54."

George Schmelzer: "So if tenants will make a structure so its not habitable, that's not the landlord — he's not to go and bust in. If you own a house, the landlord isn't going to bust his own windows out and steal the copper pipes out of his house. The tenants do it. So it boils down to — do some tenants do that? So that means there are some tenants who would never find a house in the Town? Is that agreeable with you? How about it Vic? Where would you put them?"

Supervisor Janoski: "Come on George, let's please get to the issue here."

George Schmelzer: "To me that's more efficient. The issue is how houses get in this condition. And most of the part is by the tenants. I've had that experience too."

Supervisor Janoski: "I can believe it."

George Schmelzer: "You should get to the issue of a tenants responsibility more than this, then beating around and blaming the owner, really. But you don't want to get to the issue. Vic, you don't want to answer the question? You're weaseling out. Come on Vic, answer the question?"

Councilman Prusinowski: "George, what's your opinion on this public hearing?"

George Schmelzer: "On this particular one?"

PUBLIC HEARING - continued
Councilman Prusinowski: "That's what we're interested in right now."

George Schmelzer: "If you — what you got here is sufficient — and leave it alone and forget the other one. That's worse. And you can find something wrong with anything in Riverhead Town or any Town in the whole world, somebody will come along and say it isn't right. And nobody can, you never get all the people to agree on anything. You try to legislate morals. As someone said before, you can't — there are some people who have nothing else to do but come to the Town and complain, do this, do that. Maybe they get a kick out of that. I don't ask you for anything. All I ask you is if you leave the people alone, they're better off, really."

Supervisor Janoski: "Thank you."

George Schmelzer: "I sincerely mean that, really. You get involved. You get all turned off. You don't know which way to go. You can see that. That's why he won't answer the question. See, I don't blame him."

Supervisor Janoski: "Thank you George."

George Schmelzer: "Okay, so long — oh I shouldn't say that, I'll be back for the next hearing."

Supervisor Janoski: "To address deletion of Chapter 54, buildings and structures, dangerous. Does anyone wish to address the Town Board on that subject? Ernie?"

"I'll be brief. Ernest Langhorne, Riverhead Local Action Center; "My suggestion for both of these unsafe buildings, is that if you some way put in single-family rentals and multi-family units, I think that you'd be dealing with the problem that you're trying to address. And I don't think you'll have that much of a problem in terms of the people. I think our concern is to make sure that the rental units that available for people in the Town of Riverhead are safe and decent and I think if you put this in, that will make the landlord more responsible and to — in selecting his tenants. Thank you."

Supervisor Janoski: "Does anyone else — George, you can't come back yet."

PUBLIC HEARING - continued

Fran Vitollo, Wading River; "I think this is getting a little bit out of hand. I feel that it's about time we are doing something with these buildings in Riverhead. It's a shame that we allowed them to get in such disrepair that this has to go on in talking about such buildings which I don't know too many of them, a couple of them. But I'm sure I wouldn't want something like that in my Town. And as far as the tenants are concerned, sure tenants are to blame for a lot of damage that are done to these homes.

Also the delinquent landlords. If they're collecting rent, it's about time they fixed up some of their homes. Thank you."

Supervisor Janoski: "Thank you. Hank? Hank, did you speak on this issue? Claudia, did you speak on this issue?"

Irene J. Pendzick: "Claudia did."

Supervisor Janoski: "Claudia did. Is there anybody else present who wishes to address . . ."

Irene J. Pendzick: "Claudia and Paul Podlas spoke on this."

Supervisor Janoski: "Is there anyone who wishes to address the Town Board on this issue? Hank."

Hank Fioto: "Just a little comment that was mentioned before. Somebody had — just up here and said that we should do something with old buildings. I remember a few meetings back that a certain person was up here looking for the Town Board to buy a certain building and put like \$80,000 into it, for a Senator. Now this is the — from what I understand it was an old structure. It was an old building. It belonged to the Fire Department. Right? In Wading River? That the Civic Association in Wading River wanted to buy. They wanted us to spend \$85,000 on it. Now that was reversing the whole situation around. Who's the Federal Government."

Supervisor Janoski: "Hank, please address the Chair."

PUBLIC HEARING - continued

Hank Fioto: "Who's the Federal Government? It's always this federal funds. This federal funds days are going to be over with. And then what's going to happen. We have a situation, like she said federal funds. Look at Jamesport, federal funds. What's it costing us right now, that building we're paying for right now in Jamesport, for that building we put there? That was federal funds. Vic, what is it costing us to run that building in Jamesport right now? Not with federal funds, with tax funds?"

Councilman Prusinowski: "Hank, what's your point?"

Hank Fioto: "No, I'm bringing out — she said federal funds. I'm talking about old buildings."

Supervisor Janoski: "Hank?"

Councilman Prusinowski: "What's your point?"

Supervisor Janoski: "Fran is not running the meeting. We're having — and I'm not picking on you Fran. Hank, do you want to address the issue of deletion of Chapter 54, buildings and structures, dangerous, please?"

Hank Fioto: "I think that it should be set up in such a statute that you have a certain amount of protection which we have now on the one that's — I didn't know existed. That was on the mattress and . . ."

Supervisor Janoski: "Hank that has nothing — that's something. . ."

Hank Fioto: "I'm opposed to it. I'm in favor of it in one respect if it's — in other words you have — as an individual, you have a certain amount of recourse. It should be left up to an appointed official because like I say, if you got the money, you can fight anything. I don't care if you kill somebody. If you got money, you can beat it. And that's what it breaks down to."

PUBLIC HEARING - continued

Councilman Prusinowski: "Hank, so you're in favor with an appointed official."

Hank Fioto: "No, no. I'm — I'm saying to you it should be kept — if you have something like this, you should have a recourse not when it's costing the individual a lot of money to come to the Town Board auditioning, but to me you're trying to bite off the whole head. You're saying one thing, or you're trying to pass this and then you're trying to eliminate the other part of it, which goes down a couple more notches on the appeal where you have a right to come back to the Board or talk to them and try to talk reasonable to them."

Supervisor Janoski: "Thank you Hank. Claudia, no not you George."

Claudia DeGennaro from the audience: "I'll save my — till the next one."

Supervisor Janoski: "George."

George Schmelzer: "The worse thing for this, the burden of proof is not on the Town. You put it on the individual which is not right. And if someone wrangles with somebody, they can pick on anybody, any little thing. It's very well undefined what — there's no definition of an unsafe structure. What's the definition of unsafe Joe? It's somebody's opinion. Opinion of anybody. Opinions can vary. Sand, grains of sand. Really, and this will give meat for lawyers. Lawyers love this. You know — look at all the — there's nobody to keep lawyers in business. I don't see anybody on the Town Board who's a lawyer, though, but to get back to these old buildings historically preserved. Do all of them pass the safety code that you're proposing?"

Supervisor Janoski: "They have to."

George Schmelzer: "They have to? I said they do."

Supervisor Janoski: "If they're going to be rehabilitated, they have to be rehabilitated in accordance with existing Town Code and meet all fire codes, state, just everything that there is to meet, they have to meet."

PUBLIC HEARING - continued

George Schmelzer: "Yeah, but we have — when was this 821 put up, back when we got zoning, wasn't it Vic?"

Supervisor Janoski: "George, we have had a lot of fun so far George, and you know really I wanted to say something."

George Schmelzer: "Yeah."

Supervisor Janoski: "The matters before the Town Board are very, very serious and these gentlemen and I recognize some problems in the Town and I think we ought to stop fooling around and please address the question to the Town Board and tell us how you feel about this Chapter 54, deletion and let's stop fooling around."

George Schmelzer: "I don't like any idea — you got plenty to work on the way it is. And why there's no good reason to have an additional ordinance which is so fuzzy and weasily and ill-defined and puts the burden on the owner. That's wrong and that's it."

Supervisor Janoski: "Thank you George."

George Schmelzer: "I'm not — that's no joke either. Thank you."

Supervisor Janoski: "Paul."

Paul Podlas: "I've heard a lot of comments tonight and I guess on all these proposed changes and new ordinance and everything and I share the concern of the Town Board. Like I stated before, I've lived here all my life and I'm concerned about the Town of Riverhead. But I also have equal concern about the fact that once these ordinances are in the book that they're going to affect ninety-nine percent of the people in this Town who are good. And we can't have selective enforcement and I'm very concerned about the average person. For any reason that a neighbor complains about him or turns him in, the Town is going to have to act against him. And I'm very very concerned about that. I just feel there must be some way that we can address the problems that we have in this Town, with our poor housing, as I can it may be one percent or two percent or even unsafe structures. That would protect the ninety-nine percent that are good people and this is my biggest concern. Like one

PUBLIC HEARING - continued

Paul Podlas continues:

rotten apple in the barrel spoils the whole barrel. I don't want that to happen in the Town of Riverhead."

Supervisor Janoski: "Paul have you read the proposed ordinance."

Paul Podlas: "Yes I have."

Supervisor Janoski: "Do you have some specific problems with areas of it?"

Paul Podlas: "Well we're talking about the repeal of it that has a lot of checks and balances in the old one and the Town Attorney said it created problems which I'm not aware of. What problems it created, so possibly it's something to be cleaned up. And a proposed new one, what I'm concerned about is up to one individual to make the initial inspection and the one individual to say this is unsafe."

Supervisor Janoski: "Who is the — who is the implementor or the initiator in the old version, Chapter 54?"

Paul Podlas: "You got me there, Joe. I don't know off the top of my head."

Supervisor Janoski: "The same person."

Paul Podlas: "The building inspector. But there is a right of appeals without going to the Town Board on this. You can hire an engineer or an architect, I understand."

Supervisor Janoski: "You can do that under the new proposal, too."

Paul Podlas: "Basically, what I'm really — what my gut feeling is I'd like something in this Town where you had a one on one concentration without somebody coming in and slapping a summons in or else a three-man board would go out and look at the structures and say all right, this is what's wrong. And it'd be two or three people, not just one person."

PUBLIC HEARING - continuedPaul Podlas continues:

I'm always against that. I have no personal animosity against Jim or Ray Wiwczar, I deal with building inspectors in all of the Towns. But I just feel one person has too much authority and it is too vague if you want to get into it.

I feel like a local policeman can stop me from going through a full stop sign because the law says I cannot go through a full stop sign. It's written down. But in here where it's unsafe, it's a very vague situation and I know it's very difficult to define it. So maybe the way out is to have more than one person. Maybe Ray, Jim and somebody else or I just don't know, but to me I think there's more work that has to be done on them on all of them, even included, the Boarding house."

Supervisor Janoski: "Absolutely. And that's the purpose of the public hearings so we get some input and then take a look at what we're talking about to see what we can come up with."

Paul Podlas: "Right. And I appreciate what you gentlemen are doing and I know you have a tough nut to crack and like Vic says, the Town was going downhill four and a half years ago, and I agree with him. I pre-date Vic and I pre-date all of you up there, in fact, cause I lived here all my life and I've seen it going down more so. And I'm concerned. And that's the best thing that I can say. But I'm concerned about the average person too. I don't want the statute put down that penalizes the good person. I — I think there has to be a middle area some place a little better established."

Councilman Prusinowski: "Paul, I think you hit the key point, is that things were done four and a half years ago to reverse the trend. And we are still reversing the trend today. We are coming back. We have a lot of positive things going on about Riverhead and yes to quote somebody in the paper, we do have to emphasize the good parts, but when we see things slipping a little bit, we don't want to go back the other way. We want to go forward. And when I walk up and down Main Street and through the Town and the other Councilmen can tell you, too people are crying out for relief. And it's not a joking matter. And it's not something that's funny or laughable. People are concerned because they make their living here, they got to pay their bills, the economy is tight right now and this is not a joking matter. This is something that they want us to do something about. And whether or not, we have the power to do it or not. We have to try because that's what they elect us for."

PUBLIC HEARING - continuedCouncilman Prusinowski continues:

And if they don't like the job we're doing, they have the prerogative not to return us to office and that's very proper. So we're not trying to be up here to dictate our will. We're asking for everybody in the Town to help us, because, they on a daily basis communicate to me that they want help, they want things to keep going forward, a positive way. Not to go on in reverse and I think that's what tonight's all about."

Paul Podlas: "Well I agree with you Vic. I don't want to question you or anything else, but you have comments come in on this proposed ordinance or are they just turned out from the Town Attorney?"

Councilman Prusinowski: "No, we get these proposals in of us. We analyze them. We have a public hearing. We get your input."

Paul Podlas: "No I understand that."

Councilman Prusinowski: "And we go back and we discuss it, I mean there's nothing that has to be decided tonight and I'm sure there's going to be some changes."

Supervisor Janoski: "Quite honestly Paul, as I pointed out earlier, very often when a Town Board, I know this Town Board is trying to address a problem, we look around and we look at what other Towns, what other jurisdictions have done to similar and as I said this one is word for word, Southold's ordinance which has been in effect there for a number of years. Then we have the public hearing. See how the people feel about it, if we can fine tune it a little bit and then proceed from this public hearing tonight."

Paul Podlas: "I appreciate that and I really think, like I say my concern is for the Town. I've lived here all my life. My son is surely going to start constructing his house and I can have my business in the Town of Riverhead and I suppose I'll die in the Town of Riverhead and I'm concerned about it. But I'm also concerned about the average person. I think I can stand up for myself. I spoke to all of you gentlemen at one time or another, but I'm still concerned about the person who's a little reluctant to come up and say something and I'm just concerned about it. I don't know how else to express it. I don't want them

PUBLIC HEARING - continuedPaul Podlas continues:

to be penalized for the few rotten apples that have come into this Town or that are here right now. And I just think the ordinances could be worded just a little bit better to protect the average person. Thank you."

Supervisor Janoski: "Mr. William Nohejl."

Bill Nohejl, Wading River; "Joe I just heard a comment. You're looking for input, good. When you get this input, you make up your mind, decisions. Just don't put it into a resolution such, such such thing, we're passing it. Come back to the people, tell us what you made up, what you have in mind, please. Thank you."

Supervisor Janoski: "On the question of Chapter 54, the deletion thereof, is there anyone else who wishes to address the Town Board on that?"

Unidentified speaker from the audience was inaudible.

Supervisor Janoski: "It's the one we're involved in right now George. You've already spoken on this one."

Irene J. Pendzick: "Three times."

No one else wishing to be heard and no communications having been received thereto, Supervisor Janoski closed the hearing at 9:34 P.M.

Supervisor Janoski: "We will now move onto and re-open the public hearing concerning unsafe buildings and collapsed structures, local law 3-82. This, of course, is the proposal. Did you speak on this last time, Claudia?"

Irene J. Pendzick: "Hank Fioto and George Schmelzer."

PUBLIC HEARING - continued

Supervisor Janoski: "Okay Claudia."

Claudia DeGennaro: "I like the idea of comparison — comparing the Town Laws that would provide — going over tonight. . . ."

Irene J. Pendzick: "Claudia, identify yourself for the tape."

Claudia DeGennaro, Shirley: "I asked some time ago, Mr. Lombardi, if you have particular buildings in mind that you were addressing this law to, because, obviously, you just don't out of thin air say we're going to pass a law because this is a possibility. You think in terms of the future, what is there and he said well the Building Department and they say they have no list. Now what is the real truth?"

Supervisor Janoski: "I know of the existence of no such list and Claudia I think if you want to ask a question of the Building Department we can take care of that later. Would you please address the Town Board on the subject of the new proposal 3-82 unsafe and dangerous buildings."

Claudia DeGennaro: "Well you're saying that you want to pass this law or you are considering it and you said well there are buildings that you have problems. Can you identify these problems? Tell us what buildings in this Town that you are — this particular problem or this particular law to."

Supervisor Janoski: "We can go back and forth on this thing all night, Claudia. Do you want to speak to the Town Board on the issue of . . ."

Claudia DeGennaro: "I am — I'm asking you a question."

Supervisor Janoski: "Really in a public hearing while I have allowed it and I feel very sorry now that I have allowed it."

Claudia DeGennaro: "I thank you for allowing me to speak."

PUBLIC HEARING - continued

Supervisor Janoski: "Not to allow you to speak, but to allow you to ask the questions, a desired duty here to listen to your feelings and your ideas concerning the proposal which the Town Board is considering and I would ask you to give us your feelings and your opinion concerning that 3-82."

Claudia DeGennaro: "I'm asking you if there's such a list."

Supervisor Janoski: "I already answered that question. I know of no list."

Claudia DeGennaro: "Okay, thank you very much."

Supervisor Janoski: "Does anyone else wish to be recognized on local law 3-82? Wickham Tyte."

Wickham Tyte, East Main Street, Riverhead; "And I'd like to talk on it, but I have some background information about property and property rights and so forth which is pertinent to this because after all that's what it deals with. I'd like to give each one of you folks a copy of this for looking over in your research time because you're not making any decisions tonight. But I'd like you to evaluate what we have got here on hand."

Supervisor Janoski: "Do you — give a copy to the Town Clerk, if you will, so that it can be put into the record."

Wickham Tyte: "The situation I'm in agreement with you folks, if we want a beautiful Town like the gentleman just spoke a while back. He's lived here all his life and likewise I have which is quite a few years and I believe that Riverhead has made some progress and I think if some of the buildings and signs and so forth, but I think if you analyze it, most of these were not done because of the club over people's head, but that you sold the idea to various merchants and people and practically all that has been accomplished is good, was done through cooperation not through coercion and think we have a dangerous problem if government gets out of hand. This thing that I gave you mentions at the top, that George Washington once said that government like fire is a dangerous servant and a fearful master. You folks had enough dealing with fire to know although we can cook our food with it, we can heat our house with it and our food with it, we can heat our house with it and our various factories can make

PUBLIC HEARING - continuedWickham Tyte continues:

stuff for us that when it gets out of hand it can also kill and maim and ruin and it's a dangerous thing.

Likewise, government when we had the constitution set up it said that government instituted man derived their just powers from the consent of the government. I cannot be happy about ordinances that passed not with a referendum where the people approve of it when their way of life is changed, but their bypass. Because the hearing that we have tonight is a little moving in the right direction cause you do get the input of people's attitude, but I think in the final analysis anything far reaching should always go to referendum if we're going to be a government of the people, by the people and for the people.

Another thing I think is a danger, you have to realize and the middle thing I have is we the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility. I would say that many of the things that you have in this thing will not establish domestic tranquility, but domestic hostility because people don't like to be pushed around. You ask them to do something, I think they'll be very cooperative. You force them to do it, they'll do the least they can to stay out of jail. And I don't think that's very good. But what I would like you to take, I'm not going to this, this thing too long, but I do want you to see one thing that is of interest and that is near the bottom, I have a definition of communism.

Now I didn't write Webster's unabridged dictionary. But I want to rule it to you and see where some of these things may have application. It is the re-organizing of society or the doctrine and it should be re-organized by regulating property industry in the source of livelihood, also the domestic relations in the morals of mankind. Socialism, especially the doctrine of a community of property or the negation of individual rights and property. This whole bundle of things, zoning, housing and all these regulations bring up the point where the implication is people do not own their own land. This is a fiction. People just think they own it, but everything belongs to the government. They can come in and do as they please. That's why they want their inspectors to come in and you're not supposed to keep them out because they have this right of entry although our bill of rights says that they have to have a search warrant before they can come in, the attorney said something to that effect earlier in the evening, but I would say that this is part of the idea of government coming and saying you just think you own this land. We own your house number and we'll tell you what you can build on your property. We'll tell you where you can build it. We'll tell you how big it can be. We'll have to prove whether it's going to be business or residence or form of what have you. On top of that, when we see the plan we have to okay them."

Supervisor Janoski: "Wickham?"

PUBLIC HEARING - continued
Wickham Tyte: "And we. . ."

Supervisor Janoski: "Wickham could I interrupt you. You seem to be addressing the whole system of zoning law. We're concerned here with local law 3-82."

Wickham Tyte: "Correct."

Supervisor Janoski: "If you would sort of narrow your comments down to that and I would point out to you that communism is an economic system and certainly I'm sure you know the difference. And I would also say one other thing to you that this happens to be a republic. And under that system of government us guys up here have the burden of representing you guys out there. And we really can't have, I don't think in every question, I'm sure (the tape ended) . . ."

(The tape began)

Wickham Tyte: ". . . who has the easement, is a dominant owner and the other is — one is a servient owner, so you put everybody in the place of being servient owners. But we were going to — I'll go specifically to this one other comment on this thing where it's a constitutional application and that this, when it comes in this ordinance, we're now talking about, and it would come right down to the penalty if you don't knuckle under. And the penalty is a two hundred and fifty dollar fine and fifteen days in jail. And every week that this is in affect is another crime. And if that doesn't constitute cruel and unusual punishment which is contrary to our bill of rights for I don't know what cruel and unusual punishment is, I think it's a vicious slander on the people and an insult to them and that's just a sample of the arrogance that goes into some of these things. I believe that the answer to this is what — one of the ones mentioned and that is that we have a cooperative thing taking the place of coercion and that is this. What should be done is the Board should set up which will be a board to promote good housing and a beautiful town and so forth and it will not be compulsory, it becomes advisory in which case anybody wants to come can get all kinds of help from a Town agency which is for — that would be a lot cheaper than our present thing and it's done by voluntary cooperation in offer of the government to make, to help us in all things from financing to where they can get good help and all that and bypass the club over the head. You either got to get them by clubbing them into the thing like they did when they built the pyramid or you have to do it by selling them on that idea and the people whole-heartedly join you and I say that's the American way. And I recommend that

PUBLIC HEARING -continuedWickham Tyte continues:

you consider this over, you think of some of the incidental angels to the thing and try to make it an All-American solution not one that deals with foreign ideology. Thank you."

Supervisor Janoski: "Thank you. Fran?"

Fran Vitollo, Wading River; "When we're speaking about knocking down these structures, what are you talking about? Homes, garages, shacks? Are you referring to all different types of buildings?"

Supervisor Janoski: "Yes, Mr. Town Attorney."

Fran Vitollo: "If a home burns down. . ."

Supervisor Janoski: "Could you perhaps — you know I absolutely believe that we've lost sight and forgot what it is that we're talking about. So if the Town Attorney . . ."

Fran Vitollo: "I think so."

Richard Ehlers, Town Attorney: "We're talking about any type of structure in the Town of Riverhead that could be a home. It could be dilapidated business property, but it has to fit into the definition of what an unsafe building is. Technically, it's termed unsafe."

Fran Vitollo: "Okay. If we didn't have any problems, I don't think anybody would be here. The ones that do have the problems, that's just too bad. You ride along Sound Avenue, Riverhead, you see a lot of dilapidated garages, shacks, fix them. Fix them before they fall down. I'm sure if they fell down these buildings would want a permit and they couldn't get a new permit to build these things. So why not put them in order now before they get any worse. And I'm all for it. I think it's a disgrace on some of the roads that you ride along and you see these old garages that are just about to fall down, doesn't fall down and see if these people can get permits to rebuild the shacks that they have on their property."

PUBLIC HEARING - continued

Supervisor Janoski: "Is there anyone else present who wishes to — Henry?"

Henry Pfeifer, Wading River; "And it seems listening to all the change of ideas and thoughts here, it seems to me that the Town Board seems to be addressing itself to a dangerous situation, either real or potential. And as such, they are obliged to do whatever is necessary to correct this by ordinance by correcting the Town Code, etc. Now the question is to whether or not this is a democratic procedure or a communistic or other fascists enters into it. If we have a dangerous situation on the street that a police officer recognizes, he makes the judgment of what is necessary to be done to correct that to protect the individuals. And I doubt very much that there's anyone here who would say that if there were a dangerous situation recognized by a competent authority, that it should not be corrected to protect our citizens. Thank you."

Supervisor Janoski: "Thank you Henry. I can guarantee that if anybody were injured and the Town Board had not addressed the existing situation that we knew about, we would probably get a heck of a lot of criticism for that. We are still dealing with the proposed Local Law 3-82. Is there anyone present who wishes to address the Town Board on this issue?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 9:49 P.M.

Supervisor Janoski: "We will now move on to the public hearing. The issue here is the repealing of Article IX, the Board of Housing Appeals, Local Law 4-82. Did Claudia speak to this issue on the last go round?"

Irene J. Pendizck: Inaudible.

Supervisor Janoski: "Claudia?"

Claudia DeGennaro, Shirley; "Again I'd like to commend the Town Board for comparison to other Towns. The Town of Southold does have a Housing Board of Appeals. So if we're going to compare the rest of the laws we're talking about tonight, you should compare this one also. They meet about three or four times a year and I think we should still keep it. Thank you."

PUBLIC HEARING -continued

Supervisor Janoski: "Thank you. Is there anyone else present who wishes to address the Town Board on the matter of the Housing Board of Appeals?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 9:51 P.M.

Supervisor Janoski: "We will now move onto Scavenger Waste Fees. Marshall did you want to address the Town Board?"

Marshall Nash from the audience was inaudible.

Supervisor Janoski: "Okay, Hank Fioto."

Hank Fioto; "I just wanted to straighten the record out. Vic mentioned before that the sewer district, the people have paid for sewers and so forth. Well in 1958 my mother bought a house, my father bought a house on Ostrander Avenue, Riverhead, and they were in the Riverhead Sewer District. And a few years ago, the Riverhead Sewer District was just increased to run a sewer on Ostrander Avenue. Now for twenty years they paid taxes in the Sewer District. It just happens to be that they were about twenty feet short of being hooked into the Sewer District. And they came to a meeting at the Town Board at the time, what-do-you-call-it was up — when Allen Smith was here and couldn't get into it. They only paid for twenty years, they paid the Sewer District. Now if they wanted to pay approximately three thousand five hundred a piece, they could have hooked up which was about ten more houses on Ostrander Avenue because when the engineers and the architects had drawn up the Sewer District, they forgot these ten little houses sitting from Elton Street to the end of the beginning Sewer District. So they forgot about it. It's not something where people pay for years and years and years. My mother and father paid until they sold the house last year. For over twenty years they paid for a Sewer District they never used."

Supervisor Janoski: "Thank you Hank. Is there anyone else present who wishes to address the Town Board on the issue of Scavenger Waste fees? Actually the reduction thereof? Marshall?"

PUBLIC HEARING - continued
Marshall Nash, Riverhead; "Is it understandable that they have proposed a new law to change this dumping fee?"

Supervisor Janoski: "Pardon me, Marshall, I didn't hear your question."

Marshall Nash: "I said, is it in the ordinance that they have proposed a new law for this dumping fee?"

Supervisor Janoski: "Yes, what we're addressing here is something that you raised. The original form of this law required the carter to pay on the capacity of this truck at the landfill. What we are saying is that we want to try to find a way that we can recognize that the truck is half full and there-by only charge for half the truck."

Marshall Nash: "Okay."

Supervisor Janoski: "Thank you."

Marshall Nash: "Now will there be another proposal made where everybody will pay the same as we do?"

Supervisor Janoski: "I know of no such proposal. But are you asking the Town Board to . . ."

Marshall Nash: "I'm asking, I'm asking the question. Is there a proposal coming out?"

Supervisor Janoski: "All right, Marshall, let me just say that the purpose of this fee as it was instituted was really in preparation for the institution of the scavenger treatment plant which we hope will be built in the near future. And really these monies are to be used for the operation and maintenance of the proposed scavenger treatment plant. Not for the construction, but for the operation and maintenance. While there is under consideration right now the funding of that particular project and let me tell you, that if it's not funded, we're going to drop this particular fee because we will have no need for it."

PUBLIC HEARING - continued

Marshall Nash: "You say that what you're doing now is setting up something for the new sewer plant that's in the making. Now if it doesn't happen, what happens to all these people that have been charged a dumping fee and they got nothing. And then all of a sudden, now you say well we can't make it, now we're going to drop it . . ."

Supervisor Janoski: "At that time, Marshall we would have to look at what our options were. Certainly you would consider some sort of repayment to people who have paid you. I don't know how practical that is. Honestly, you know the money is, of course, coming into the Town Treasury and is being used to operate the Town — the Landfill. Well it's general funds, but we could technically say it's being used to offset."

Marshall Nash: "But you say it's made to accommodate people at the landfill for their operation up there?"

Supervisor Janoski: "Listen, we collect a whole bunch of money to make the Town run. I can't say that the taxes you pay light the lights here in Town Hall, but somebody's money does that. You know, technically, if we raised a certain amount of money and if we've used that to offset some portion of the operation of Town Government, well then we don't have to ask for the money in another form. It's . . ."

Marshall Nash: "Look at . . ."

Supervisor Janoski: "Okay does anyone who still wishes — George?"

George Schmelzer: "I wish you would look into using that RCA land for dumping. I think Marty Lang would have liked it. He wouldn't have any problem with the North Sea there with those houses that — and the same thing here. We got land south of the river in Calverton if you want to run an experiment. We got land you can do it."

Councilman Prusinowski: "Excuse me, George, I've got to cut you off. Because no we're not going to consider it. No it's not going to be done. Also if you have a health hazard, if we dump that stuff in the woods and you have kids going over there and playing and they get sick from that stuff."

PUBLIC HEARING - continued

Councilman Prusinowski continues:

Also, you know today, when you pick up commercial places that have septic tanks and cesspools, they might have chemicals in it, which is a problem too. No it will not be considered. It can't be considered because there are health regulations against it, properly so."

George Schmelzer: "Can't kids go down the dump you got now?"

Supervisor Janoski: "George we're talking about the fees charged for . . ."

George Schmelzer: "I'm not talking about. . ."

Supervisor Janoski: "Well I want you to talk about the fees that's why I point that out to you. The hearing today is on scavenger waste fees, Local Law 5-82. What we are considering here is a method of charging for half a truck load."

George Schmelzer: "Or get down to fees. Who's going to be there with a measuring stick to see if the truck is half full or not?"

Supervisor Janoski: "George, we've already spoken to that particular issue in saying that the trucks as far as we know have a glass indicator on the sides, so that you could tell what the . . ."

George Schmelzer: "It's working already that way?"

Councilman Prusinowski: "Yes."

George Schmelzer: "Okay, thank you."

Supervisor Janoski: "Thank you George. Is there anyone else present who wishes to address the Town Board on this issue?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 9:58 P.M.

PUBLIC HEARING - continued

Supervisor Janoski: "We will now move onto the amendment of Code Section 108-3, definition Boarding house. Did George Schmelzer address the Town Board on this one, already? Just a minute George. Okay, George you got the microphone."

George Schmelzer: "Waste of time going back to the seat. I think you people should be allowed to have boarders to help pay their taxes. I know an instance, on the house where it was knocked down, the Library owns the property now for many years in the 30's a family had two or three boarders there. They made out all right."

Supervisor Janoski: "What in your opinion is a boarding house George?"

George Schmelzer: "A boarding house is where you got around fifteen or twenty people paying rent."

Supervisor Janoski: "To whom."

George Schmelzer: "To whoever controls the house."

Supervisor Janoski: "Does that person who runs the boarding house live in the house?"

George Schmelzer: "Somebody who owns it doesn't have to live there, no."

Supervisor Janoski: "George, I would just like to repeat, for you, what the concern of the Town Board is here so that perhaps you will address the issue."

George Schmelzer: "Yeah."

Supervisor Janoski: "We believe our present definition of boarding house would allow in certain parts of this Town for a person to buy a single-family house and load it up and that's what we're concerned about. Now we know that it's difficult to address these questions and we certainly don't feel it's our business to interfere with two people who want to live together, nor do we care if two college students want to share a place while they're going to school. But we are very much

PUBLIC HEARING - continuedSupervisor Janoski continues:

concerned in the destruction of our neighborhoods and that's what the Town Board wishes to address here. And if you can offer to us some comment and solution to the problem that we face, I would appreciate it and I will now let you continue."

George Schmelzer: "I don't know if you can draw the line. Have you drawn the line in what you call a boarding house."

Supervisor Janoski: "George, we certainly hope so and I would ask you to make some comment to that."

George Schmelzer: "Anyhow, you shouldn't include, say make three or four people living in their house, a boarding house by all means you scare people that way, see. As I say, some people make a living. Now there's no end to it. Suppose he had Moselms, Arabs, they're allowed four wives. Now suppose one moved into Riverhead, he had four wives, even had two kids with him."

Supervisor Janoski: "George, I'm going to have to . . ."

George Schmelzer: "What would you do, see?"

Supervisor Janoski: "George, now I have explained to you very carefully what the Town Board is concerned with and I'm going to have to ask you to sit down if you're going to make a mockery of this very serious subject."

George Schmelzer: "Well where do you draw the line?"

Supervisor Janoski: "We are trying to address that. You know and I have tried to explain that over and over tonight what the process is that we have a problem. The Town Board wishes to address it, we come up with some ideas, we hold a public hearing, we see what the citizens of the Town feel and then we proceed from there. Now George, if you don't know what exists in this Town as problems, then I would suggest that you stop fooling around at that microphone and get out into this Township and find out. Thank you."

PUBLIC HEARING - continued

George Schmelzer: "All right. It's — it goes back to — you hold the owner more responsible than the tenant. Like these other hearings we had. And I've seen that first hand, maybe it's not your fault. You weren't in office that time even. It's get to be chronic. It gets to be a way of doing things. No matter what happens, if a rented house — the pipes are missing, it's the owners."

Supervisor Janoski: "Master George, it's not the subject of this public hearing. We are talking about the definition of a boarding house."

George Schmelzer: "Well you said problems in this Town, I thought you — problems amount to anything. Now what's your definition of . . ."

Supervisor Janoski: "George, I think your five minutes are up. I'm going to have to ask you to sit down."

George Schmelzer: "You haven't defined yourself, what a boarding house is. I don't know what . . ."

Supervisor Janoski: "We are trying to define it. Thank you George."

George Schmelzer: "Thank you."

Supervisor Janoski: "Mrs. Edwards. No ma'am you have to come up to the microphone because it must be placed on the record. This is a legal public hearing and once again, I have to ask you to identify yourself and give your address."

Betty Edwards, 916 East Main Street; "I only have one question on this issue. A single-family house with a very big house, let's say, a single-family dwelling where there are many empty rooms. Children grow up, marry, leave for whatever reason, no need to waste time on it and the owners will rent out these individual rooms to three unrelated people. In your definition of a boarding house, does this constitute a boarding house?"

PUBLIC HEARING - continued

Supervisor Janoski: "I believe that — I will — let the Town Attorney . . ."

Betty Edwards: "Well I think that one of the — the two things that I've noticed tonight. One of the things is the confusion on the issues because of the loose wording which is dangerous and the other thing is that almost everyone here honestly and sincerely desires a way of defending themselves without costly litigation aboard such as one of the issues that came up tonight. These are the two things, is a one-family house which has tenancy of three unrelated people. I'm not talking about families, three and four families. We all know that's detrimental to the very families themselves to the area. But three individual unrelated people living together each in their own spot in a one-family house. How does that go ahead."

Richard Ehlers: "Under the previous definition, it was more than three unrelated people was prohibited as being a boarding house. Under the new definition, it is more than one individual or family unit. Now you could then go back to family unit again, which is defined as five or less unrelated people."

Betty Edwards: "Well than you are — now, am I incorrect in thinking that you are saying that if a single — in a single-family dwelling, if you rent one room out, you are a boarding house?"

Richard Ehlers: "Well there's still a loophole in the problem. And that is the definition of a one-family dwelling which is a single family and a family is defined as five people unrelated. It's a bigger problem than just the one section."

Betty Edwards: "That's an unfortunately — whatever is voted in is going to have far reaching effect. The laws that are going to happen today or tomorrow are going to be felt by people for many, many, many years. Wording is very important and I know that we all can't be individuals. It would be very impractical in a nation this size. But certainly when too many rights of individuals are taken away, you get a great deal of dissatisfaction as you heard tonight. I think most decent people want to see Riverhead upgraded. We all live here. It's in our — but where do you draw the line, is the question?"

PUBLIC HEARING - continued

Supervisor Janoski: "Betty, can I ask you a question?"

Betty Edwards: "Pardon me."

Supervisor Janoski: "What street did you say you lived on?"

Betty Edwards: "Pardon me."

Supervisor Janoski: "What street did you say you lived on?"

Betty Edwards: "East Main Street."

Supervisor Janoski: "East Main Street."

Betty Edwards: "And I have been working very hard to upgrade the property there. It's very costly and . . ."

Supervisor Janoski: "In view of that, if someone bought the home next door to you and, of course, was not a resident there, but just decided to purchase it and then decided to rent it out to five, six unrelated people, how would you feel about that after all the work you've done?"

Betty Edwards: "But you see. . ."

Supervisor Janoski: "Don't but me and change the subject, answer that specific question."

Betty Edwards: "I'm not going to change the subject. I'm confused as to where you draw the line. If a single family bought the house, then it was properly, properly zoned and rented, three of the rooms, three unrelated people and did not run an opium den and did not run illegal gambling, or elicit, soliciting of any sort, I would have no objection as long as the property was upgraded and everyone is not fortunate enough to be able to do everything yesterday. Some of us have to work hard and strive hard and see everything

PUBLIC HEARING - continuedBetty Edwards continues:

knocked down because someone else will come in and say well you know this is not right or this is not good. You have to have laws that are fair to all of us and I think that, again, I don't want to be redundant and that's what's going to happen. So I'm going to stop right here. I would like a very, very clear cut definition of what you mean by a . . ."

Richard Ehlers; "Could I just interject that the definition that is proposed a boarding house involves the collection of rents. The definition of the single-family dwelling unit does not involve the collection of rents."

Betty Edwards: "So that you have boarders for free. You don't collect rent from boarders? If you have three unrelated . . ."

Richard Ehlers: "And that — and that brings up an interesting point. The Village — the Town of Easthampton, their solution to this problem which the community might want to consider is that if the owner of the residence lives on the premises then he may rent, he or she may rent out to up to four unrelated people and that solves the absentee landlord question."

Betty Edwards: "But we're formulating laws that are going to be effected. I'm not effected by Easthampton, not that . . ."

Supervisor Janoski: "Do you have any suggestions for us?"

Betty Edwards: "I think that the wording has to be considered very carefully."

Supervisor Janoski: "Do you have any specific areas?"

Betty Edwards: "My suggestion is this. When a decision is made about how to present a new law or the possibility of a new law, it should be looked at in the most negative way that one can look at a thing. They should look at the law and say what could happen twenty years from now if someone is in power in this community that can use this law to hurt the people of the community because many noble ideas are turned into monsters by ill-use. That's it."

PUBLIC HEARING - continued
Supervisor Janoski: "Fran?"

Fran Vitollo, Wading River; "When you're speaking of these homes, are there any boarding homes in our Town right now?"

Richard Ehlers: "If they're by prior non-conforming use, they would not be illegal. There is a suggestion that there are some homes in the community which people would think to be single-family homes in which rents are being collected from numbers of people."

Fran Vitollo: "True, okay. Now in other words, if you don't do something about it now, I could go ahead and buy three or four houses and start renting them out to six or seven people in each home. I would be making a mint, wouldn't I? And I think that is terrible. I wouldn't want that in my neighborhood."

Councilman Prusinowski: "No not — like I said before to clarify it, this definition does not apply to every single family home. This definition applies to certain areas in the Town that within the code book is defined on the zoning map."

Fran Vitollo: "Okay, again with the — with this hardship people claim there is a hardship, there is. There are people in Town that cannot afford their two — their family homes. Why can't we legalize two-family homes? This is something to look into too? Would you rather see a boarded up home or would you see — rather see an elderly person or even myself, I can't afford my big home anymore. I want to rent it out. Would you people consider legalizing two-family homes in this Town."

Supervisor Janoski: "We have considered. . ."

Fran Vitollo: "In the near future or whatever."

Suprvisor Janoski: "It was considered just last year and rejected as a possibility, Fran."

PUBLIC HEARING - continued

Fran Vitollo: "It was rejected, why?"

Supervisor Janoski: "Should I give her an honest answer?"

Unidentified speaker: "Tell her."

Supervisor Janoski: "Okay, I'm going to give you an honest answer. We find nothing wrong with conversion to two-family housing on the surface as an idea. As a matter of fact, we understand very well what you just said that there are homes that are large, the children move out, and can't afford to keep them up anymore and it would make it possible for you to keep it by perhaps creating a new apartment in it. But we are scared to death of what might happen as a possibility. You know I'm going to come right out and say it, I am tired because . . ."

Fran Vitollo: "Go ahead."

Supervisor Janoski: ". . . of pussy footing around this whole thing."

Fran Vitollo: "This is what we're here for."

Supervisor Janoski: "This Town is a welfare dumping ground."

Fran Vitollo: "Definitely."

Supervisor Janoski: "Absolutely. And we are, as well as the citizens of the Town, are scared to death of what is being done to this Town. We are being raped. These things that we have discussed tonight are simply and quite honestly some of those problems. And you know I'm surprised that the people sitting in this room don't understand what these people here are trying to do. We are trying to protect this Town from what has happened in the past and from the indignities that have been visited upon us in the last number of years. And I have to tell you that you people sitting out there have really surprised me."

PUBLIC HEARING - continuedSupervisor Janoski continues:

I have a man here, Geroge Schmelzer who is a long-time resident of the Town. He doesn't understand. He thinks this is a joke. He doesn't understand the problems that we face. We have been doing battle with 414 for more than a year now.

Now am I to understand that the people of this Town want 414's in the Town to continue to exist and we want more of them? Don't you understand that we are trying to protect neighborhoods, that we don't want 414's on your blocks because that is what is possible. I don't understand how you can sit there and really make a mockery of this meeting and the actions of this Town Board, who in good faith are trying the best that they know how to and it is not perfect, to protect this Town in the future."

Fran Vitollo: "Well I'm not saying anything that you people are not doing right. I happen to be a landlady. I happen to be a damn good landlady. I watch my tenants. If I don't like them, I throw them the heck out. Of course, if you get welfare, it's hard to get welfare reciprocants out because they have a legal right to stay there. In the meantime, they are damaging your home. But again, I feel sorry for some of these people who cannot keep their homes. Are we going to see boarded up homes, or are we going to allow them to rent up their homes?"

Supervisor Janoski: "I don't know what is preferable. The conversion. . ."

Fran Vitollo: "It's bad. It's a tough situation."

Supervisor Janoski: "It is a tough situation. I've said that over and over again tonight that this is a very complex and difficult issue. You know we are simple human beings sitting up here. We are really no more gifted to solve problems than anybody else."

Fran Vitollo: "True, but in the same token, Joe, not to interrupt you, you have young children. Say myself, I have young children that are going to look to get out and look for an apartment. There are no apartments available in the Town of Riverhead for these children. Where are they going to go, if they cannot afford to buy a home?"

Councilman Prusinowski: "Fran, I've got to disagree with you. Because you know, we just built the Mill Brook

PUBLIC HEARING - continued

Councilman Prusinowski continues:
Garden Apartments, okay. We have hundreds of applications there. We just built Doctors Path and we did have a lot of applications and not a lot from the Town of Riverhead."

Fran Vitollo: "For the young?"

Councilman Prusinowski: "Absolutely. Absolutely. You don't have to be on welfare or social service to go up there. But you know the idea is that we need more housing stock in the Town of Riverhead. We need decent housing stock. That's the only way."

Fran Vitollo: "Okay."

Supervisor Janoski: "On the issue of the boarding house, is there anyone else present who wishes to address — Claudia, you spoke on this — no. Come on up here."

(At this time the tape was changed. Claudia DeGennaro's statement was not on the record. The tape began with:)

Supervisor Janoski: ". . . the law was proposed, let me see which one this is. This law was proposed by me. As a matter of fact, it was proposed by me some eight months ago that we had a potential problem. At that time, quite honestly, there was not too much support for the idea. As a matter of fact, quite honestly, certain instances in the Town which did start to take place prompted me to bring it up again for consideration."

Claudia DeGennaro: "Then why was I told the Building Department brought this law into effect?"

Supervisor Janoski: "I don't know who told you that. All I know is . . ."

Claudia DeGennaro: "Mr. Lombardi."

Supervisor Janoski: "Mr. Lombardi."

PUBLIC HEARING - continued

Claudia DeGennaro: "Mr. Lombardi did."

Councilman Lombardi: "Claudia, I never told you the Building Department. I'm sorry to disagree with you."

Claudia DeGennaro: "I'm not going to argue, whatever."

Supervisor Janoski: "It's not an important point."

Claudia DeGennaro: "Again, you keep addressing certain problems in this Town. Can you be a little more specific?"

Supervisor Janoski: "You bet Claudia. Claudia DeGennaro, does this map very much represent the owning — the ownership of your properties in the Town of Riverhead?"

Claudia DeGennaro: "Are we talking about a law Mr. Janoski or are we talking about a DeGennaro law?"

Supervisor Janoski: "We are talking — you want me to be specific."

Claudia DeGennaro: "It's amazing you have a map."

Supervisor Janoski: "It is amazing, quite honestly, this map. . ."

Claudia DeGennaro: "Obviously you are addressing a law for a DeGennaro law. Are you not?"

Supervisor Janoski: "No I wouldn't say that."

Claudia DeGennaro: "Then why do you have a map of my property?"

Supervisor Janoski: "Well because we wanted to see just what were the problems that you had in this Town."

PUBLIC HEARING - continued

Claudia DeGennaro: "Okay, in other words, you're saying this map is the map of problems in this Town. Is that what you're saying?"

Supervisor Janoski: "No, no."

Claudia DeGennaro: "Then what are you holding up a map for?"

Supervisor Janoski: "You have a — some certain problems with this . . ."

Claudia DeGennaro: "No, no you keep mentioning all night long you have problems."

Supervisor Janoski: "You bet."

Claudia DeGennaro: "Be specific. Clarify your point."

Supervisor Janoski: "I am going to if you will please be quiet. I will try to attempt to."

Claudia DeGennaro: "Okay, very good."

Supervisor Janoski: "Claudia DeGennaro, do you own property in the Town under Benjamin Square, Inc? Do you operate under a corporation known as Benjamin Square, Inc?"

Claudia DeGennaro: "Sometimes."

Supervisor Janoski: "Do you operate under a corporation known as Portion Property?"

Claudia DeGennaro: "Are we talking about a boarding house law Mr. Janoski or are we talking about my property?"

Supervisor Janoski: "We have the Judge Belford Inn. We have Tony DeGennaro."

PUBLIC HEARING - continued

Unidentified Speaker: "I do not wish this to go further at this time. Mr. Janoski is not keeping the issue at hand on the mike. You're talking about individuals and I want it . . ."

Supervisor Janoski: "Mr. DeGennaro."

Mr. DeGennaro: ". . . come to a halt. Good-bye Mr. Janoski, talk to yourself."

Supervisor Janoski: "Mr. DeGennaro, I wish that was a real good-bye. Mr. DeGennaro, you are out of order. I will ask you to take your seat."

Now in the Town of Riverhead and certainly we are considering a potential problem. Many of these properties could possibly be turned into boarding houses. Some of them exist at the present time. Judge Belford Inn is one property, and, of course. . ."

Claudia DeGennaro: "Judge Belford Inn is a boarding house Sir?"

Supervisor Janoski: "No, I didn't say that."

Claudia DeGennaro: "You just talked about boarding houses."

Councilman Artale: "He said potential problems."

Claudia DeGennaro: "Being specific, Mr. Janoski."

Supervisor Janoski: "Claudia, I'm not going to get into an argument with you. I just want to identify you as a landlord in the Town and what your holdings may be just . . ."

Claudia DeGennaro: "Why are you publicizing my holdings, Mr. Janoski?"

Supervisor Janoski: "Because I want to demonstrate what your interest might be."

PUBLIC HEARING - continued

Claudia DeGennaro: "Why are you questioning my interest because I have holdings? Does Mr. Swezey get questioned as to why his holdings are here?"

Supervisor Janoski: "Mr. Swezey is not a landlord in the Town, nor does he. . ."

Claudia DeGennaro: "But he is a merchant. He is a businessman, yes or no?"

Supervisor Janoski: "Absolutely."

Claudia DeGennaro: "Okay. Again, let's go back to comparison to other Towns. Does the Town of Southold also have a boarding house law that eliminates or reduces the amount of people that you can rent a room to in your own home."

Supervisor Janoski: "I really don't know."

Richard Ehlers: "I have two of the boarding house laws with me tonight."

Claudia DeGennaro: "Very good."

Richard Ehlers: "One is Easthampton's."

Claudia DeGennaro: "I said Southold's."

Richard Ehlers: "If you'll let me finish. I don't have the Southold one right here in front of me."

Claudia DeGennaro: "Amazing."

Richard Ehlers: "The Easthampton one indicates that if you have an owner who rents out their own building, this takes care of the problem of the big house, that's now not going to be used by the family any more. They can, in fact, rent it out to four people."

PUBLIC HEARING - continued

Claudia DeGennaro: "Yes."

Richard Ehlers: "They don't permit absentee landlords."

Claudia DeGennaro: "Right."

Richard Ehlers: "To take single family houses and rent them out to numerous groups of people, that's the Southold — Easthampton law. In fact, they even go further to require everyone who rents in Easthampton to register with the Town. Now that's not even being considered here. So that's maybe the far end of the spectrum. You go to Southampton and if I can find that one in my mess of papers here . . ."

Claudia DeGennaro: "Can you give me the definition of an absentee landlord?"

Richard Ehlers: "I'll give you this. The proprietor — I'll read you this one. The proprietor of a rooming house, may only be the owner of the premise who must reside on the premise. That's what Easthampton says, verbatim."

Claudia DeGennaro: "Okay. Did you realize that the Town of Southold is now proposing a law that two — that they're going to convert these large houses into two-family dwellings. Also the Town of Brookhaven is considering the same law. As a matter of fact, I was . . ."

Supervisor Janoski: "Mrs. DeGennaro, we have already said that the Town of Riverhead just last year concerted conversion to two-family dwellings and rejected the idea."

Claudia DeGennaro: "But obviously, you're comparing yourself to other Towns. And why aren't you comparing in this particular instance?"

Supervisor Janoski: "You know this can go on, why don't we do this that other Towns do. We can go on item for item. Quite honestly, — Mr. — I will have you removed if you keep that up."

PUBLIC HEARING - continued

Unidentified speaker from the audience was inaudible.

Supervisor Janoski: "Thank you."

Claudia DeGennaro: "Also."

Supervisor Janoski: "Mr. DeGennaro, please."

Claudia DeGennaro: "Also I would like to clarify that, number one, single-family dwellings is related, whether it's on West Main Street or East Main Street, whether a single-family dwelling, the definition remains the same, whether it's on East Main Street, West Main Street. If it's in Wading River, if it's in South Jamesport. It's the same definition. The same applies to boarding house. Whether it's in Wading River, whether it's on East Main Street, or West Main Street, the definition is uni-lateral. One particular instance or one particular spot is different from all the rest. It has to be the same. That's what laws are made of to protect everybody equally."

Supervisor Janoski: "That's . . ."

Councilman Prusinowski: "Right and Joe, could I say . . ."

Supervisor Janoski: "Absolutely. Mr. Prusinowski."

Councilman Prusinowski: "Claudia, I agree with you 100%. In fact Mr. — he's here Ernie Langhorne, said it, that Riverhead has one of the finest records here on the east end for providing decent housing to all of the citizens and I think that's what we're really talking about. And I'll tell you what gets me a little bit irate, because I saw a circular flying around the Town and I also heard some radio spots that we're trying to take the rights away from the tenants. And I got to tell you something. When I visited 414 and I visited some of these dwellings that quote absentee landlords own, I saw conditions that were inhuman."

Claudia DeGennaro: "But . . ."

PUBLIC HEARING - continued

Councilman Prusinowski: "Excuse me, one second. And to me if we have taxpayers or residents of the Town who are not taxpayers, but, unfortunately cannot pay their own rent, are on social services, that's not really the question. I think it's the responsibility of these landlords to take care of their tenants. Also to take care of the surroundings of those homes, not to impede on the rights of other people wh live in the neighborhood. And I've seen too much on the record to make me a pessimist and a disbeliever. Now, there's a lot of fine landlords in the Town of Riverhead who do an excellend job, who really are mkaing the Town positive. But on the other hand, we have some problems. I've seen them, it's my responsibility, that's what I was elected for and we're just trying to throw this open for the public to let the public know that there are problems and we want to provide decent housing for the citizens of the Town."

Claudia DeGennaro: "In other words, there's a lot of substandard housing around? Is that what you're saying?"

Councilman Prusinowski: "All over the country."

Claudia DeGennaro: "No, I'm talking about Riverhead. I'm not talking about . . ."

Councilman Prusinowski: "Absolutely."

Claudia DeGennaro: "Okay. Now, when Mr. Janoski holds up his map, is he referring to my places as being substandard? Mr. Janoski?"

Supervisor Janoski: "I certainly cannot make that determination. All I have is a map which is representation of parcels of land and property in the Town."

Claudia DeGennaro: "Why are you avoiding a direct question?"

Supervisor Janoski: "I'm telling you that I cannot make that determination."

PUBLIC HEARING - continued

Claudia DeGennaro: "You can't make that determination?"

Supervisor Janoski: "Whether you're houses are substandard. . ."

Claudia DeGennaro: "Well what determination can you make?"

Supervisor Janoski: "I can make determinations about how I feel about business."

Claudia DeGennaro: "There's a thing called. . ."

Supervisor Janoski: "Mrs. DeGennaro, I'm going to ask you to do me a favor. I'm going to ask you to address the Town Board on this issue and let's stop playing the games."

Claudia DeGennaro: "I'm not playing a game. I didn't come here with a map of your holdings either Mr. Janoski."

Supervisor Janoski: "Well I thought that the people of the Town and certainly the people sitting in this room should know what your interest is here, in this boarding house."

Claudia DeGennaro: "You're interested in publicizing what I own, is that what you're saying?"

Supervisor Janoski: "It is public record, obviously, Mrs. DeGennaro."

Claudia DeGennaro: "But you're interested in showing everybody what I own."

Supervisor Janoski: "You bet."

Claudia DeGennaro: "Thank you very much."

PUBLIC HEARING - continued

Supervisor Janoski: "Does anyone else wish to address the Town Board on this particular issue which is definition boarding house?"

No one else wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 10:25 P.M.

Supervisor Janoski: "That's the end of the public hearings this evening. I will recognize you after we get through with resolutions."

RESOLUTIONS

#217 AUTHORIZES SUPERVISOR TO EXECUTE LEASE AGREEMENT RE:
LARRY'S LIGHTHOUSE MARINA, INC.

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

WHEREAS, in May, 1977, Larry's Lighthouse Marina, Inc. entered into an agreement with the Town of Riverhead to lease premises known as the Town Marina located in South Jamesport, and

WHEREAS, Larry's Lighthouse Marina, Inc. has expressed to this Town Board that they wish to make costly renovations and improvements to the Town Marina, including, but not limited to the construction and installation of a shower facility, and

WHEREAS, it was deemed appropriate that a new lease agreement be prepared and executed incorporating additional clauses with regard to the planned renovations and maintenance thereof, and

WHEREAS, this agreement is subject to a permissive referendum,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be and is hereby authorized to execute the subject lease agreement wherein said agreement is subject to a permissive referendum, and be it

FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post this resolution as follows:

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 20th day of April, 1982, the Town Board of the Town of Riverhead duly adopted a resolution, an abstract of which follows, which resolutions is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

RESOLUTIONS - continued

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#218 RESOLUTION CONSENTING TO THE ACQUISITION OF ROBINS
ISLAND BY THE COUNTY OF
SUFFOLK

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

WHEREAS, the Riverhead Town Board believes that the preservation of Robins Island is a regional concern and that the Island's preservation would be a benefit to the entire region, and

WHEREAS, the Southold Town Board has indicated its support for the preservation of Robins Island in its natural site, and

WHEREAS, the County of Suffolk has established a Nature Preserve for the specific purpose of preserving land like Robins Island, which has not yet been utilized on behalf of the people of Suffolk County, and

WHEREAS, the Long Island Chapter of Nature Conservancy has by letter dated March 3, 1982 stated its willingness to manage the Island, and has agreed "to undertake at its own expense, a preserve design program immediately upon passage of the home rule message by the Town of Southold", and

WHEREAS, the Suffolk County Executive has indicated his willingness and desire to seek County acquisition of the Island and dedicate the same to the Nature Preserve, and to enter into an agreement with the Nature Conservancy for its management,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby go on record as favoring and hereby gives its consent to the acquisition of Robins Island by the County of Suffolk, and the permanent preservation of the Island through dedication to the County Nature Preserve and management thereof by the Long Island Chapter of the Nature Conservancy at no expense to the Town of Southold.

Before the vote, Supervisor Janoski stated: "I would also like to point out that the Town of Southold has requested this action of the Town of Riverhead."

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#219 AUTHORIZES LIEUTENANT WESLEY DROSKOSKI TO ATTEND
AUTO THEFT SEMINAR

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

WHEREAS, an auto theft seminar will be held on May 18, 19, and 20, 1982, at the Hyatt Cherry Hill, Cherry Hill, New Jersey, and

WHEREAS, Lieutenant Wesley Droskoski has expressed a desire to attend such seminar,

NOW, THEREFORE, be it

RESOLVED, that Lieutenant Wesley Droskoski be and is hereby authorized to attend said auto theft seminar in Cherry Hill, New Jersey, and be it

FURTHER RESOLVED, that \$210.00 shall be advanced to Lieutenant Droskoski for registration, travel, lodging and meals, which expenses shall be receipted upon return.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#220 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, that the following Police Officers be paid Overtime Pay for a period from January 7, 1982 to 3/25/82 (ADDED).

1. Witt, W.	1/07/82	5 hrs.	\$ 88.34
	2/19/82	8 hrs.	\$141.35
	3/13/82	8 hrs.	\$141.35
	3/25/82	3 hrs.	\$ 53.00
		TOTAL	\$424.04

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#221 AUTHORIZES OVERTIME COMPENSATION - RECREATION DEPARTMENT & OFFSTREET PARKING

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

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

James Gadbois	6 hours	@ \$10.6934	= \$64.16
Oliver Miles	6 hours	@ \$ 9.2150	= \$55.29

RESOLUTIONS - continued

RESOLVED, that the following employees of Off-Street Parking be paid time and one-half overtime compensation:

Gustave Olson	2	hours	@	\$10.6934	=	\$21.39
James Woodson	3½	hours	@	\$ 8.7221	=	\$30.53

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

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#222 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF STEVE AND JOSEPHINE MITTACHIONE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Notice of Public Hearing with regard to the special permit application of Steve and Josephine Mittachione to extend an existing non-conforming use of premises located in Business "B" District, at the intersection of Sound Avenue and Route 25A, Wading River, New York, to be more particularly utilized to store and sell firewood and coal.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 4th day of May, 1982, at 8:00 o'clock P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested person with regard to the special permit application of Steve and Josephine Mittachione to extend an existing non-conforming use of premises located in Business "B" District, at the intersection of Sound Avenue and Route 25A, Wading River, New York, to be more particularly utilized to store and sell firewood and coal.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#223 AUTHORIZES RELEASE OF MAINTENANCE BOND, HAMPTON DRAINAGE AND PAVING CORP.

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

WHEREAS, Hampton Drainage and Paving Corp. contracted

RESOLUTIONS - continued

with the Town of Riverhead to perform work at the Peconic River Marina and Park, and

WHEREAS, a bond was posted in the amount of \$72,172.79, and

WHEREAS, one year has elapsed since the contracted work was completed, and

WHEREAS, a letter was received from Holzmacher, McLendon and Murrell, Supervising Engineers for the project, that as a result of an inspection, they have found all work to be in satisfactory condition and recommend that the Maintenance Bond in the amount of \$72,172.79 be released,

NOW, THEREFORE, be it

RESOLVED, that the Maintenance Bond posted by Hampton Drainage and Paving Corp. in the amount of \$72,172.79 with regard to work performed at the Peconic River Marina and Park be released, and be it

FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to send a certified copy of this resolution of Hampton Drainage and Paving Corp., as well as inform International Fidelity Insurance Company that said bond has been released.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#224 AUTHORIZES TOWN CLERK TO READVERTISE FOR SEALED BIDS ON RIVERHEAD POLICE DEPARTMENT UNIFORM CLOTHING

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

WHEREAS, on April 8, 1982, the Town Clerk was authorized to advertise for bids on Town of Riverhead Police Department Uniform Clothing for use by the Town of Riverhead Police Department, and

WHEREAS, no bids were received,

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on Town of Riverhead Police Department, and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on May 3, 1982, at 11:00 o'clock a.m. at the Town Clerk's Office, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Town of Riverhead Police Department Uniform Clothing".

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#225

ACCEPTS RESIGNATION OF HOME AIDE

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

WHEREAS, Jane Fater did submit her letter of resignation from her position as Home Aide,

NOW, THEREFORE, be it

RESOLVED, that the Riverhead Town Board does hereby accept the resignation of Jane Fater effective April 16, 1982.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#226

APPOINTS HOME AIDE

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

WHEREAS, due to the resignation of Jane Fater from her position of Home Aide a vacancy now exists,

NOW, THEREFORE, be it

RESOLVED, that Dorothy Bryson be and is hereby appointed to the position of Home Aide effective April 21, 1982 at the hourly rate of \$3.75.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#227

AUTHORIZES OVERTIME - HIGHWAY DEPARTMENT

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

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for the period April 6, 1982 thru April 16, 1982 for a total of 501 hours in the amount of FIVE THOUSAND ONE HUNDRED TWENTY FOUR and 22/100 (\$5,124.22) DOLLARS, in accordance with personal services abstract submitted and filed in the Office of the Town Clerk.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#229

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
REQUEST FOR PROPOSALS RE: GAS RECOVERY/CONVERSION
AT TOWN OF RIVERHEAD LANDFILL SITES

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following notice of request for proposals for gas recovery/conversion at the Town of Riverhead landfill sites; and be it

RESOLUTIONS - continued

FURTHER RESOLVED, that the Town Board shall accept such proposals not later than 11 a.m. on May 20, 198, wherein said proposals shall be reviewed by the Town Board and determination made thereafter.

REQUEST FOR PROPOSALS
GAS RECOVERY/CONVERSION AT TOWN OF RIVERHEAD LANDFILL
SITES

The Town of Riverhead will accept proposals to design, build, operate, maintain and manage a Landfill Gas Recovery/Conversion System at the Town of Riverhead Landfill Sites, Youngs Avenue, Riverhead, New York.

The proposal shall be based on the following assumptions and requirements:

1. Source of energy is from the gas being generated from the solid wastes within the existing and old landfills.
2. Energy developed from the gas shall be in the form of electrical energy.
3. Energy developed shall be sold directly to the Utility Company.

The Town of Riverhead is requesting proposal information in the following areas:

1. Proposals being solicited shall include brief narratives with respect to studies, investigations, plans, specifications, surveys, impact statements, engineering and architectural designs, equipment, connections, appurtenances and all other information, data, designs, material and equipment for a complete and working project to be performed by the Vendor.
2. Bidder qualifications shall include a list of similar projects, corporate experience and information on key personnel.
3. Project financing.
4. Bonding and insurances to be provided to the Town for the project.
5. Environmental permit acquisitions required and statement of who will be responsible for acquisition of same.
6. Gas potential testing program.

RESOLUTIONS - continued

7. Gas collection and conversion system design.
8. Utility Company (L.I.L.C.O.) contract negotiations.
9. Royalty compensation program including minimum monthly royalties with date royalties will commence.
10. Contractor responsibilities.
11. Town of Riverhead responsibilities.
12. Schedule of operations and estimated revenues in 1982 dollars.
13. Contract requirements and terms.
14. Description of how vendor will prevent gas migration from site boundaries.

The Town of Riverhead accepts no liability for the cost of preparation of proposals.

Site visits will be arranged by the Director of Community Development. Call (516) 727-3200.

The basis of proposal selection shall be that proposal which in the opinion of the Town of Riverhead, will serve the best interests of the Town.

Proposals must be in writing and will be received by the Supervisor of the Town of Riverhead, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901, not later than 11:00 A.M. on May 20, 1982. Eight (8) copies of each proposal shall be submitted.

The Town of Riverhead reserves the right to accept or reject any or all of the proposals. Further, the Town of Riverhead reserves the right to review the financial capabilities of those submitting proposals and may ask for a financial statement.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#230

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF ISLAND WHOLESALE WOOD SUPPLIERS, INC.

Supervisor Janoski: "Without objection, we're going to table that resolution."

- RESOLUTIONS - continued
- #231 AWARDS BID FOR TRAP ROCK - HIGHWAY DEPARTMENT
 Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.
 WHEREAS, the Town Board of the Town of Riverhead has advertised for bids for Blue Stone and/or Trap Rock for the Highway Department, and
 WHEREAS, Bids were received for the aforesaid Blue Stone and/or Trap Rock, and
 WHEREAS, the Town Attorney and the Town Board have examined the bids submitted,
 NOW, THEREFORE, be it
 RESOLVED, that the Town Board award the bid for Trap Rock to A & G Materials, Inc., 168 Town Line Road, Kings Park, New York 11754, for the Bid price of FIFTEEN and 95/100 (\$15.95) DOLLARS per ton delivered to Riverhead Town Highway Yard, Osborn Avenue, Riverhead, N.Y., in conformity with the bid specifications, documents, etc., on file with the Town of Riverhead.
 The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.
 The resolution was thereupon declared duly adopted.
- #232 AWARDS BID FOR LIQUID ASPHALT - HIGHWAY DEPARTMENT
 Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.
 WHEREAS, The Town Board of the Town of Riverhead has advertised for bids for Liquid Asphalt for the Highway Department, and
 WHEREAS, Bids were received for the aforesaid Liquid Asphalt, and
 WHEREAS, the Town Attorney and the Town Board have examined the bids submitted,
 NOW, THEREFORE, be it
 RESOLVED, that the Town Board award the bid to R.O. Welch Asphalt Company, for the bid price of ONE and 48/100 (\$1.48) per gal. for ITEM #1; ONE and 54/100 (\$1.54) per gal for ITEM #2; and ONE and 39/100 (\$1.39) per gal. for ITEM #3, in conformity with the bid specifications, documents, etc., on file with the Town of Riverhead.
 The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.
 The resolution was thereupon declared duly adopted.
- #233 AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT FOR ADVANCED LIFE SUPPORT SYSTEM WITH THE COUNTY OF SUFFOLK
 Councilman Artale offered the following resolution which was seconded by Councilman Prusinowski.
 WHEREAS, the Suffolk County Department of Health Services desires to make available to the residents of the County of Suffolk a more effective emergency medical services

RESOLUTIONS - continued

program, including the establishment of an Advanced Life Support System, and

WHEREAS, the County has purchased part of and is in the process of purchasing the remaining equipment necessary to implement such an Advanced Life Support program, and

WHEREAS, the Riverhead Town Board is the governing body of the Riverhead Volunteer Ambulance Corps, and

WHEREAS, an agreement has been reached with Suffolk County to provide such equipment and the necessary services for coordinating the use of this equipment,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to execute the agreement for the Riverhead Volunteer Ambulance Corps with the County of Suffolk and amendment of agreement thereto to implement the Advanced Life Support Program for the protection of the residents of the Town of Riverhead.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#238 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT OF SALE,
RE: GERTLER

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

WHEREAS, the Town of Riverhead has expressed its desire to purchase property located on Horton Avenue, Riverhead, New York, for the purpose of relocating residents and clearing dilapidated buildings in that area through the Community Development Office, and

WHEREAS, Joseph and Theresa Gertler have expressed their desire to sell their real property located in that area,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be and is hereby authorized to execute the subject contract wherein said sale is subject to a permissive referendum, and wherein the price of said parcel is \$13,000.00 to be paid from Community Development Funds, and be it

FURTHER RESOLVED, that the Town Clerk is authorized to publish and post this resolution as follows:

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 20th of April, 1982, the Town Board of the Town of Riverhead duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#239

BUDGET ADJUSTMENT IN HOME AIDE

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

RESOLVED, that the Supervisor be authorized to adjust the following Home Aide Budget:

	<u>FROM</u>	<u>TO</u>
H7611.100 Personnel-Home Aides	\$5,982.00	
H7611.800 Fringe Benefits	\$1,218.00	
H7611.401 Staff Travel	\$ 600.00	
H7611.403 Office Supplies		\$5,950.00
H7611.404 Vehicle Maintenance & Repair		\$1,000.00
H7611.405 Minor Renovations		\$ 200.00
H7611.201 Telephone Equipment		\$ 300.00
H7611.202 Vacuum Cleaner		\$ 350.00

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#240

AUTHORIZES ONE-HALF OVERTIME FOR THE TOWN HALL
EMPLOYEES

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

RESOLVED, that the following Town Hall Employees be paid one-half overtime compensation.

Verna Campbell	7	hours @ \$4.0573 --	\$28.40
Charles Brown	2.5	hours @ \$5.1908 --	\$12.97
Frank Shefchick	7.5	hours @ \$5.7315 --	\$42.98
Brenda Flood	7	hours @ \$2.00 --	\$14.00

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

The vote, Boschetti, Absent, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "Without objection — you got me Henry, darn you."

Henry from the audience was inaudible.

RESOLUTIONS - continued

Supervisor Janoski: "Please come up to the microphone."

Henry from audience inaudible.

Supervisor Janoski: "Please come up to the microphone."

Councilman Prusinowski: "Excuse me, I didn't hear that, if it concerned me, it's (the tape ended)."

No further business on motion and vote, the meeting was adjourned at 10:25 P.M.



Irene J. Pendzick, Town Clerk

IJP/vlv