

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, February 6, 1979 at 7:30 P.M.

Present: Allen M. Smith, Supervisor
George G. Young, Councilman
Francis E. Menendez, Councilman
John Lombardi, Councilman
Antone J. Regula, Councilman

Also present: Henry S. Saxtein, Town Attorney

Absent: Alex E. Horton, Supt. of Highways

Supervisor Smith called the Meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

Supervisor Smith: "Ladies and gentlemen, the agenda this evening reflects all of our late starters. If you do not already have a copy, there are some up here. You're welcome to come forward and get one."

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Minutes of the Town Board Meeting held January 16, 1979, and the Minutes of the Special Town Board Meeting held January 9, 1979, be approved as submitted.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

BILLS

Bills submitted on Abstracts dated February 6, 1979 as follows:

Highway Item #1 1978 Enc.	\$ 1,488.18
Highway Item #3 1978 Enc.	\$36,470.73
Highway Item #4 1978 Enc.	\$ 484.16
Special Districts Enc.	\$ 346.66
General Town 1978 Enc.	\$21,394.67
General Town 1979	\$23,656.46
Ambulance	\$ 42.00
Special Districts	\$14,768.52
Community Development	\$ 916.65
Horton Avenue Drainage	\$ 1,180.30
Capital Projects	\$ 183.92

BILLS - continued

Highway Item #1 1979	\$ 1,226.55
Highway Item #3 1979	\$ 2,346.31
Highway Item #4 1979	\$ 517.72

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Highway Item #4 1979	\$ 517.72

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith: "Should occasion warrant, we have the heads of the various departments here if we cannot answer your questions as they arise, we will obtain the answer for you and get them to you after this evenings meeting."

OPEN BID REPORT - NINE (9) POLICE VEHICLES -
RIVERHEAD POLICE DEPT.

After being duly advertised the following bids for Nine (9) Police Vehicles for the Riverhead Police Department were opened on Thursday, February 1, 1979 at 11:00 A.M. as follows:

CLIFFORD MOTORS, INC.
Main Street
Clifford, Pa. 18413

MAKE OF VEHICLE OF BIDDER: Chrysler Newport 1979 4 Dr.
Sedan w/police package

OPEN BID REPORT - NINE (9) POLICE VEHICLES -
RIVERHEAD POLICE DEPT. - continued

APPROXIMATE DATE OF DELIVERY: 90-120 Days after award date

COST OF VEHICLES WITH ALL SPECIFICATIONS: \$59,854.11

NET COST LESS EXCISE TAXES ON DELIVERY: NOT APPLICABLE

There are a few exceptions. See bid on file.

Filed.

J.J. HART
 Route 58 (Cor.) Osborne Avenue
 Riverhead, New York 11901

MAKE OF VEHICLE OF BIDDER: 1979 Ford LTD

APPROXIMATE DATE OF DELIVERY: As soon as possible

COST OF VEHICLES WITH ALL SPECIFICATIONS: \$60,491.00

NET COST LESS EXCISE TAXES ON DELIVERY: \$60,491.00

Filed.

OPEN BID REPORT - DEMOLITION OF THE HARDING BUILDING
 After being duly advertised the following bids
 of the Demolition of the Harding Building were opened on
 Thursday, February 1, 1979 at 11:15 A.M. as follows:

CARL ZALACK, INC.
 973 Ferndale Blvd.
 Central Islip, New York 11722

BASE BID TO INCLUDE:

WORDS: Eighteen Thousand Five Hundred
 NUMERALS: \$18,500.00

We propose to complete the work, ready for final
 acceptance within 20 to 30 calendar days after notice of award.

Certified Check Included.

Filed.

OPEN BID REPORT - DEMOLITION OF THE HARDING BUILDING -
continued

R.W. MASHMANN TRUCKING
19 Mills Road
Stony Brook, New York 11790

BASE BID TO INCLUDE:

WORDS: Twenty-Seven Thousand Five Hundred
NUMERALS: \$27,500.00

We propose to complete the work, ready for final acceptance within 90 calendar days after notice of award.

Bid Bond Included Filed.

REPORTS

1979. Building Department: Report for the month of January, Filed.

17, 1979 Conservation Advisory Council: Minutes of January Meeting. Filed.

Conservation Advisory Council: 1978 Annual Report. Filed.

Suffolk County Treasurer: Report of payments made to Town in 1978. Filed.

Jamesport Fire District: Treasurer's Annual Report for 1978. Filed.

Tax Receiver: Reports of monies collected & disbursed dated January 22, 1979 & January 31, 1979. Filed.

Town Historian: Annual Report for 1978. Filed.

1979. Police Department: Report for the month of January, Filed.

APPLICATIONS

Betty Mae Henninger: an appeal for re-consideration of previous denials for a drainage basin. Filed.

Kinney Chevrolet-Olds Inc. : application for extension of Amortization of certain signs. Filed.

APPLICATIONS - continued

Suffolk Outdoor Advertising: petition for public hearing for extension of amortization of sign. Filed.

Supervisor Smith: "With reference to the application of Mrs. Henninger, that will be taken up, not this evening, but at a later date.

The applications of Kinney Chevrolet-Olds Inc. and Suffolk Outdoor Advertising should be held until such time as the Town acts upon the hearings with reference to signs that we had last week.

We have three public hearings at 8:00, 8:15, and 8:30. If you are here to speak on those, I ask you to wait until such time as we call them."

COMMUNICATIONS

Suffolk County Department of Health, 1/19/79 - requesting comments regarding revised Art. 10 on the problems of air pollution for next meeting on 2/21/79 in Hauppauge at 1:00 P.M. Filed.

Environmental Quality Review Board, 2/1/79 - determination that application of John O'Neill is a Type II action, which will not have significant impact on the environment. Filed.

George Schmelzer, 1/24/79 - copy of letter to County Legislature objecting to farmland preservation program & suggesting an alternative tax incentive for farmers. Filed.

L.I. Reliable Corp - advising change in fuel change (higher). Filed.

James Kinane, 2/20/79 - offering resignation, with regrets, as Advisor of Emergency Medical Services. Filed.

Mortimer Barr, 1/17/79 - requesting communication from the Town advising of willingness to permit subsidized rental housing. Filed.

H2M Corp., 1/16/79 - copy of letter to Roger Meeker, Dept. of Public Works, Suffolk County; requesting permission to make sepias of selected sheets of topo maps.

H2M Corp., 1/17/79 - copy of letter to Hinck Electrical Contractors, advising that 48 hour maximum timer period for light outages shall be strictly adhered to. Filed.

COMMUNICATIONS - continued

H2M Corp., 1/17/79 - copy of letter to Broadway Maintenance, notifying them that the 72 hour time period for correcting problems with street lights shall be adhered to. Filed.

Robert MacFarland, 1/18/79 - feels exception should be made so that he would be entitled to a season's pass to Jamesport Beach, as his residence at McLeod's does not permit this. Also points out that his address is "Riverhead", and that he shops, banks, etc., here. Filed.

Cooperative Extension - invitation to a planning & Zoning workshop, 2/13/79 & 2/14/79 and 3/13/79 & 3/14/79. Filed.

N.Y.S. Dept. of Environmental Conservation, 1/15/79 - summary of general pretreatment regulations for existing & new sources of pollution. Filed.

Suffolk County Department of Planning, 1/18/79 - re: application of John O'Neill; that matter is considered to be for local determination. Filed.

H2M Corp., 1/27/79 - advising that East Coast Well Drilling entitled to final payment. Filed.

H2M Corp., 1/26/79 - certifying partial payment to Hinck Electrical Contractors, Cert. #7. Filed.

H2M Corp., 1/29/79 - certifying partial payment to Hinck Electrical Contractors, Cert. #8. Filed.

LILCO, 1/31/79 - returning executed copy of easement agreement for drainage facilities within Lilco right-of-way limits on south side of Parker Rd, Wading River. Filed.

Planning Board, 2/2/79 - recommending application of John O'Neill be approved. Filed.

Wading River Fire District, 2/1/79 - asking for reply in regard to purchase of Community Center. Filed.

COMMUNICATIONS - continued

Landmarks' Preservation Commission, 2/5/79 - requesting Landmarks Designation for three structures. Filed.

Supervisor Smith: "With reference to the Wading River Fire District, I've been instructed by the Town Board to write specifically to the District Commissioners advising them that we are not interested in purchasing the Community Center for the appraised value that they attached to it. In part, the reasoning of the Town Board is that that was a no cost exchange given from the School District to the Fire District and in total we would consider nominal consideration the idea of providing the Fire District with this inflated cost, is not what we consider fair.

Doctor Menendez do you want to take that one correspondence you're going to handle with reference to McFarland. Doc is going to write a letter. It's a request to use the Riverhead Town Beach and he'll suggest to Mr. McFarland that if the Riverhead Residents can use a beach or beaches in the Township of Southampton that we will be more than happy to let them use beaches in the Town of Riverhead. But we think both ways are fair.

The other correspondence is proforma except that relating to O'Neill and that's going to be the subject of a public hearing at the next meeting which by the way will not be on the third Tuesday, but will be on the 4th Tuesday this month.

We come to that portion of our agenda where we will listen to anyone that chooses to address the Town Board on any matter. We would ask that if you are here to address the Town Board with reference to the three public hearings, that being the application of Mr. Picone, the application of Mr. Cohen and Company, and or Mr. Schmitt, that you hold your comments until such time as we call the public hearings on those matters. If you now have something that you would like to address to the Town Board that does not concern those three items, would you please come to the microphone, give your name and address and we'll listen to whatever you should like to discuss."

No one wished to be heard at this time.

RESOLUTIONS

#43 APPOINTS AUTOMOTIVE EQUIPMENT OPERATOR - HIGHWAY DEPARTMENT

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLUTIONS

WHEREAS, A vacancy exists in the Highway Department for an Automotive Equipment Operator,

WHEREAS, William Mackno has applied for the position, NOW, THEREFORE, be it

RESOLVED, That William Mackno be and he hereby is appointed to the position of Automotive Equipment Operator in the Highway Department for a probationary period of eight (8) weeks, to be automatically renewed to a probationary period of six (6) months at the annual base salary of Ten Thousand Fifty-Four and 03/100 (\$10,054.03) Dollars, effective January 22, 1979, to be increased by \$500 at end of his probation.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#44 APPOINTS AUTOMOTIVE EQUIPMENT OPERATOR - HIGHWAY DEPARTMENT

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, A vacancy exists in the Highway Department for an Automotive Equipment Operator,

WHEREAS, Ronald Rambo has applied for the position, NOW, THEREFORE, be it

RESOLVED, That Ronald Rambo be and he hereby is appointed to the position of Automotive Equipment Operator in the Highway Department for a probationary period of eight (8) weeks, to be automatically renewed to a probationary period of six (6) months at the annual base salary of Ten Thousand Fifty-Four and 03/100 (\$10,054.03) Dollars effective, February 12, 1979, to be increased by \$500 at end of his probation.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#52 RENEWS LEASE FOR DRAINAGE PRIVILEGES FROM HALLOCK STREET

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

WHEREAS, The Town of Riverhead and Everett R. Raynor, entered into a three (3) year lease dated August 4, 1959, expiring August 31, 1962, covering drainage privileges from Hallock Street, and

WHEREAS, Said lease has a provision for renewal on a year to year basis, and was duly renewed under the provisions of said lease for the period ending August 31, 1978,

NOW, THEREFORE, BE IT RESOLVED, That the Town of Riverhead renew the said lease on a year to year basis at an annual rental of \$150.00, and on the same terms and conditions contained in said lease, the present renewal being

RESOLUTIONS - continued

for the year ending on August 31, 1979, and be it

FURTHER RESOLVED, That the Town Clerk send notification of this intention to the said Everett B. Raynor.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#53 ADOPTION OF AMENDMENTS TO RIVERHEAD TOWN CODE

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Town Board of the Town of Riverhead has duly published and posted certain proposed amendments to the Riverhead Town Code, and

WHEREAS, Public Hearings were held on said amendments on December 5, 1978, at 8:15 o'clock P.M., and on January 2, 1979 at 8:00 o'clock P.M., wherein no opposition was voiced to said proposed amendments, and

WHEREAS, Local Law no. 3-1977 of the Town of Riverhead allows summary publication of adoptions of amendments to ordinances to the Riverhead Town Code, it is hereby

RESOLVED, That the following proposed amendments to the Code of the Town of Riverhead are hereby adopted which pertain to the addition to Chapter 101., Vehicles and Traffic, Article IX, Parking permits for handicapped persons, sections 101-35., et seq., and Article V, Parking, Standing and Stopping, section 101-19., the designation of certain parking places for handicapped persons, and be it

FURTHER RESOLVED, That copies of these amendments of ordinances are available for inspection at the Town Clerk's Office during normal business hours and that these amendments of ordinances shall take effect ten (10) days after publication and posting, and be it

FURTHER RESOLVED, That the Town Clerk is hereby authorized to publish and post the adopted amendments.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#54 AUTHORIZES OVERTIME FOR SNOW REMOVAL - HIGHWAY DEPARTMENT

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for snow overtime January 17, to January 31, 1979 for a total of 573 hours in the amount of Five Thousand Two Hundred Thirty Six and 43/100 Dollars (\$5,236.43), in accordance with personal services abstract submitted and filed in the Office of the Town Clerk.

RESOLUTIONS - continued

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#55 AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS
ON UNIFORMS FOR POLICE OFFICERS OF THE RIVERHEAD
POLICE DEPARTMENT

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on Uniforms for all officers of the Riverhead Police Department, and be it

RESOLVED, That the Town Clerk of the Town of Riverhead be and hereby is designated to open publicly and read aloud on Monday, February 26, 1979 at 11:00 A.M., at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Officers' Uniforms".

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#56 LAW FIRM AUTHORIZED TO DEFEND ADDITIONAL POLICE
OFFICERS

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

RESOLVED, That the law firm of O'Brien, Kelly and Rode hereby is authorized to defend, at the agreed upon rate of \$75.00 an hour, twenty-three (23) additional police officers of the Town of Riverhead, in their individual capacities, in the matter of Corcoran v. Town of Riverhead, pursuant to the above law firm's letters of December 14, 1978, and January 9, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#57 APPOINTS SECRETARY TO THE TOWN BOARD

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

WHEREAS, This Town Board previously created the position of Secretary to the Town Board, and

WHEREAS, Rita Peters resigned that position and said position has remained vacant,

NOW, THEREFORE, be it

RESOLUTIONS - continued

RESOLVED, That Ruth Packman be, and she hereby is, appointed to the position of Secretary to the Town Board, a non-competitive, unprotected position, to serve at the pleasure of the Town Board, at Group 10, Step 4, with an annual salary of Eleven Thousand Thirty-Five and 17/100 (\$11,035.17) Dollars, effective February 5, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#58 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT FOR STATE AID RE: TOWN DUMP MACHINE

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

WHEREAS, Chapter 659, Laws of 1972, provides financial aid for the construction of municipal solid waste management projects, and

WHEREAS, The Town of Riverhead, of 200 Howell Avenue, Riverhead, New York, hereinafter called the MUNICIPALITY, has made application for STATE-IN-AID, and

WHEREAS, It is necessary that a contract be made by and between THE PEOPLE OF THE STATE OF NEW YORK, Hereinafter referred to as the STATE, for such STATE AID be executed on behalf of TOWN OF RIVERHEAD,

NOW, THEREFORE, BE IT

RESOLVED, by TOWN OF RIVERHEAD, the governing body of said MUNICIPALITY, as follows:

1. That Allen M. Smith, Supervisor, be hereby authorized to sign, on behalf of the MUNICIPALITY and make application for a STATE GRANT-IN-AID and provide the STATE such information, data and documents pertaining to the application for a grant as may be required, and otherwise act as the authorized representative of the MUNICIPALITY in connection with said application.
2. That the MUNICIPALITY agrees that if a Federal grant or grants and STATE assistance for the Solid Waste Management project are made, pursuant to Laws of 1972, or any Federal law or program, the TOWN OF RIVERHEAD will pay the remaining costs of the approved project.
3. That the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a joint solid waste recovery and management project.
4. That four (4) certified copies of this resolution be prepared and sent to the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, Albany, New York 12233, together with a complete application.

RESOLUTIONS - continued

5. That this resolution shall take effect immediately.

Before the vote, Supervisor Smith stated: "All that legal jibber means that we can save about 25 to 30 cents on the dollar when we buy some very expensive machinery up at the Town Dump."

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#59 RETAINS FIRM OF YOUNG & YOUNG TO PREPARE TAKING
MAPS, ETC., FOR UNION AND MAPLE AVENUES AND
NORTHVILLE TURNPIKE

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

WHEREAS, The firm of Holzmacher, McLendon & Murrell has submitted to the Town Board certain sites for acquisition to eliminate certain flooding problems along Horton Avenue, north of Middle Road, and

WHEREAS, The Town Board has negotiated for the County of Suffolk a potential solution to the flooding conditions found on Union Avenue, Maple Avenue, and Northville Turnpike, and

WHEREAS, Preparation of taking maps is necessary to move these matters forward,

NOW, THEREFORE, be it

RESOLVED, That the firm of Young & Young be, and it is hereby, authorized to prepare such maps and surveys as are necessary to solve these flooding problems at the direction of the Town Supervisor, and be it

FURTHER RESOLVED, That the firm of Young & Young be paid a reasonable fee for such services.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#60 RETAINS HOLZMACHER, MCLENDON & MURRELL TO DO DRAINAGE
STUDY FOR DOCTORS PATH

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, This Town Board has previously undertaken an over-all study of storm water run-off, and

WHEREAS, This Town Board has previously engaged the firm of Holzmacher, McLendon & Murrell to do detailed examinations of the flooding conditions occurring on Horton Avenue

RESOLUTIONS - continued

and Manor Lane,

NOW, THEREFORE, be it

RESOLVED, That pursuant to its letter of February 2, 1979, the firm of Holzmacher, McLendon & Murrell is hereby retained to perform a detailed examination of the Doctors Path drainage basin.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#61 AWARDS POLICE VEHICLE BID

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Town Board has advertised for sealed bids for Police Vehicles, and

WHEREAS, Bids were received and the low bidder thereon does not have a principal place of business in the State of New York, and

WHEREAS, The difference between the low bidder and the next low bidder is Seventy Dollars (\$70) per vehicle, and the nearest available location for service of these vehicles is in Patchogue, on warranty items, and

WHEREAS, This Town Board finds that the Seventy Dollar (\$70) difference between the low bidder and the next bidder does not justify the additional expenses that will be incurred in the operation of said vehicles, by reason of servicing the same in Patchogue,

NOW, THEREFORE, be it

RESOLVED, That the Town Board declares that the low bid of Clifford Motors, Inc. be disallowed in that the same is not the lowest responsible bid by reason of the fact that the operating cost for warranty work will make the actual cost of these vehicles in excess of that of the next lowest bidder, and be it

FURTHER RESOLVED, That the contract for nine (9) police vehicles be awarded to J.J. Hart, at a contract price of Sixty Thousand Four Hundred Ninety-One and 00/100 (\$60,491.00) Dollars, subject to the plans and specifications on file with the Town Clerk.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#62 AUTHORIZES SUPERVISOR TO EXECUTE LEASE WITH ROBERT HOGAN FOR USE OF LAND FOR DRAINAGE PURPOSES

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, The Town Board wishes to lease certain lands from Robert Hogan for the purposes of a drainage ease-

RESOLUTIONS - continued

ment,

NOW, THEREFORE, be it

RESOLVED, That the Town Board does hereby authorize the Supervisor to execute a contract with Robert Hogan for the use of certain property on Pond View Drive in the Hamlet of Riverhead for drainage purposes for a period of three (3) years, at an annual cost of Two Hundred and 00/100 (\$200.00) Dollars.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#63 AWARDS BID FOR DEMOLITION OF HARDING BUILDING

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

WHEREAS, The Town Board has advertised for bids for the demolition of a building on Main Street, known as the Harding Building, and

WHEREAS, Those bids were opened and Carl Zalack, Inc., was low bidder thereon,

NOW, THEREFORE, be it

RESOLVED, That the Supervisor be, and he hereby is, authorized to execute a contract with Carl Zalack, Inc., for the demolition of the Harding Building for a contract sum of Eighteen Thousand Five Hundred and 00/100 (\$18,500.00) Dollars, all in accordance with plans and specifications on file with the Town Clerk.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#64 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT WITH ROBERT J. FINNEGAN AND ASSOCIATES, INC.

Councilman Menendez offered the following resolution which was seconded by Councilman Regula.

WHEREAS, Courts of the State of New York have decided that the system of fractional valuation used by the Assessors in the State of New York is invalid and contrary to the statutes and provisions of the Laws of the State of New York, and

WHEREAS, The Town of Riverhead, its Assessors and Town Board have historically maintained the assessment roll of the Town of Riverhead on a fractional basis, and

WHEREAS, There are pending numerous tax certiorari cases, which could result in a Court ordered time table for full value assessing within the Town of Riverhead, contrary to a planned and orderly conversion, and

WHEREAS, The Town Board and Assessors have and do

RESOLUTIONS - continued

find that it is prudent and wise to prepare a time table for full value assessing in the Town of Riverhead, and

WHEREAS, The Town Board and Assessors have been awarded a Comprehensive Employment and Training Act grant, the value of which has been estimated to be in excess of Two hundred fifty thousand (\$250,000) Dollars, and

WHEREAS, The Town Board and Assessors wish to take advantage of this CETA grant and tax saving that arises therefrom, and

WHEREAS, Experience in other jurisdictions shows the requirement for professional assistance in this effort, and

WHEREAS, A proposal has been submitted by Robert J. Finnegan and Associates, Inc., dated February 6, 1979, said firm having proven its competence in this field,

NOW, THEREFORE, be it

RESOLVED, That the Supervisor be, and he hereby is, authorized to execute a contract for professional services with Robert J. Finnegan and Associates, Inc., the terms of which shall be substantially the same as those set forth in their letter of February 6, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#65

RETAINS JOHN GLANDER FOR APPRAISAL OF SWEETZ AND OSBORNE AVENUE PROPERTY FOR DRAINAGE PURPOSES

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

WHEREAS, The Town Board has determined that the acquisition of certain land at the intersection of Sweetz Avenue and Osborne Avenue is warranted, for purposes of drainage, and

WHEREAS, The Town Board wishes to make an offer on said lands,

NOW, THEREFORE, be it

RESOLVED, That John Glander be, and he hereby is, retained for the purposes of appraising said property and that he shall be paid a reasonable fee for said services.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of Public Notice of a Public Hearing to be held at Town Hall on February 6, 1979 at 8:00 P.M. regarding the special permit application of Joseph Picone relative to the manufacture of pre-cast concrete products as a non-nuisance industry, located in Calverton, New York.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Ladies and gentlemen we have on this evening three hearings. This is the first and we are making a record in this particular proceeding so until such time as I open up a different hearing that you may be here to speak on, we are now concerned with the application of Mr. Picone in what I would call the old Grumman Warehouse. It is on the south side of Route 25 in Calverton. Is there anyone who would like to address this particular application? Does anybody have any questions? We're talking about the manufacture of concrete products within the building. Mr. Ahlers are you here representing Mr. Picone similar to the other applications Mr. Picone has made for non-nuisance industry. This is totally within the building, totally affluent free and no noise.

For the record Mr. Ahlers is here representing the application and my statements are correct.

Is there anyone who would choose to address the Town Board on Mr. Picone's application?"

No one wishing to be heard and no communications having been received thereto, Supervisor Smith declared the the hearing closed at 8:02 P.M.

Supervisor Smith recessed the meeting for a short break and the meeting resumed at 8:08 P.M.

RESOLUTIONS

Supervisor Smith: "Number 66 which has been crossed out has been put back on."

#66 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT WITH HIGHWAY SUPERINTENDENT FOR CORRECTION OF DRAINAGE PROBLEM ON RIVER ROAD IN AQUEBOGUE
Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLUTIONS - continued

WHEREAS, The Town Board has negotiated with the Highway Superintendent for the correction of certain drainage problems on River Road,

NOW, THEREFORE, be it

RESOLVED, That the Town Supervisor is hereby authorized to execute a contract with the Highway Superintendent for the correction of said problems for a contract sum not to exceed \$2500.00

Before the vote, Councilman Young stated: "It's just passed the bridge where the expressway goes over River Road in Calverton."

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#67 MODIFIES SITE PLAN OF SWAN LAKE GOLF CLUB

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

WHEREAS, This Town Board has heretofore acted on an application by Charles Jurgens and others for a site plan for a clubhouse and parking field for the Swan Lake Golf Course, and

WHEREAS, Said prior approval has been examined by Howard W. Young, the engineer for the applicants, and

WHEREAS, Mr. Young advises the Town Board that the drainage rings and attendant parking facilities should be modified by reason of the soil conditions existing at said site,

NOW, THEREFORE, BE IT

RESOLVED, That the prior approval of the Town Board for site plan review of the Swan Lake Golf Course Clubhouse and parking facilities are hereby modified in the following respects:

1. That the drainage of the parking lot shall be changed to a French drain system as is shown on a drawing made by Howard W. Young, last dated January 25, 1979.
2. That the parking aisles will be separated by a gravel area which shall permit re-charge of water through the same. That said gravel area shall be protected by bumper curbs and that the gravel area shall be planted at intervals of twenty (20) feet by mature trees and that in between said trees there shall be planted low lying shrubs.

RESOLUTIONS - continued

3. That made a part of this approval shall be a copy of the aforesaid drawing of Howard W. Young, marked and initialled by the Supervisor this date.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith then stated: "Anybody's that's interested in the drawing, it will remain on the desk after the various hearings and you can look at it if you wish."

#68 RESOLUTION AUTHORIZING PUBLIC HEARING FOR CODE AMENDMENTS

Councilman Regula 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 Public Notice, with regard to the following proposed amendments to the Riverhead Town Code, which pertain to the addition to Chapter 101., Article V, Parking., new section 101-10(A.), Parking, Standing, and Stopping Prohibited.

PUBLIC NOTICE

PLEASE TAKE NOTICE, That on the 27th day of February, 1979, at 8:15 P.M., a public hearing will be held before the Town Board of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons wishing to be heard with regard to the following proposed amendments to the Riverhead Town Code, which pertain to the addition to Chapter 101., Article V, Parking., new section 101-10(A), Parking, Standing and Stopping Prohibited.

CHAPTER 101

PARKING

ARTICLE V

New section 101-10(A.), Parking, Standing, and Stopping Prohibited.

The parking, standing, or stopping of vehicles is hereby prohibited in the locations as follows:

Formerly Billy Blake Shopping Plaza - Along curbs immediately adjacent to the building at the former Billy Blake Shopping Plaza.

RESOLUTIONS - continued

Riverhead Shopping Plaza - Along curbs immediately adjacent to the buildings at the Riverhead Shopping Plaza.

Roanoke Shopping Plaza - Northwest Corner of County Road (Route 58), and Roanoke Avenue - Along the curbs immediately adjacent to the buildings and the south side of the roadway immediately in front of the main entrances to the stores, that is, the roadway that runs parallel to the storefronts.

Along the roadways that enter and exit from the Plaza to Route 58.

Along the roadway that enters and exits from the Plaza to Roanoke Avenue.

Along the roadway immediately adjacent to the buildings, both on the east side and west side. In the loading zones located in the rear of the stores or the north side of the stores facing south or the east side of the stores facing west.

Upon passage of this local law, the above locations shall be deleted from Riverhead Code Chapter 101., Article V, § 101-10.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#69 CALLING FOR PUBLIC HEARING - SPECIAL PERMIT OF JOHN O'NEILL

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

RESOLVED, That the Town Clerk be, and she hereby is, authorized to publish and post the following notice of public hearing:

NOTICE OF PUBLIC HEARING
BEFORE THE RIVERHEAD TOWN BOARD

ON THE APPLICATION OF JOHN O'NEILL, for
a marina and for storage of boats

PLEASE TAKE NOTICE That a public hearing will be held before the Town Board of the Town of Riverhead on February 27, 1979, at the Town Hall, 200 Howell Avenue, Riverhead, New York, pursuant to the provisions of Chapter

RESOLUTIONS - continued

108 of the Code of the Town of Riverhead, to consider the issuance of a special permit. Said hearing will be held at the time and for the purpose set forth below:

At 8:30 o'clock, P.M., the application of John O'Neill for a marina and storage of boats as a non-nuisance industry. The property upon which this activity is proposed is on the east side of Meeting House Creek, south of the Lighthouse Marina. Said property is zoned: Industrial B.

Any person wishing further information on this application may examine it in the Offices of the Town Clerk and of the Building Department during normal working hours.

Any person wishing to address the Town Board with reference to these matters, should appear at the above-stated time and place, and they will be heard.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:15 P.M.

The Town Clerk submitted affidavits of publishing and posting of Public Notice of a Public Hearing to be held at Town Hall on February 6, 1979 at 8:15 P.M. regarding the special permit application of Cohen, Rohm, Rohm & Briggs to build & operate a pro-putt miniature golf course on the north side of Route 58, opposite the offices of L.I. Cablevision.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Thank you Mrs. Pendzick. The application that is before you ladies and gentlemen, deals with a some what more sophisticated than what you would imagine putting course for golfers. It is proposed in the northerly side of Route 58 opposite the offices of Cablevision. Does anybody wish to speak on behalf of the applicant?"

Thomas Gill, Attorney for the Applicant: "The application is for a putting course as mentioned by the Supervisor directly across from Cablevision on Route 58. It is a putting course, not a typical miniature golf course. The only thing I'd like to say at this hearing is request an early de-

PUBLIC HEARING - continued

termination so that we may begin ordering our fill. Fill is getting more expensive as the spring is upon us in spite of the temperatures today. That's my only request to comment tonight."

Supervisor Smith: "Would you give the people some idea what it looks like, hours of operation? Do you run a similar course somewhere else in the area?"

Thomas Gill: "What's presently proposed is a course very similar to what is in Centereach and Bayshore. It's known as Pro-putt courses. It's a — what we propose is two-18 hole putting courses. It's not a miniature golf course in the terms that we generally know it, with the water wheels and all the ornaments that go along with a miniature putting course or a miniature golf course. It tests the putting skills and is generally a family recreation area. They've been in business approximately eighteen years beginning in the Bayshore area and then expanding to Centereach and now Riverhead. It's operated by the owners, Mr. Gary Rohm, Mr. Tom Rohm, Mr. Terry Briggs, the owners and operators of the business. It's mainly putting courses. It's hopefully challenging everybody's skills in golf-putting."

Supervisor Smith: "Thank you Mr. Gill. If you'll take a seat, maybe there will be questions for you as we proceed. Is there anyone else here who wishes to address the Town Board on this particular application?"

Dick Benedict, Fanning Blvd, Riverhead: "I live very close to this putting course and I have a few questions I'd like to ask. He didn't answer what the hours were. I'm sure he must have forgotten. Could I get the hours of operation in a time period? Is it going to operate twelve months out of the year?"

Supervisor Smith: "Mr. Benedict, why don't you do this, ask us all the questions you have and we'll have Mr. Gill step up again."

Dick Benedict: "Is there going to be an exit and an entrance on Middle Road and if so, I'd like to know? And drainage problems? You know we have a serious drainage problem down there and the first thing he mentioned was fill."

PUBLIC HEARING - continuedDick Benedict continues:

I've been to Suffolk County already about the Metropolitan Life Insurance dumping into that so-called swamp there. We recently had four to five feet of water in that area which I'm sure you know of. The last two years we've had as high as six feet of water in that area. And the first thing he mentioned was fill. And I would just like to go on record the more they fill, the more it backs up Fanning Blvd. and Middle Road. You've got four houses for sale on that street right now. So that's my concern."

Supervisor Smith: "Mr. Gill would you please step . . . "Dick Benedict: "Excuse me. Is there going to be music on outdoor speakers?"Supervisor Smith: "Mr. Gill would either you or one of your clients address these concerns?"Thomas Gill: "I'll try to answer the questions of Mr. Benedict as best I can. As the site plan shows, we intend some on-sight drainage. We have the approval of the Department of Public Works for the County Drainage. The hours of operation will be during the weekends and the summer hours approximately 12 p.m. on the weekend hours. The course will be lighted. Mr. Benedict did not have a question about the lighting, which would be of interest to him. It's a low lighting type operation and we've arranged the site plan so that it will not disturb the residential area in the least possible effect. We've arranged it so that to the eastern portion of the property mostly. I have my clients here who would be able to answer any specific questions in the operation of the putting course."Supervisor Smith: "Mr. Gill is there on your site plan an exit onto Middle Road? And the other question was with reference to music or the like? Exterior speakers, things of that nature?"Thomas Gill: "With respect to the exterior speakers, I'd have to ask my client to come forward and answer that question."Gary Rohm: "In respect to the speakers, yes we will

PUBLIC HEARING - continuedGary Rohm continues:

have outdoor speakers. We have approximately 29 light poles and on each one of those light poles, we have a small inch speaker so it keeps the noise down, confined within the area that we want. So there is no spill-over of sound or light with this system. In respect to entrance and exit on Middle Road, yes we are a 25 foot easement on Middle Road. Basically, the reason we did, we have an entrance on 58 and it's to really handle any traffic that might be overflowing on 58. They'd be able to use Middle Road. Middle Road wouldn't be the primary entrance and exit, 58 would be, so I hope that answers his question."

Supervisor Smith: "Thank you Sir."

Thomas Gill: "I'd like to point out that the Planning Board made a specific request that we do have an entrance and exit on Middle Road. They felt it's be best for the neighborhood."

Supervisor Smith: "All right thank you. Is there anyone else that would choose to — Mr. Benedict let's give somebody else a chance in case there are other people. Is there anyone else that wishes to address this particular application? This is on pro-putt?"

Dick Benedict: "I just had one question and I don't know if they can answer it without some research or not. But I spoke with a Mr. Evans of the Suffolk County Water Department or Supervisor and he assured me that they would not give out any permission to dump any more water into that swamp. This was less than a week ago. I also talked to Mr. Casharra who said he would look into the matter."

Supervisor Smith: "May I suggest this, would you meet with Mr. Gill. Give him the specific names of these gentlemen and see if between the two of you, you can resolved this particular concern."

Dick Benedict: "I'm sure you're aware of the problem we have there right now?"

Supervisor Smith: "I am Sir."

PUBLIC HEARING - continued
Dick Benedict: "Thank you."

Supervisor Smith: "Yes Sir. Anyone else with reference to pro-putt?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:23 p.m.

Supervisor Smith: "In the interest of time and in that you all seem to be here on the next application, I'm going to call it early."

Supervisor Smith recessed the meeting to hold a public hearing."

PUBLIC HEARING - 8:30 P.M.

The Town Clerk submitted affidavits of publishing and posting of Public Notice of a Public Hearing to be held at Town Hall on February 6, 1979 at 8:30 P.M. regarding the special permit application of Phillip Schmitt to build and Maintain a Type 6 Camp for Farm Labor, proposed to be built on the east side of Roanoke Avenue, South of Sound Avenue on property zoned Agriculture A.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Madeline & Chris Schnier, Reeves Park, 12/18/78 - protesting the proposed intention of the applicant to erect a building to house farm labor camp workers, listing six (6) reasons why they are against the proposal. Filed.

Brona & Adele Ziminski, Reeves Park, 12/20/78 - asking to go on record as objecting to a permit for a labor compound being issued. Filed.

Mary Ribarich, Flushing, 12/27/78 - asking to go on record as objecting to a permit for a labor compound being issued. Filed.

Robert Kirkwood, Reeves Park, 12/28/78 - asking to go on record as objecting to a permit for establishing living quarters for migrant farm workers being issued. Filed.

PUBLIC HEARINGS - continuedCOMMUNICATIONS - continued

Dorothy O'Haire, Reeves Park, 1/6/79 - asking that the special permit application to erect a building to house farm workers be denied. Filed.

Wolfe Miller, Roanoke Avenue, 1/15/79 - objecting to the proposed migrant housing permit being issued, and refers to Mr. Schmitts' farm in Farmingdale as "an eyesore and not an asset to the community". Filed.

Geraldine Bagshaw, Riverhead, 1/23/79 - stating that approval of labor camp application would be "three giant steps backwards" for the Town of Riverhead. Filed.

PETITION

171 Residents of surrounding areas objecting to the special permit application proposed to build & maintain a Type 6 Camp for Farm Labor. Filed.

Supervisor Smith: "For those of you who are not regulars in attending our Town Board Meetings, I would point out that the testimony that is given at this public hearing is reduced to a written record and therefore if you were to speak from your chairs, we would not be able to have on tape recorder your comments. We, therefore, will ask you one at a time to come up and speak. Due to the size of the audience, we will give you each five minutes to speak. We will try to hold to that. If you've had your five minutes and you would like to say more, we would kindly ask you please wait until everybody else has had firsts and we will stay as long as need be if you wish to get up and say more than five minutes worth.

I assume, Sir, you are here on behalf of the applicant. If you would please give your name and address to Mrs. Pendzick, then we'll listen to your comments."

William Niles, Hempstead Tpke., Bethpage; "Mr. Supervisor, Members of the Board I am the attorney for the applicant, Phillip Schmitt. Mr. Schmitt is the owner of the property at the intersection of Sound Avenue and Roanoke Avenue in Riverhead, not far from the site of this Town Hall and this property is now and has been for as long and far back as I can remember when Mr. Schmitt has first purchased it, it has been farmed. Now the Mr. Schmitt Sr., who is the record owner of the property in question, is an elderly gentleman and

PUBLIC HEARING - continuedWilliam Niles continues:

it is his son Phillip Schmitt Jr. who has been farming on the family farm in the Farmingdale area, who proposes to acquire the property that is the subject of this application and to commence farming on this property.

Now the property that's the precise subject of the application is a parcel of approximately 26½ acres at the northeast corner of Sound Avenue and Roanoke Avenue and an additional parcel of 29 acres at the southeast corner of Sound Avenue and Roanoke Avenue. And both of these parcels presently have certain farm buildings already constructed on them. Some of them are not really useable and are intended to be demolished. Others are intended to be restored and still others are intended to be built. And Mr. Schmitt Jr. intends to build his own home on the property at the northeast corner of Sound Avenue and Roanoke Avenue and he intends to conduct his farming operation on both parcels. Incidental to the operation that he proposes to conduct on this property, he requires the farm labor that necessitates the marking of this application.

Now the odds that I would like to point out to the Board that Mr. Schmitt Jr. is actually the contract vendee of the property which is the subject of this application. He would be buying that property for cash from his own father. But nevertheless, it is a business transaction. Consequently, he has to approach it with the standards of a responsible approach to the problems that are involved in undertaking the huge expense of acquiring this property, of improving it, and making his livelihood on this property probably for the rest of his life. The consequence of that fact makes this application to the Board under Article VI, Section 108-21, Paragraph B-5 of the ordinance under which this Board is empowered to grant a special permit for the erection and maintenance and operation of a farm labor camp type 6. Because in the operation of his farm at this location, Mr. Schmitt will require the services of approximately 12 farm laborers during the farm season and I intend to go into the nature and the character of his operation to a greater extent during the course of my remarks."

Supervisor Smith: "You left off the adjective brief remarks, right?"

William Niles: "I wasn't aware, Mr. Supervisor, that the five minutes was going to apply to me too."

Supervisor Smith: "Let's try. As a former practitioner in the trade, I know propensities of lawyers to ramble on, so let's try to get to the meat of it, okay."

PUBLIC HEARING - continued

William Niles: "First of all, the property in question is in an Agricultural A Zone. The Town Board in classifying this property in that zoning classification has seen fit to legislatively determined that this property at this location is suited by all the criteria that go into making up the zoning ordinance of this Town that this property is suited to agricultural purposes. And so everybody that's the owner of property in this area is committed to the proposition that they are the owners of the property that are either adjoining or part of an agricultural district as denominated by the zoning ordinance.

Now it happens that Mr. Schmitt has a type of farm operation which requires the services of the farm laborers which he proposes to house in this farm labor camp. And the reason that I'd like the Board to take note of for his need for this labor, is that the type of crop that Mr. Schmitt has been growing both in the location where he presently farms and proposes to farm at this location are "green crops". They are cabbage, spinach, chicory, lettuce, escarole, horse radish and like vegetable items, farm produce items which require considerate amounts of delicate hand labor, as compared and contrasted to the other types of farming that one might see in other areas of the Town of Riverhead namely potato farming which is done on a more massive scale by machinery more than by hand labor. But I respectfully ask you to take into consideration that "green farming" is a unique kind of farming operation that requires the services of delicate handwork being constantly administered to the crop including the picking of the crop, the sowing of the crop so that it can be preserved and nurtured during the course of its development to be brought to market. That's the reason why Mr. Schmitt, on a farm of this size, needs as much labor as he does which in turn gives rise to the necessity for as having a farm labor camp.

Now the particular building that he proposes to construct on his property for the purpose of constructing this farm labor camp is a building that is intended to be constructed on the property at the southeast corner of Sound Avenue and Roanoke Avenue, that's the 29 acre parcel of the two that he's acquiring and this building is to be constructed approximately 600 feet south of Sound Avenue and approximately 300 feet east of Roanoke Avenue. So you see it's not standing on the edge of the property in any location that's the most obvious or otherwise outstanding part of the property in question. Also it is intended to be constructed amongst already existing farm buildings so that to some extent it's going to be shielded by the existing barns and buildings that already exist on the property.

Now I would like to submit to the Board a drawing that's been prepared showing the nature of the building that's intended to be constructed at that location. I'd ask the Board to receive that drawing in evidence."

At this time Mr. Niles handed in a drawing of the proposed labor camp building. Filed.

PUBLIC HEARING - continued

Supervisor Smith: "Mr. Saxtein would you pick that up for me please. Mr. Niles hang on for a second. Mr. Niles your drawing will be part of the record of this proceeding."

William Niles: "Thank you Mr. Supervisor."

Supervisor Smith: "Let's see if we can speed it along. What do you anticipate the dollar figure of the production of this farm might be?"

William Niles: "Are you talking about the gross value of its product?"

Supervisor Smith: "Yes."

William Niles: "Well that's something Mr. Schmitt will have to answer for you, Mr. Supervisor. But he's here, he's available to answer any questions that may be raised."

Supervisor Smith: "I think what we'll do Mr. Niles is we have an over view of where it is that this building is to be and you have given us a drawing of a masonry constructed building which is available for people to examine and we have an over view of the type of farm operation and we don't — we let some of the people come forward and raise some of the issues they wish to raise this evening and we'll have you step up and address those. How's that?"

William Niles: "Well I have no objection to that Mr. Supervisor, but I must tell you that for the record I have further remarks to put on the record in behalf of the application."

Supervisor Smith: "We will give you ample time to put them on Mr. Niles, but I think in fairness, we'll give a few other people a chance to speak and then we'll come back."

Larry Lang, Rolling Woods: "Mr. Supervisor, Members of the Town Board, by now you've probably been bombarded by with much literature representing many various views regarding this meeting. I'd like to voice my opinion as being against the proposal for the following reasons. Number one, the system

PUBLIC HEARING - continuedLarry Lang continues:

of farm labor camps seems to me to be one quite reminiscent of the early slave quarters. How seven to twelve people, all men, could possibly be adequately housed in a 20 by 50 foot complex which is beyond the realm of my imagination. The men will not have their own transportation. What will their weekends be like without their family or friends? Will they become bored looking at their building all day? Will they seek the companionship of other women living nearby? Will they roam into nearby neighborhoods for mere walks, or will our homes become havens for their curiosity?"

Supervisor Smith: "Mr. Lang, ladies and gentlemen, I have a rule that I hope everybody will observe. I give everybody an opportunity to speak whether they wish to call me bad names or anybody else bad names or whatever they wish to say and have on their mind. I would appreciate if you would respect that rule and if you happen to disagree with something that someone's saying, you will get your opportunity to come forward and speak on the record, but background noises and or heckles and shouts add very little to the purpose of the proceeding which is educate the Town Board. So let's give Mr. Lang his opportunity to speak and everybody else will get their turn. Okay Larry."

Larry Lang: "Will they roam into nearby neighborhoods for mere walks, or will our homes become havens for their curiosity? Thus creating the possibility of police problems as has been the case history of many existing farm labor camps.

Secondly since there are already many existing labor camps, some now abandoned in the Town, is it not feasible to use one of them thus utilizing and improving one eyesore rather than running the risk of then creating yet another. In the event of another eyesore manifesting itself, what then becomes the value of our homes in Rolling Woods, one of the highest tax paying areas in the Town. We take enormous pride in our homes as you can see by their appearance and fear of their devaluation is ever present in the wake of such proposals.

Third, the Town has been confronted in the past with a large unemployment problem and by reason of this would seem that local labor could be found in sufficient numbers to fill any gaps left by the absence of imported workers. A recent article in the local paper has stated that the potential "green crop market" will be rather bullish in the future and therefore some farmers would be willing to pay \$5.00 an hour for pickers. With that price in mind, isn't it possible then for Mr. Schmitt to contribute to our civic pride as a town by not building, by offering the dollar savings therefrom to town people in the form of higher wages. The 1977 Department of Labor statistics

PUBLIC HEARING - continuedLarry Lang continues:

shows 14,200 unemployed in the County. If more employers set the above example, I believe that figure could significantly be lowered.

Fourth, Mr. Schmitt also states that his camp will be run by himself, and not by foremen, or crew bosses, as they are sometimes called. He states, also, that he will be building a new home in the immediate area, and therefore will have complete control over the entire operation.

While I have no reason at this time to doubt Mr. Schmitt's word, I must point out that there is currently no Schmitt house under construction, and due to the fact that minds have been known to change, it is theoretically possible for Mr. Schmitt to change his. If that were to occur, it would then be impossible for Mr. Schmitt to exercise complete control over his camp.

Lastly, I call your attention to a letter sent into a local paper written by another farmer who is quite in favor of the proposal among other things, the letter quoted, "I agree shooting and bodily damage does happen to a certain extent, but as you will notice, it occurs within their own race." This statement seems to suggest well alright it's okay if they bump each other off. Is it really okay? Is it an increase in crime and violence? Okay under these circumstances, I don't think it is. I think for all of these reasons the Town Board should deny this application. Thank you very much."

Supervisor Smith: "Thank you Mr. Lang. Mr. Lang if we could have a copy of your statement."

Mr. Lang handed his statement in of which a copy is on file.

Leroy S. Brown, 554 Doctors Path, Riverhead; "It was quite apparent that Mr. Lang had a speech written on a paper prepared to say what he had to say which I think is very foolish. In fact, I thought it was in a form of racism. When you refer to Sound Avenue and the lower part of Roanoke Avenue, it is considered agricultural. I lived there for many years in that area and I worked on the farm there since I was eight or nine years old, which I probably would be arrested now for certain laws and a farmer too. But some people have decided to build just beyond this particular area. This puts them in a seclusive area. They are very good friends of mine, some I know very well and personally.

But when you buy in an exclusive area, there are some things that you must expect that will not always go your way. For instance, if you build on the dunes in the Hamptons,

PUBLIC HEARING - continuedLeroy S. Brown continues:

you're going to have the storms. If you build on Sound Avenue, north of the area in question, you're going to have the Town come up there and get you out in the storm. Like last winter, a year from today in fact, its impossible because they have to get to you. There are confrontations in every aspect of this thing, but this area had always been agricultural and if someone had decided to build in the vicinity or near it, they have to accept whatever happens. And I think that the Town Planning Board has approved of this measure and I don't believe that the people that will come in there according to the report that I received from the owner, Mr. Schmitt, that they will be coming in the basis of working seasonal and return to their homeland and will not be permanent residents of this area. And I do think that the Board should approve of this measure."

Supervisor Smith: "Thank you Mr. Brown."

Jake Rottkamp, Sound Avenue, Calverton, Mr. Supervisor, and Townspeople, well the only thing I can say is we — I've employed the Spanish laborers and I've worked with them for more than twenty-six years and I've gone back to East Northport and came with the Suffolk County Police Department and I've got records here to show that in the past twenty-six years, and I have some here from the Riverhead Town Police Department to show that over the years in East Northport, we've employed eight to ten and out here so far I've employed four men each year and there's never been a problem and I'd like to submit this to the Town."

Supervisor Smith: "Mr. Rottkamp for the record, you are a "green crop grower" similar to Mr. Schmitt's proposed operation and why don't you pass those up and I'll read those into the record."

Jake Rottkamp: "I also have here some signatures from people who have worked side by side with my men and also live in the area where my camp is and I would like to have that taken into the record also. Out of the twenty-seven signatures, I believe almost half of them are women and, infact, here is another letter that I forgot to give you from a young lady who works at our farm stand who also is directly connected with these farm laborers and the only thing I can say is there will be no reason in my mind not to give this man a permit to go ahead with this farm operation."

PUBLIC HEARING - continued

Supervisor Smith: "Thank you Mr. Rottkamp. We're putting into the record of this proceeding the following communications and petitions."

PETITIONS

Two petitions bearing 28 names of residents that have worked alongside migrant workers of Hispanic descent employed by Fox Hollow Farms and have never had problems of any kind with the migrant worker. Filed.

COMMUNICATIONS

Kathy Young, 2/5/79, stating that she has worked at Fox Hollow Farm Stand for the past five years among Hispanics and never had any cause for concern. She also said they were helpful, polite, pleasant and friendly. Filed.

Henry Johnson, Captain, County of Suffolk Police Department, 2/2/79, certifying files have been searched and Mr. Rottkamp does not appear on any criminal record. Filed.

Lieutenant Donald J. Robinson, Riverhead Police Department, 2/5/79, stating he checked their records and they have not investigated or received any calls of complaints in regard to crimes or incidents involving Mr. Jacob Rottkamps' farm workers. Filed.

Catherine & John Peters, Reeves Park, 2/18/78, objecting to a permit for the operation of a labor camp for Migrant Farm Workers. Filed.

Veronica Lizziel, Reeves Park, asking to go on record opposing the permit for a labor camp being issued. Filed.

Robert & Joan Brown, East Northport, 2/19/78, opposing the permit for a labor camp being issued. Filed.

PUBLIC HEARING - continuedCOMMUNICATIONS - continued

Willard & Vera Pribnow, Elmont, New York 12/15/78, opposing proposed labor camp for farm workers. Filed.

Frank E. Strolisky, Reeves Park, 12/15/78, strongly objects to proposed labor camp building of housing on Roanoke Avenue. Filed.

Claire E. Krath, Reeves Park, opposing strongly to proposed construction of labor camp. Filed.

Dorothy O'Haire, Reeves Park, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

Joseph & Mary Graffeo, Reeves Park, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

Mr. & Mrs. Joseph Fontana, Reeves Park, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

Rosalie DiBella, Riverhead, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

Mr. & Mrs. G. Randazzo, Riverhead, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

Anna M. Pisillo, Reeves Park, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

Mr. & Mrs. Rubino, Reeves Park, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

John Randazzo, Reeves Park, 12/20/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

PUBLIC HEARING - continuedCOMMUNICATIONS - continued

Lucy Riker, Reeves Park, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

James Criegan, Riverhead, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

Miriam Americo, Reeves Park, 12/30/78, objecting to the proposal to erect a buliding to house farm labor workers. Filed.

Tommy Seidita, Reeves Park, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

Mr. & Mrs. Angello, Reeves Park, 12/30/78, objecting to the proposal to erect a building to house farm labor workers. Filed.

Al Smith, 8 Bells Road, Reeves Park; "I'm here representing a group of concerned residents. These concerned residents live within walking distance of this proposed labor camp. We listened to arguments back and forth and we're very much concerned for the people living there for the value of our real estate for using the past history of labor camps. I imagine already I've heard a few remarks — I won't make any more at this time except I would like to give to the Board a petition from these concerned residents containing 167 names. Now these people live within a mile of the labor camp and several letters approximately 23 letters with the same objections."

Supervisor Smith: "Thank you Sir."

Al Smith: "I will come back later, if I have to."

Supervisor Smith: "All right. Mr. Smith, if you'd give those to Mr. Saxtein and we'll put those in. Hopefully,

PUBLIC HEARING - continuedSupervisor Smith continues:

the record accurately reflects, I'm not going to count out the names at the moment of what's being submitted."

John Rutkowski, Main Road, Laurel; "Our farm is adjacent to Lloyd Rasweller's half nursery. From my home, I would say it's approximately 600 feet to Lloyd Rasweller's well kept camp of ten to twelve Puerto Ricans. There have never been a problem in over fifteen years. All the different departments make sure everythings painted every year, everything is in fine shape and the gentlemen themselves are really gentlemen. They come up here, they work hard. Every Saturday you can find them sending money back to Puerto Rico. So when they go back for the winter their families can live. Thank you very much."

Supervisor Smith: "Thank you Sir."

Rita Muller, Melville; "Good evening Mr. Supervisor, ladies and gentlemen. I hope, I can appreciate why the ladies feel concerned, but I would like to allay their fears by saying that I live within 1,000 feet of a labor camp and within a half a mile of another. But I must, I must say in all honesty, I live in no fear. I find these people to be hard working individuals who keep to themselves and bother no one. They live in a clean white building which is kept nicely. I never hear any noise from there and it blends in well with the rest of the buildings on the property. In the back of this farm there are, I would say, some 200 homes valued from \$80,000 to \$140,000, and I'm sure that if you were to speak to any of these people, they would share the same feelings that I do that these residents and occupants of the labor camp in no way cause them any concern. Thank you."

Supervisor Smith: "Mrs. Muller, do you happen to be living near Mr. Schmitt's current operation. Is that . . ."

Rita Muller: "I would say I live about five miles from his current operation."

Supervisor Smith: "So this is not his particular farm that you live near. Thank you."

PUBLIC HEARING - continued

Michael McKillop, Rolling Woods: "Mr. Supervisor, Members of the Town Board, everybody has been looking at the negative side of Mr. Schmitt's operation. Now I'm not going to try to debate the negative points that were brought up here, let's look at some of the positive things that may happen and will happen. Puerto Rico is not a foreign country, and I object to any race as a whole being condemned before having an opportunity to prove themselves. Puerto Ricans have the same rights and responsibilities and privileges as any state-side residents. The same as Hawaii and Alaska. They are not foreign countries.

Now you know how much it costs to get a dollar of welfare money into a persons hand. By the way, one of the privileges is welfare. I would rather have that individual work and bring his money home because it costs me about \$20 less for each dollar that he gets. That's a positive side. Another positive side, there was some old buildings both on the east and the west side of Roanoke Avenue, north of Sound Avenue. Now Mr. Schmitt — and they were wrecks, Mr. Schmitt tore them down. Now he didn't go to Huntington to hire anybody to tear those down, he hired local people. Now, evidently, that money's going to be circulated. From what I understand, he wants to build a house and it's a barn and it's a home for workers. Now he has to have carpenters, electricians and masons and certainly he's not going to go to New York City to hire those people after he has the houses built. It would have to be maintained. He needs oil, he needs fuel, he needs seed, he needs pesticides, he needs fertilizer. He is certainly not going to go to New York City. From what I understand also, he's not going into the farm preservation program, therefore, he'll be paying full taxes on that. Instead of just trying to discourage an individual and I happen to know Mr. Schmitt and I like him and I want him as my neighbor, instead of trying to discourage people of his type and people that will attribute to the economy of this community, I can't see how we are trying so hard to discourage people of his type. Thank you."

Supervisor Smith: "Thank you Mr. McKillop."

Shirley Johnson, Chairman of Riverhead Local Action Center Board of Directors; "I enjoyed hearing what the Coach, as I refer to him, stated about the nationality of people, how that should not be used and I agree with that portion. However, I also don't like to see local residents jipped out of what they should be receiving. We have a high unemployment rate locally and across the county. There are people in this area who can deal with raising these types of vegetables. We have an agricultural and technological college up in Farmingdale

PUBLIC HEARING - continuedShirely Johnson continues:

where we can hire people who are skilled in the area of training other residents to grow these types of vegetables as Mr. Schmitt states the labor does not exist in this area.

We are looking too closely at well what are they going to do. We are not looking closely enough at what is going to happen during the non-productive seasons. Do we say well they'll go back to Puerto Rico? Okay that's not a question if they're going back to Puerto Rico or if they're going to Huntington or if they're staying locally. I'm saying we have people who are here locally who are living here already, why not utilize them and save that additional monies that would be spent to send people back to Puerto Rico as it is said. That money will be circulated within the Town. We have locally before us, we can provide the training for the people who are here. The money that Mr. Schmitt would spend in constructing this 20 by 50, which I think is horrendous housing for twelve people, the money that we spend in constructing and maintaining this building could be used to add onto a minimum wage providing they spend it for people to work in the farm area. I thank you."

Supervisor Smith: "Thank you Mr. Johnson. Mr. Brown what we'll do is we'll give you a chance to . . ."

Leroy Brown: "No I'd like to speak on his comment."

Supervisor Smith: "No. If you'll sit down, I'll give you a chance when everybody else has had their turn."

Jack Peters, Reeves Park; "I think the last speaker has amply answered a lot of questions that directly affect the Town of Riverhead in Suffolk County that we all love so much. To turn our backs on the labor force in this County, to import people from distant lands or wherever, is not doing the youth of this County any justice at all. In a way it contributes to the problem we already have. It amplifies upon narcotics, police problems, drunkenness, lewdness, prostitution, you name it. The records are full of it and in this County in Riverhead. I haven't heard the honorable Council mention about the records of the assault, homicide in Wading River. These are problems that should be dealt with locally and I'm sure that when these people finish their tenure of labor, there's no way any of us can make them go back to Puerto Rico or wherever. They can become public chargers. But to instill more confidences in the local forces here, the young people of this County in this Town. But the last speaker

PUBLIC HEARING - continuedJack Peters continues:

has amply demonstrated that the State or County should, with the facilities over at Sound Avenue with the research farm, provide adequate teaching and help so that these people might learn how to pick grains. But we don't have to go to Puerto Rico to import labor so that they'll love Riverhead in Suffolk County, they'll want to keep their roots here.

The average person graduating from high school today, has no incentive to stay on the farm. Maybe with CETA funds and some help from our administrators in Congress, Congressmen and Representatives in Suffolk County, these funds might be available to promote this interest. Thank you."

Supervisor Smith: "Thank you Mr. Peters. Mr. Langhorn?"

Ernest Langhorn, Housing and Energy Director for the Economic Opportunity Council of Suffolk, Riverhead; "I'm shocked to be here tonight. I've listened to both sides of the issue and both sides of the issues or, both parties are playing on the fears and prejudice of people in the Town of Riverhead. I don't think that a labor camp should be built on Sound Avenue, not because there's Puerto Ricans, not because they are from another country as some people say, I think it's wrong because I think the history of the Town of Riverhead proves that labor camps in Riverhead don't work. The labor camps create other problems such as housing as reflected in the problems that we've had in the past. However, I think for people to talk about racism because that's occurring here tonight, because nobody said — some people have gotten up here and said if we had it it's all right. As long as we can see it from the road, it's all right. Well I think that's wrong. I think it's wrong for twelve men to be cramped in small tight quarters — it's isolated and segregated from their culture, miles and miles away. And I think it's wrong for people to be unemployed in Riverhead. I think farming has always been an important part of the Riverhead Community.

I think people in the audience have started out on the farms who no longer own the farms and I think that the housing that they were in were not labor camps but single-family homes. Let's go back to that philosophy — single-family homes for people in Riverhead for jobs for people in Riverhead. Thank you."

Supervisor Smith: "Thank you Mr. Langhorn."

PUBLIC HEARING - continued

Ed Haneman, Baiting Hollow; "I conduct cultural resource surveys at Stony Brook University and we just finished one recently in the Melville area. I think that the camp as such, there's a great social injustice that takes place in these camps. I go out to a great many of them on a regular basis and speak and take them clothes and things. And just about any camp you go to — what it is it's slavery in our day and age. There's an article that came out by a local resident, not long ago about how there had never been slavery. If you don't see slavery, you have it. The only thing is because of man — weaknesses, because of alcoholism or whatever, they're taking advantage of and as a result of this, they're held, they're maintained. And as a result working 50, 60, 70 hours a week, the end of the week many of them get two, three, five dollars pay and I know a husband and wife that worked for two years and in the two years time did not make \$300, enough money to go back home on in two whole years right here in Riverhead. And I've seen the — the thing is they will keep these people as long as they get the wine, whatever they want till they're satisfied. They keep working and if they want to complain and I've taken several to get them help and said sure we'll get you help, are you willing to testify, and let me tell you what just happened here just a few weeks ago. They found the man dead that was going to testify up in Mattituck. They found him dead on the railroad tracks. A person gets up, goes out, forget it I'm not going to say anything. So they're afraid and I believe it's true that a lot of the camps are in trouble a lot and there would be some in trouble, I don't think that's the point. You had a murder committed up here on Sound Avenue here not just in recent weeks.

On Osborne Avenue, up here on 25A they're all types of police offenses, but right across the street, you have offenses too you know. I don't think that's the point. I think that the point is, I think that we as a community ought to be aware of the situation and that instead of allowing the maljustice, the misjustice that's taking place, I think we ought to be trying to correct it and if this camp goes in there, it's not going to be any worse than any of the others that are here. You have Puerto Ricans up here in Riverhead, the nursery up there and they go back to Puerto Rico each year and I don't think that's the point. I think the point is we ought to be trying to better mankind and that the camps that are here I think that we ought to be aware of what's going on and try to improve them and I think that man ought to have an opportunity to have a business of agricultural. I think that he ought to have the privilege to come in and do that. But I think that it'll be on such a basis that the Town and people are aware of what's taking place so they make sure that a continued type of slavery doesn't take place."

PUBLIC HEARING - continued

Supervisor Smith: "Ladies and gentlemen, we are about to run out of tape at this point."

Supervisor Smith recessed the public hearing for five minutes after which the public hearing resumed.

Supervisor Smith: "Ladies and gentlemen we'll reconvene please. It has been pointed out to me by Mrs. Tomlinson and she would like the record to reflect as it will after I read the statement, that the decision of the Planning Board and recommendation of the Planning Board were not made unanimously and that there is a minority report in the form of a letter addressed to me dated January 4, 1979 which will be included in the record for this evening. Who would like to be next?"

COMMUNICATION

Jessie Tomlinson, Wading River, 1/4/79, the decision and recommendation of the Planning Board with regard to the special permit application of Mr. Phillip A. Schmitt to construct a labor camp were not made unanimously. Filed.

Raymond McKay, Main Road, Aquebogue; "I've been farming now for 68 years. You hear pros and cons — who you can have working for you, who you cannot have working for you . . ."

Supervisor Smith: "Mr. McKay, I don't mean to interrupt you, but I've listened to you before and the things you had to say were worth hearing and I don't think we're getting it on the tape."

Raymond McKay: "We've had different types of men working for us. Some of them are worried about these Puerto Ricans, they don't have to be Puerto Ricans. They have some white ones — I've had there that are worse than these Puerto Ricans. Now my son, this past year, had four Puerto Ricans and they come from that same group that Phil has working for him. Now these four Puerto Ricans put a lot of these people that are in this building tonight to shame, as far as Christianity goes. Yet before these four sit down to eat, they all take hands and go through this ritual biblical chant of theirs. And neither one of them smokes or neither one of them drinks and you've never seen a more god fearing Puerto Rican and Schmitt has the same group that comes from the same place down there and they're talking about what they're going to do with

PUBLIC HEARING - continuedRaymond McKay continues:

their money. Now all four of them sent \$8,000 back to Puerto Rico plus, because they do not smoke and they do not drink.

Now to talk about worrying about somebody, all you have to do is use some common sense and some of the people don't know what the word — the meaning of the word common sense is. Now we have a Town Board over here and I think everyone of — I go along with this, that they have some good common sense and this is what they're going to use on the judgment of putting this camp up or not putting this camp up. But some of them are so afraid of something like this. Now this is going to have repercussions.

Now my son is farming now. If you're going to discourage him from continuing farming — now there's John Klein comes along with his program to continue this thing into farming — here's a little group comes along and tries to destroy everything anybody is trying to do. Now for example, this is a little group of objections here. Now if Northville Dock, who everyone would want to, just start from scratch, now what opportunity would they have putting up these tanks up at — but now these people who would object when they go by these tanks, oh boy there's one thing they can say my rear end is going to be warm I can tell you that much. Come cold water or come cold weather, they're still going to have heat up at it. All you need is just some common sense. Now I just want to leave it with that thought. Thank you."

Supervisor Smith: "Thank you Mr. McKay."

William Creighton, Acting Director for local Riverhead Action Center and a former community advocate for the Town of Greenport; " would like to say at this time that a lot of — the opposition I heard, makes a lot of sense and a lot is sense, but I'd just like to ask a few questions and leave it on the floor for anyone to decide or think what they feel. Now one of the things I haven't heard tonight as far as cost, I have heard, no one heard or spoke of hospital costs or benefits for these gentlemen that will be stationed in this domicile.

Another thing is the possibility of by chance these men are being brought over here even though they have an accommodation to live in, they won't have their families with them, just what if a person decided that they would like to return home immediately or a couple weeks after they decided that it wasn't the type of job that they thought they would like to entail and decide they would like to go, would be a problem then I guess because I haven't heard anyone say how this would be worked out so they could leave immediately and then I wanted to know if an individual decided he liked it so much that he wanted to stay for the whole year. How would he

PUBLIC HEARING - continued
William Creighton continues:

be given money or ways to substantiate for the months that he wasn't working or producing a product for the person he worked for. And also like I say we have no record or no outfit that I've heard tonight of any recruitment that's been done locally or any other form of recruiting of any local people for this program.

So the pros that I've heard and the cons that I've heard have always substantiated in reason for bringing someone over, but what effort has been made locally to bring people into this program. I haven't heard anything stating to that, and I'd like to ask this also, that if a person is brought from his family and I mean this like in the slave days when they were taken from their families to work eight months out of the year or six months, whatever the case may be, there has to be a time of frustration there and I say what sort of recreation is there available for this man to release himself. I haven't heard anything pertaining to that and I say I'm not offering pros and cons or whatever, I'm just giving issues out that should be considered because they are a very considerable interest that I've had pertaining to this issue.

A little summary of my out reach work in various camps, migratory camps around the area and I've been to quite a few and if you really want to hear a true story, bring a person in that's actually been involved in employment on a labor camp under a crew chief, and get his idea of what type of situation this is for him to be in in the immediate atmosphere of eleven other people, that no matter how they feel about one another, they can only voice it to each other because they are in constant confrontation with one another and I say you have no representative to break this tone down so, they can say well who's right or who's wrong and this does cause a problem and I say that even with the television, if you have twelve people and there's one television program on, you're going to have a problem of what program to watch so you're going to have problems. But I just wanted to give a few issues so that maybe it would enlighten some of the pros and cons. I don't know what it's going to do, but they are issues I think should be considered as far as this debate goes tonight and I thank you."

Supervisor Smith: "Thank you Mr. Creighton."

George Lee, Farmer from East Moriches; "Now I've been in business for 30 years growing vegetables and we have a farm of about 200 and 300 acres in East Moriches. I want to enlighten some of the people here before me that spoke and that is that. The thing I want to straighten out or point out

PUBLIC HEARING - continuedGeorge Lee continues:

to some of the people, I think that some of the items that are mentioned were a little over exaggerated and as far as this slave labor goes, I think it's totally wrong because I don't think these people are informed. Now, first of all, the gentlemen that spoke before me said that some of these people are paid slave labor wages is wrong because they shouldn't make statements like that. If that was the case, he should have reported it to the New York State Labor Department.

Now we are inspected by the Health Department on a regular basis monthly. We are inspected by the Labor Department at least once a year. Our books are checked and we are also inspected federally by OSHA. Now OSHA comes up and duplicates the same inspection that the New York State Department of Health carries. Now we have to get three permits to operate. We get the New York State Labor Camp Permit. We also get the County Permit in order to cooperate. Now all these things have to be done in order to run a labor camp.

Now first of all, these injustices that they speak about living in tight quarters — now I'm a Veteran. I was in the Navy for three years in World War II. Now we used to have a bunk above me and below me and we lived in tight quarters like that and nothing was said about that because we're Veterans, we're fighting a war. But these conditions that we're living under now as far as these migrant labors go, the rules and regulations are governed by the County. The measurements that they live under is 50 square feet. Now the single men, they live in clean bunks, their linens inspected, their pillow cases inspected and all the living conditions, sanitary conditions, even the refrigerators are inspected by the Health Department. If it's not done so, then it's a violation of the health department. So I think that a lot of these people exaggerate and sensationalize this whole thing and it's wrong.

Now this is the reason why I'm objecting to it. I just want to set the record straight. Now as far as the crimes that have been committed, the killings, or the stabbings, I'm sure there are in other races of people to either people in my race. These things have been done and a lot of it has been sensationalized because it's a labor camp, it's a migrant labor camp and it seems to be a dirty word and that's not the case, we're farmers. I work as hard as the migrants do. Now they come from Puerto Rico. They're family people, they work hard all they're interested in is come and make a living and send their money home to their families. They are hard working people."

Supervisor Smith: "Excuse me, how many people do you employ, usually on a seasonal basis?"

PUBLIC HEARING - continued

George Lee: "Well we employ about 27 Puerto Ricans. We cannot employ any more than that because our permit calls for 27 and we cannot employ any more than that. And that's governed by the State as well as the County.

Now as far as the use, I want to point out one more important thing, as far as using local help goes, that's an impossibility. Now I want to set the record straight to some of the gentlemen that spoke before me. Now these groups that have these opportunity groups and all that, I have nothing against them, but I've tried it and I'm telling the truth and I'll set the record straight. Now if you use the people who come from the opportunity groups all they want to do is drive a tractor. They want to do the easy jobs. They will not stoop. They will not bend down on their knees and doing vegetable farm work which I do, you have to get on your knees and get your hands dirty and it's hard work and we pay these people minimum wages. The ones that just start and the ones that have worked a year or two years, we give them Christmas bonuses. We have on record Christmas bounses and in fact, as far as one gentleman said, that what do these men do for recreation or what happens to them if they get sick and so on. It's always been true and you can check on this. The farmers obligation to their workers if a man puts out and he works, there's no man that I think is a farmer that would let a worker go and just starve or die or go without medical help. In fact, one of our employees just died of lukemia, he's a Puerto Rican, and we contributed \$500 to his burial. Now I'm sure all these farmers that have Puerto Ricans that have problems like that, would have done the same thing. Now as far as recreation goes, there's a group in Riverhead that have regular programs for these workers. They take them on a bus, take them to the recreation center, they have baseball and games and what not on Sundays. They even have picnics for them.

Now getting back to using local help, it's impossible. We have a standing order with Mr. George Campani, the Labor Department here in Riverhead and we've tried local help. As far as the youngsters go, the people, the young boys and girls from high school age, they'll only do so much and they will not do any more. They will not get on their knees. They will not bend. They will not get their hands dirty. Now the other people will not work on farms. It just doesn't work, and if it did, I would say so. So if there are any questions that people would like to ask me, I would gladly answer."

Councilman Menendez: "Mr. Lee a previous speaker raised a question. Can your help leave in mid-season if they want to?"

George Lee: "Oh yes absolutely. They're not bound by any contract."

PUBLIC HEARING - continued

Councilman Menendez: "They don't sign any contracts saying they have to stay?"

George Lee: "Of course not. I mean they're free American Citizens. They can come and go as they please and in fact, I think some of these Puerto Ricans that do come from Puerto Rico, now I'm speaking of, now if they need money to go back to Puerto Rico and in many cases these are relatives, they come as groups, family groups and they're very family-bound people. They're simple people. They are not the, excuse the expression, Puerto Ricans from the city. They're Puerto Ricans from the mountains. They're farm people. And what happens is that even now, for instance, the fellow that died, he died of leukemia. We have people from other farms contribute to this mans burial. Now the man wound up with quite a few thousand dollars. These people didn't even know them. This is the way these people are. They're simple, down to earth people. Now if they don't have money, many times were given transportation back to Puerto Rico and that is on the record."

Supervisor Smith: "Thank you Mr. Lee."

George Lee: "Is there any other questions I can answer to the people?"

Supervisor Smith: "Let's keep going and if you're still here and there's a question you can address, we'll answer it."

George Lee: "There isn't much more I can say, But I just wanted to point out some of these important things that the speakers before me brought up is the injustices and I object to that very much because we tried very hard as farmers just to make a living and to treat the people equally you know, and I'm a minority group myself and I understand what they're trying to say. I mean people from other minorities. But I wish they wouldn't distort things.

Now we've used people from other classes and what not minorities, and it's very difficult. We've employed Vietnamese. We've employed Jamacians. We've employed Chinese. Of course, we've employed Coloreds, and Whites. We still have them working and we found out the bulk of our work, the hand labor must be done by Puerto Ricans and without the Puerto Ricans, we would die. We would just go out of business."

PUBLIC HEARING - continued
Supervisor Smith: "Thank you Mr. Lee."

George Lee: "Thank you."

Supervisor Smith: "All Right. Mr. Lee you seem to have the most experience of anybody that's testified so far, so if you wouldn't mind sticking around to the tail end of this thing. Maybe there would be other questions we would address to you."

George Lee: "Yes I'd be glad to answer any questions."

Antonio DeGrasse, Riverhead: "Good evening. I had a long speech, less than five minutes, of course, but a lot of things have been said. When I was on the break, someone asked me, a white person asked me if I was a racist. I told them I didn't know. There was some concern because I think there are many factions here tonight who are very excited about what's happening and I think sometimes if you follow history and politics especially sometimes it takes a gut issue to galvanize a community and make them take a hard look at a problem. The way I see it now, it's a question of Riverhead Town image. When I came to Riverhead ten years ago, I had about four job offers. And I debated for a two week period. I choose Riverhead because I thought that would be the place where I'd have the most work. I could have also gone to Central Islip, I had a job offer there. But we have put flowers on Main Street and I have some people who object to that. I put Christmas trees on Main Street. I belong to different civic organizations that have worked hard to improve the image of the Town. I've worked with some public officials who sit before us tonight and help them get elected and allays the essential theme that has been what will the image of Riverhead Town be. We're also facing austerity with our school budget in our second year and our problems are beginning to multiply.

As far as the image of the Town, we hear the real estate people complain they can't sell their homes and that is a factor. It's a bit of a problem to get people to come to the Town because they question whether or not it's a good place to work, it's a good place to go to school or whatever. And I find it yet a serious matter, but yet somewhat amusing that what really faces the Town Board tonight or whenever you make the decision is that you have to come to grips with, are we going to move on, or will we remain and keep the image that a lot of people around us seem to have. I'm talking about Southold, Westhampton Beach, Wading River, Shoreham-Wading River,

PUBLIC HEARING - continued
Antonio DeGrasse continues:

or whatever. I find it very interesting that we have such two teachers and by the fourth or fifth period they say gee nothing happened. They wait for the impending doom. They come in and see that the building is still clean, the kids go to class and by a large, we do produce a beautiful product.

So the burden that you have and I saw a few Town members during the break, and I'm glad you're up there and not me is that you must decide, are we to move on in terms of image? Can we do more than put light poles on Main Street? Can we do more than just change the image of 821. And I think what you have to decide is you represent the people in some kind of way. In the next week or so, you're going to have to put your ear to the ground and find out what the Town of Riverhead really wants and more important, what impression will you make on your children who are your future. Thank you."

Supervisor Smith: "Thank you Mr. DeGrasse. Next please, Mr. Tooker."

Robert Tooker, Rolling Woods, Riverhead; "I live about a half a mile of the proposed labor camp and I work in Riverhead. I think first of all, I'd like to say that I like the way that everybody has conducted themselves tonight. Not only the Town Board, but the people who have spoken. This is a highly charged issue and there have been many diverse points of view offered to you, some of which are pertinent and some of which are not. I think amongst those that are not pertinent are questions of racism, or questions of whether you are a farmer or not a farmer.

I think that the essential question that the Town Board has to ask themselves is the question of housing. I have served with several of you on the concerned citizens committee which has its sole function, consideration of the housing of the Town of Riverhead. That group was organized because Riverhead has a housing problem for a good many years. At your request, or at least at the request of the Supervisor, I have served with several members of the Community on the Riverhead Housing Development Corporation which has as its exclusive purpose, the up-grading of housing in the Town of Riverhead. Housing has been a serious problem for us. I personally have been involved in the development of single-family housing within the community and I have accommodated to the standards as I understood it of housing that have been promulgated by the Town Board.

If I wanted to move my family into a new home in Riverhead, I would in all likelihood be required to bring them into a home which was at least 900 square feet in size that was situated on a lot probably an acre in size, that had if it was on a new street, four inches of asphalt in front of it and a

PUBLIC HEARING - continuedRobert Tooker continues:

curb and drainage. The developer would have had to pay a fee to the Recreation Department. The project if it had some size, would have been required to file an impact statement. If I wanted to bring my car home after its worked a hard day with me, I'd have to park it in the yard and I'd have to accommodate a space of some 350 some square feet which is some three or four times the size that's suggested that these workers should house themselves in when they come home from a hard days work. The Town of Riverhead since the adoption of the zoning ordinance, has been concerned with housing in the community. We want good housing. We want to improve the housing that's here and we want the new housing to be first quality housing. We also recognize the agricultural industry, in come instances, requires housing which isn't up to the standard that the rest of the people not engaged in agriculture have to comply with.

We have provided in our ordinance that if you're engaged in agriculture, you can have a second type of housing and that housing isn't up to the standard that the rest of the people have to comply with. As I have understood the theory the Town Board has had to promulgate to us, it's that farmers need special treatment because of a few months of the year they may have a lot of people come work on their farms and these people have to be housed somewhere and it really doesn't seem fair to require that the farmer find motel space or single-family housing for people who are only going to be here for a few weeks or a month or two. And so the Town Board made a decision so people could be housed in a lesser standard, a dual standard if they complied with certain requirements. One of those requirements was that they would have to be engaged in agriculture. As I understand what Mr. Schmitt proposes is that that housing provision which was intended originally to take care of things that would happen over a period of a few weeks or a few months should become a semi-permanent housing and at that point I find that I'm at divergence with people who spoke in, who spoke in favor of this project. I don't believe that in our society today that for many months of the year, we should have people living in these accommodations.

If my car, when it comes home, requires 350 square feet in its driveway, it seems to me that a worker should have more than 84 square feet. If the very smallest home we can build in Riverhead is 900 square feet, it seems to me that if the workers are going to live in that unit for six to eight months of the year, that they should have more than 84 square feet each. One thousand square feet for twelve people is approximately the same size as 900 square feet for the smallest home that you permit in our community. Nine hundred square feet is roughly the size of two car garages. I do not think that that's enough living space for people to live in decency in 1979 in the Town of Riverhead. It was my understanding that

PUBLIC HEARING - continuedRobert Tooker continues:

the Town Board wished that housing could be up-graded in the Town of Riverhead, and I think that this type housing for people who live here does not fulfill what I understood to be the policy decisions that the Town Board had made. Thank you very much."

Supervisor Smith: "Thank you Mr. Tooker."

Bill Sannuck, Suffolk County Cooperative Extension; "Mr. Supervisor, Members of the Town Board, I'm the vegetable specialist for Cooperative Extension and I know most of the vegetable farmers quite well and most of them personally. I'd like to echo some of the comments Mr. George Lee mentioned and I'd like to point out one additional factor that I think he just didn't mention is that many of the farmers that employ Puerto Rican migrants, as you may call them, they employ the same ones year after year and I think this is quite significant in looking at the fact we're not talking about slavery, we're talking about very willing people coming back in five, ten, fifteen years, year after year looking at the working situation.

As far as — I'd like to make a few extra comments about agriculture labor in general. I think we all have to admit it's very seasonal. And a couple of people made comments about hiring students or part-time labor. Most vegetable farmers require labor from April and May through October and November and this does not fit the student schedule very well. In addition to the other comments that some of the speakers made, I think this is rather significant and the other thing that someone mentioned that if the farmers would pay more, they could employ better labor.

One of the characteristics of agricultural products is that it's a supply and demand situation and most farmers are very cost conscientious in trying to raise a crop as cheaply as they can. Many of them have gone to mechanical harvesting, potatoes. I think most farmers are very reluctant to pay much more than minimum wage but, of course, they will with many people coming back over again, they will provide raises for these people. These are the comments that I have and I'd be glad to answer any questions concerning these . . ."

Supervisor Smith: "Mr. Sannuck, one of the blanks on my list is some mention in the record of the dollar figure in this industry. What is the green crop production? Are we going up? Are we going down? Is there a change from the type of agricultural — this was a potato farm, now we're talking about it coming into a green crop? Can you address that for me please?"

PUBLIC HEARING - continued

Bill Sannuck: "With the present potato prices currently, there's been quite a bit of talk about an evolution or revolution, as you will, toward green crops. The twelve years that I have been here, I haven't seen this type of thing happen. There's been an evolution. Some of the farmers that farm on the west end in Nassau County, Western Suffolk have gradually moved out like Mr. Rottkamp and a few others. And it's been a slow evolution. There has been a change toward green crops. The acreage has been rather static. I think we were talking about 5,000 to 6,000 acres a few years ago and it's about the same right now. I don't see any major change. There's been more cauliflower and cabbage raised in the fall in the last two years, but that's the reflection of another problem."

Supervisor Smith: "Which somebody called the bond labor crop. I wonder if he ever had a cauliflower crop."

Bill Sannuck: "That's exactly the reaction we had on the other side of the room."

Supervisor Smith: "How about dollar figures in terms of the economy of Suffolk County in the green crop?"

Bill Sannuck: "Well a lot of these green crops will go across road side stands and a lot of them will be truck crops. As far as I — anywhere from \$1,500 to \$3,000 an acre for intensive crops. I'm just guessing now, and some farmers will probably be mad at me for saying this."

Supervisor Smith: "Thank you Sir. Mr. Carey?"

Dick Carey, Riverhead; "I have been involved in primarily the marketing aspects of vegetables from Long Island for some forty-seven years. I've seen many things happen. I'd like to speak somewhat to what Bill Sannuck was discussing. I'd like to go back a bit to a point of when I first became involved in agriculture which was in the early 30's where we did use local labor. They were primarily Polish people — very good workers and gradually we ran into problems. During the war we went into using prisoners. We used some of Rommel's Afrika Corp in Riverhead and after that we used Polish D.P.'s Bohemians and so forth. And we have been at a constant struggle in keeping people for this type of work over the years.

I would like to speak somewhat to this economic situation

PUBLIC HEARING - continuedDick Carey continues:

which you asked some questions about. We do have a rather serious situation here on the East Coast of the United States with our potato crop we're finding that the acreage in total through the eastern production areas from Maine all the way to Florida, is going down the western crop seems to be doing better and more western potatoes are coming in. I think that for eastern Long Island to continue to be a viable agricultural area, we're going to have to swing back to more vegetable crops. I would point out that the dollar value of vegetable crops are larger. The costs to produce those crops are larger than potatoes. We've had two bad years with potatoes. The farmers are not getting their cost of production from them.

I think we're seeing some swing. We have seen some increase in sweet corn, in particular, as Rottkamp brought that out from the west end of the county and others have picked it up. There are certain of the vegetable crops that can gross up to five to six thousand dollars. Now that doesn't mean the net figure is any where near that amount, but I do believe that we're going to have to swing to more vegetable crops and we're going to need more of this stoop labor as George Lee spoke of and that type of hand labor to do the job for us to make our economy in the Town of Riverhead more prosperous."

Supervisor Smith: "Thank you Mr. Carey. Mr. Brown you want a second shot at the microphone. It looks like that time of the evening where seconds are in order."

Leroy S. Brown: "Thank you Mr. Supervisor and Town Board. I was most interested in the comments by our local attorney, Mr. Tooker. He didn't object entirely to the construction of the camp, but he did mention the requirements of the areas because they are required to live in, which I think should be put into consideration. However, I do have to say something about the speakers that spoke before me. I like what Mr. Lee said which was very factual and I know it's true, but some of the others that spoke before him mention that local help which gives me the impression that they want their children or their relatives to attend the local schools and work on the farms and they have pretty decent jobs which I know all of them. And I don't think any of them would participate in picking up food and vegetables in a farm because they don't have to. However, they had some good points also which I won't take away, but I do think that Mr. Schmitt should be allowed to construct this camp with some of the alterations mentioned by Mr. Tooker. Thank you."

Supervisor Smith: "Thank you Mr. Brown."

PUBLIC HEARING - continued

Henry Lohman, Vegetable Grower from South Country Road, Brookhaven; "I've been farming down there for about 25 years. I would, too, echo what George Lee said and as far as the men returning, I have one man who has worked for me 23 out of those 25 years from the time he's started, he's coming back every year since, and also this so-called slavery, this is not the case in this type of labor camp. This may have been so with crew leaders and such, but this is not the case with the Puerto Rican operation."

Supervisor Smith: "Mr. Lohman it hasn't been mentioned until you've brought it up. There is a distinction between the crew boss type of operation and the type of operation that you conduct, than Mr. Schmitt conducts? Is that what you're telling us?"

Henry Lohman: "That's correct."

Supervisor Smith: "How many people work on your farm Sir?"

Henry Lohman: "All together I have eleven people, counting myself. Of the six, they're Puerto Ricans."

Supervisor Smith: "All right, thank you Sir."

Bruce Young, Sound Avenue; "I live a quarter of a mile from Mr. Schmitt's farm. On the slave part of this discussion, these guys they come from Puerto Rico, they come on their own. Usually you get some kind of contact down in Puerto Rico and he finds some guys and if they want a job, they go ahead.

As far as the devaluation of the property around, we've had four Puerto Ricans for the past nineteen years. I don't believe anybody in Reeves Park, Rolling Woods, would say that their property has devaluated because we got poor help within a quarter of a mile of their own houses. As far as local help, the accountant we have working for us, he goes crazy because we hire local help and they're there one week and you scratch the name off the books and start with another one. The poor guy goes crazy. They work like Mr. Lee says and any of the other farmers that hire migrant help. They're reliable for about one week, they don't want to bend over and get their hands dirty. But we've had them for nineteen years and I don't even believe half the people in Reeves Park or all the people in Reeves Park possibly in

PUBLIC HEARING - continuedBruce Young continues:

Rolling Woods know that we had Puerto Ricans there and I don't think they could find the house that the men live in. I mean as far as — I don't mean it's hidden, but I don't think they could pick it out from any of the other buildings around and I don't see why the man should have to hide the building behind old barns, trees, and bushes. If the man is interested in farming out in Riverhead, he should take pride in keeping the place up and not have to hide the building itself."

Supervisor Smith: "Mr. Young, let me ask you a question that occurs to me. You and your family have operated the farm even closer to the residences that seem to show concern this evening. Would it be a fair statement that if there were a local employee, a member of either the high school or beyond high school who is willing to do this type of labor for the dollars it was being paid, they would find a job with you?"

Bruce Young: "Sure. If they're willing to work, they've got a job. But if they're not willing to work, they work one week, then take off for three days and you never hear where they are or what's happened. You don't need that kind of help."

Supervisor Smith: "So what you're saying is in the market that has existed for the past nineteen years in the Town of Riverhead in the area near this farm, local labor has not filled your needs as a farmer to harvest the crop that the Youngs farm grows?"

Bruce Young: "Right."

Supervisor Smith: "Thank you Sir."

Sherri Wendelken, Timber Park, Calverton; I'd like to ask a question. There's been a lot of talk tonight about hispanic and about what good workers they are and how they cause very little trouble. And I know Mr. Schmitt plans on bringing in hispanics, but what I'd like to know is once a camp is set up, is there any control you would have if he changed his mind and decided to bring in a crew boss, which is an entirely different type of camp?"

Supervisor Smith: "Mrs. Wendelken, the special permit

PUBLIC HEARING - continuedSupervisor Smith continues:

provisions under which the hearing is held, gives the Town Board latitude in opposing certain conditions, so maybe what you might tell us is what you have in mind and then the Town Board will consider it as part of this record in considering whether we would impose a condition such as you might suggest."

Sherri Wendelken: "Well personally, I'm opposed to labor camps. I feel it's archaic, but if you're going to have a labor camp, a hispanic camp is supposedly better than the type with the crew boss."

Supervisor Smith: "All right, we will take that under consideration."

Joseph Inigno, Riverhead: "I work in construction and I will say that Puerto Rican labor is probably the hardest working group in the job, but I am here to discuss labor camps, be it Puerto Rican crew boss type or whatever. I think that labor camps had their time and they're out noted now. Mr. Schmitt — a labor camp to house twelve people to farm approximately sixty acres, we have maybe a few thousand acres in Riverhead, what's going to happen if all the farmers decide, will every fifty acres need a labor camp to house twelve people? Will the labor camps that I've seen in Riverhead, you can usually pick them out in the farm, they're usually the ugliest building there. They say that they're inspected by the Health Department and the State and everything else and so is 821 and looked what that turned into. Welfare apartments are inspected by the Health Department and some of them are unfit for habitation including some of the labor camps in Riverhead. I think that if the farm bureau put as much effort into starting a program to train labor as they have to fight LILCO, I think if they spent half that money into starting some kind of training program, they would have a lot more success than each farmer trying to hire his own labor himself.

I think I grew up about twenty miles west of here and I went to school about twenty miles west of here and every time someone mentioned going to Riverhead, they would say, what you were there. Why would you go there for? When our high school athletics used to come to Riverhead, they would not allow us to bring spectators to Riverhead. In the past few years, this Town has started to turn around and it's starting to be a place where people are proud to be from and I don't think that if Riverhead made a booklet of its pluses and minuses, the things the people would like to see and do in Riverhead or if we were going to put out a brochure to attract tourists, I don't think

PUBLIC HEARING - continuedJoseph Ingino continues:

labor camps would be on one of the agenda of things to see in Riverhead. I think they could be and should be a better way to farm than through migrant labor camps."

Supervisor Smith: "Thank you Sir."

Dorothy O'Haire, Reeves Park; "I'm sorry, but I love Riverhead and I have for thirteen years. I came 110 miles tonight from East Hanover, New Jersey just for this meeting because I am so opposed to labor camps. I'm sorry I don't know a poor potato farmer in Riverhead, I really don't, not a one. Not only that, some people might think Reeves Park is really terrible. Well my children were brought up here and you should hear them. You want to know who loves Riverhead, you have to talk to my children because they'll tell you and Reeves Park, what is there. Little tiny, excuse me, shacks. That's all they are. We take care of them, but we love them. And now what have you got next to us, Rolling Woods. If my husband could work out here, I'd be here all year. But Riverhead is going further, it's going ahead. You've gone from Reeves Park to Rolling Woods, and my god now you're talking about a labor camp right across the way. I'm sorry I don't have the expertise that these people have and believe me I'm shaking in my shoes, but I do believe that I have common sense and to me it's just not common sense. Thank you for listening."

Supervisor Smith: "Thank you Mrs. O'Haire."

Chris Schnier, Reeves Park, Riverhead; "Where I've been for over twenty years. One of the — I don't know the gentleman's name, one of the farmers that spoke here tonight, not too long ago, said one thing that struck me. He said that the potato farmers in Riverhead are going to have to start looking more toward vegetable growing. Well as I understand it, you're growing vegetables, then you're going to have put up labor camps to house these people to run these farms. So here we're asking for one, or somebody's asking to build one. How many more of these farmers that are going to turn over their farms into vegetation are going to be in here next week, the week after and the week after the week after. It's true they say that these gentlemen that are coming here from Puerto Rico are all — some of them are married men. They come here without their wives and families. To me a man without a wife and a family working out in a place like this with no obligation, no responsibility, I

PUBLIC HEARING - continuedChris Schnier continues:

don't know I would have to say that an idle mind is the devils workshop and nobody can convince me that these men while they're going to be working in the day time are going to sit all night long until the time they go to bed in a 20 by 50 building, housing twelve of these men. It's got to be they're going to get out of there, they're going to start walking around. They're going to start drinking. They're going to start bothering people in the area and I can see nothing but a bunch of trouble from here on in."

Supervisor Smith: "Thank you Mr. Schneer."

Joyce Hettrick, Manorville; "I didn't come here to talk on this subject tonight, but some of the comments, I'm moved to say something. I'm a farmgirl. I was born and raised on a farm. I've been in Riverhead all my life. Now these people that are talking about migrant camps and what have you on these farms, they're putting them down. I bet you they're the first ones to complain when they go to the store and say oh gee the vegetables are really getting high. Who's going to produce these vegetables? Where are we going to get our food? Want to keep putting the farmer down, we all have to eat. Now my husband's a commercial fisherman. The government has gotten into that with a 200 mile limit. They're putting limitations on the fisherman now telling them they can't go fishing now for two months because the quota has been met. Where are we to earn our money, the farmers and the fishermen if this continues? That's all I have to say."

Supervisor Smith: "Anyone else for firsts?"

Linda Gatz, Zdunko Lane, Riverhead; "I am married to a poor potato farmer. I do not know whether or not a labor camp is essential in a green farming operation because we don't green farm. All we grow in greens is cauliflower and cabbage. Anyone who does work on a farm, works hard, whether you be black, white, hispanic or whatever, you work hard. I do not like the location of the labor camp because I do not live near my farm because I don't want to live near other labor camps that are near farms. The one thing I would like you, if you decide to okay this, to put into your stipulation is that Mr. Schmitt does move to Riverhead before he builds his labor camps. If it is a labor camp that does not have a crew boss or a chief, I think it's very unfair for the

PUBLIC HEARING - continuedLinda Gatz continues:

Town of Riverhead to be responsible for eleven or twelve men for a man that is not living in this Town. Thank you."

Supervisor Smith: "Thank you Mrs. Gatz."

Nellie Kobylenski, Rolling Woods; "A farmers daughter and a former farmers wife, and I don't feel that anyone should begrudge a farmer from making money, anyone other than a businessman or an attorney or anyone else. And I feel whenever I drive out of Rolling Woods, the most beautiful sight, the beautiful green fields, and I think everyone that moved out here came here for that reason, and so I feel when we criticize, like they say, don't talk with your mouth full when you knock a farmer."

Supervisor Smith: "Thank you Mrs. Kobylenski."

Dr. Al Smith, Northville area, Riverhead; "I would like to say two things. One, I've been in and out of the farm where Youngs Orchards is for many, many years, till now, I've never know that they had any help of that type. It's not obvious and they certainly run a good farm and it never bothered anyone in the area.

Secondly, somebody alluded a little while ago to the fact in the beginning of the evening about the fact that you better take a look at these other camps that Mr. Schmitt is running. And so far nobody has answered that question. Now Mrs. Gatz just suggested that make sure that Mr. Schmitt lives out here before he starts his camp. Now I understand he has two other farms. He presently can't live at all three of them. I would like to know who ever alluded to the fact that the second camp up at Calverton, or where ever it is, is not properly run, will tell us the truth about it and maybe Mr. Schmitt would answer that."

Supervisor Smith: "We'll get that in. Anyone else?"

Charles A. Smith, Sr., Riverhead; "I'd like to say as an old Dugan man, house to house, I'd like to back up Mr. Young. One of the most cleanest camps, if you call it a camp, I wouldn't even call it a camp. He has a beautiful place up there for his help. And all I can say is from house to house he should be an example. What else can I say?"

PUBLIC HEARING - continued

Supervisor Smith: "That's plenty. Thank you."

Charles A. Smith Sr: "Thank you."

Supervisor Smith: "All right anybody else on firsts?"

David Young, Sound Avenue; "I happen to be a farmer and truck driver from Sound Avenue, next to Mr. Schmitt's farm. I'd like to kind of comment about it. I happen to house the four Puerto Ricans and every Friday night it's usually one of us, my brother, Bruce, my father, Robert, or myself, take the four Puerto Ricans down to like Hills or the A & P and distribute them to Friday nights to pick up the groceries and they're usually allowed as much time as they want. We usually pick them up and I'll take them back home and they usually have dinner then because working hours around our farm is anywhere from 6 a.m. to dark or whenever at night. Saturdays is usually early morning to whenever at night. Sundays is usually another work day because green crops, greens always grow. It isn't like potatoes. Potatoes can always go for an extra day or so. But when you have vegetables ready, you better be there to pick them. And myself, I take, I drive a truck to Point City where I distribute my vegetables and once in a while when there's a big load, one of these Puerto Rican boys say let's go. Let's get this job done and get your truck back here and let's go again the next night. But I feel the only time these boys have time on their own is usually Sunday afternoons. Sunday is usually a day for cleaning the house, plus cleaning clothes. They're using their time off there.

But when it comes busy times, I'd like to say about hiring school kids or college. You usually figure they get out around the 18th of May or so or later on and they're usually ready to go back the 28th day of August. By that time, the crops are right in the main stage there and you can't afford to give up this help so you got to have help there all the time when the crops come in and what crops are ready to be put away for the winter there. I'd like to say, I myself, I usually paint the house every year. Everything is brand new, linens, drapes and everything are all brand new. Thank you."

Supervisor Smith: "Thank you Mr. Young. All right let's have Mr. Niles again."

William Niles: "Inasmuch as some inquiry was made and I think some misunderstanding may have arisen from what a prior

PUBLIC HEARING - continuedWilliam Niles continues:

speaker said about what Mr. Schmitt's prior experiences with operating a labor camp. Let me say this, that the Schmitt family has continuously operated a labor camp in the Farmingdale Melville area for fifty years since 1929 right up to the very present, and I'd like the Board to receive in evidence a letter dated February 1, 1979 from the Suffolk County Department of Health Services which says some flattering things about the kind of labor camp that the Schmitt's have been operating. I would ask you to receive that."

Supervisor Smith: "Yes Sir."William Niles: "Mark it as evidence."

Supervisor Smith: "Mr. Niles if you'll just hang on for a second, we're going to put in the record a copy of a letter from the Department of Health Services, February 1, 1979 addressed to Mr. Philip Schmitt signed by Mr. James Herriman relative to a review of the records of inspection for the past ten years of migrant labor camp, Route 110 in the hamlet of Melville."

COMMUNICATION

James Herriman, County of Suffolk, Department of Health Services, 2/1/79, stating that Mr. Schmitt has continually been in substantial compliance with the New York State Sanitary Code, and has corrected any violations within a reasonable time which shows Mr. Schmitt's cooperation with this department. Filed.

William Niles: "Now there's a salient point that I would like to make earlier in the evening, but I'll have to try to make it now, and that's this, there's been a lot of intervening comments about the suitability of different types of people to do different types of work and about some of the social impact of having a labor camp and some of the standards that are observed in the conduct of a labor camp and the point that I would like to make for the record of this particular hearing is this because I'm an attorney and I have to talk like an attorney and address what our legal principles.

Number one, the conduct of a labor camp is governed by statute, the Department of Health, the Department of Labor and the United States OSHA governs the standard of what is mandated to be provided for farm labor under the

PUBLIC HEARING - continuedWilliam Niles continues:

circumstances that Mr. Schmitt proposes to operate. Those things are fixed by these various levels of government who are supposed to oversee and to supervise the conduct of each of these operations and they set standards for them. So that when somebody talks about the square footage of, or the numbers of people to be housed in a given size building, these are all prescribed in the cleanliness of the place and the plumbing facilities of the place and the sleeping quarters and the eating quarters and the cleanliness. Those are all standardized. I'm not claiming that there aren't possibly a labor camp here or there that don't violate them, but that is not a justification for tarring every labor camp that might exist particularly when we consider the necessity for a labor camp.

Now here the County of Suffolk has been undertaking the spending millions upon millions of dollars to preserve the farming industry in the County and Mr. Schmitt has undertaken to cash in on the dollars that were available to him, cash on the barrelhead, from the County, taxpayers money for him to devote his property exclusively to farming. He's willing to go do that without that kind of a windfall. He's willing to go spend money to build his own home out there. He's willing to spend hundreds of thousands of dollars to buy this property cash and he's willing to spend the money that it takes to install this labor camp so that he can move his operation from where it now is in Melville and bring it out here to Riverhead.

Now the zoning ordinance of the Town of Riverhead is what this hearing is all about, says in it that Mr. Schmitt's property is zoned for agriculture and that it's supposed to be devoted to an agricultural purpose which is precisely what he wants to be able to do. That fits in with the master comprehensive plan of this Town presumably when he goes to buy a farm and uses it for farming purposes and I point out that this same zoning ordinance of the Town which is what we're concerned with, again sets forth very clearly that there is provided the special permit for a farm labor camp. This zoning ordinance contemplates that somebody in this Town is going to take hold of a piece of farmland, put a farm labor camp on it and operate it on accordance with all the laws that govern the operation of a labor camp which is exactly what Mr. Schmitt proposes to do and it's exactly what the law says he has to do. So all of the commentary that's been made about whether the labor is to be Puerto Rican or not Puerto Rican, it happens that Mr. Schmitt currently has used Puerto Rican labor and probably will continue to do that. But that's not set up in the ordinance and that's not a criteria or a standard for anybody to impose and I want the record to show that no such standards since it's not written into the ordinance

PUBLIC HEARING - continuedWilliam Niles continues:

which this Board has the power to enforce is not a standard to be imposed."

Supervisor Smith: "Let me ask you Mr. Niles, between two lawyers, is it your theory then that the standards of health, safety, and welfare are under our special permit provisions have been pre-empted by the County and State Regulations?"

William Niles: "To some extent that is true."

Supervisor Smith: "Well Mr. Niles you and I are about differ. You haven't read the special permit provisions of the ordinance of the Town of Riverhead and we can consider a lot of things under that special permit provision and I don't buy your pre-emption theory one little lick."

William Niles: "Mr. Supervisor I have to say this. I have taken the trouble to read the criteria which the Town Board has mandated to consider under section 108-3 of the code and I have to say at the outset I wasn't given the opportunity to address myself to some of the items that are enumerated in there as constituting the criteria which are required to be considered by the Board in reaching its determination. But what I am saying more in replication to some of the comments that have been made is merely that it should be remembered by all who are concerned with this application that this piece of property being in an agricultural zone is to be anticipated by everybody. By the residents in the community, by the Town Board to be employed for agricultural purposes."

Supervisor Smith: "Okay Mr. Niles. Let me tell you as the presiding officer, I will stay here for as long as you like tonight. You take the special permit provisions of our ordinance and you tick them off one at a time and you tell me your theory of pre-emption on each one of those, and I on the record say, I will stay, so that you can complete that task.

Now number two, I suggest to you that you're asking us to take note of the Suffolk County Farmland Preservation. Are you asking that?"

William Niles: "I assume that this Board has notice

PUBLIC HEARING - continuedWilliam Niles continues:

and is aware of the existing legislative intent of the Suffolk County Legislature in undertaking to adopt and to fund a program for preserving agriculture in the County."

Supervisor Smith: "We'll do that. Now what's the price of the farm that you allude to Mr. Schmitt Jr.?"

William Niles: "The price that he's paying for it?"

Supervisor Smith: "Yes Sir."

William Niles: "Mr. Schmitt is paying \$188,000 cash for his farm."

Supervisor Smith: "Please continue Sir."

William Niles: "In the Town of Riverhead presently occurring, to information that I'm provided with, there are in existence fourteen labor camps having five or more laborers and apparently that is the dividing line, the five or more laborers, the dividing line between what is on record and by way of existing and operating labor camps and I've also heard reference from time to time of people who apparently have four laborers or less and they apparently are not so registered. The point that I was trying to make is that, incidentally, I was not making a point that the considerations of the Town Board under the standards that are set forth in the zoning ordinance are pre-empted by the standards that are mandated by the other governmental agencies. I am merely pointing out that each of these other governmental agencies are exercising dominion and supervision over the operation of this labor camp and that the Town Board in adopting its ordinance as specifically, recognizes as part of it comprehensive plan that, a) agricultural use in parts of the Town and in particular, on the property that's the subject of the application is an appropriate use, and b) that it recognizes by virtue of the fact that it provides for a labor camp at all. That a labor camp is presumed to be a necessary appurtenance to the operation of certain types of farms.

It happens to be that Mr. Schmitt intends to conduct the particular kind of farm which I hope the Board is persuaded requires the number of laborers and the character of labor that can be accommodated best by the maintenance of a labor camp on the property. And the consequence of that

PUBLIC HEARING - continuedWilliam Niles continues:

that dictates the suitability of this property for the maintenance of that farm with a labor camp. I think that there was even testimony before the Planning Board which I haven't heard tonight with respect to Mr. Schmitt's on personal reputation with respect to the way that he in the past has conducted a labor camp and that's been favorable in all respects. So I submit to you if there's anybody or any location that is suitable for the conduct of a farm that requires a labor camp for the proper maintenance and conduct of that farm, any person who is suitable to make applications for such a permit before this Board, I think you've got the kind of location, the farm, the person that are suitable for the grant of this application. That's the point."

Supervisor Smith: "You have all the time you want now. If you think there's anything that we've cheated you out of in terms of time, you got it."

William Niles: "No Mr. Supervisor. It's not that I have been cheated out of time, it's that my past experience with the conduct of a public hearing has been that I have been afforded the opportunity when I started. Thank you."

Supervisor Smith: "That's okay. Now may I hear from Mr. Schmitt? Sir you're Mr. Philip Schmitt Jr.? And your address is?"

Philip Schmitt, Jr.: "Broad Hollow Road, Farmingdale."

Supervisor Smith: "Is it your intention Sir to build a home here and reside in a community and conduct a farm."

Philip Schmitt: "Positively."

Supervisor Smith: "Would there be any difficulty posed for you that as a condition of a permit that you in fact reside in location where the camp was built?"

Philip Schmitt, Jr.: "Pardon?"

Supervisor Schmitt: "That as a term and condition of

PUBLIC HEARING - continuedSupervisor Smith continues:

whatever permit might be issued to you to establish that what you propose that also you live there?"

Philip Schmitt, Jr.: "If I live there to have the camp, is that what you're saying?"

Supervisor Smith: "Yes Sir."

Philip Schmitt, Jr.: "I definitely would live here if I had the camp, no questions."

Supervisor Smith: "Yes Sir. Mr. Schmitt nobody's told me yet how big an operation do you do? What do you anticipate doing on this acreage?"

Philip Schmitt: "Dollar wise?"

Supervisor Smith: "Yes gross it out or bed it out any way you want to tell me."

Philip Schmitt: "Well if you can tell me how much spinach will bring next year, I can tell you how much . . ."

Supervisor Smith: "Can you guess?"

Philip Schmitt: "It's very hard to say. It depends what stuff brings."

Supervisor Smith: "Thank you. Anybody else that wishes to testify?"

Jack Peters, Reeves Park; "Mr. Supervisor, Members of the Board, in so far as Council Niles has submitted a beautiful affidavit from the Department of Health and praising the labor camp inspections, etc., and so forth, I would respectfully request that before making a determination, that you subpoena all previous inspections of all labor camps in Suffolk and Riverhead County to have a better understanding of the violations that exist and the good points and the bad points

PUBLIC HEARING - continued
Jack Peters continues:
before making a decision."

Supervisor Smith: "We'll consider your request.
Is there anybody else?"

No one else wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the hearing closed at 10:37 P.M.

There being no further business on motion and vote, the meeting adjourned.

Irene J. Pendzick

Irene J. Pendzick, Town Clerk

IJP/vlv