

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, April 4, 1989 at 7:30 p.m.

**Present:** Joseph F. Janoski, Supervisor  
John Lombardi, Councilman

Robert Pike, Councilman  
Denise Civiletti, Councilwoman

**Also Present:** Patricia Moore, Town Attorney  
Irene J. Pendzick, Town Clerk

**Absent:** Louis Boschetti, Councilman

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

Supervisor Janoski: We will not entertain a motion to approve the minutes of the Board Meeting of March 21st as there are some recommended changes that are forthcoming. Reports."

#### REPORTS

Conservation Advisory Council-Minutes of 3/20/89 Meeting and memo dated 3/27/89 that Mr. Pafundi should apply for a site plan, building permit and submit an Environmental Assessment Form. Filed

Tax Receiver-Collections as of 4/3/89. Filed

Manorville Fire District-Annual Report for 1988. Filed

Building Department-Month of March 1989. Filed

Supervisor Janoski, "Thank you. Applications."

#### APPLICATIONS

Parade Permit-Community Awareness Program for 5/19/89. Filed

Supervisor Janoski, "Correspondence."

#### CORRESPONDENCE

C. Kelley, 3/30/89-Advising they represent NFEC and that final recommendation of the Suffolk County Planning Commission were not received prior to Board's action regarding Mill Pond Commons. Filed

Arthur McCombe, 3/28/89-RE: decision of Judge Weinstein on Shoreham nuclear plant. Filed

M., N. & P. Plastina-Requesting Board to reject application for boat dock on Cases creek. Filed

Pine Barrens Commission, 3/28/89-Advising that application of Walter Baer is incomplete. Filed

Clarissa Roesler, 3/24/89-Requests that Board reject request of Long Lake. Filed

Southampton Z.B.A., 3/29/89-Requesting whether any objection to application to erect a 3'x6' sign near town line. Filed

Charles Cuddy, 3/29/89-Acknowledging receipt of notice for public hearing was held on 2/7/89 re: Life's Equity Zone Change and submits that a second hearing is unnecessary and resolution #217 be rescinded. Filed

S.C. Planning Commission-Advising of no objection received by 4/9/89 re: Southold Local Law #3-1989 and Brookhaven zoning Local Laws #9 and #10 of 1989, it will be assumed there are none. Filed

Bill & Dorothy O'Haire, 4/2/89-Support proposed amendment to Section 40 restricting vehicles on town beaches. Filed

Elias & Barbara Kalogeras, 4/2/89-Advising that mother and daughter were beaten and robbed at end of Ackerly Street and requests a light be installed. They thank the EMT's and the Police Department for swift response. Filed

William Roberts, 4/3/89-Requests that public hearing re: use of vehicles on beaches be scheduled for July or August when most property owners will be available. Filed

Cruiser, Hills, Etc. 3/31/89-Advising order to Show Cause on 4/3/89 is withdrawn. Filed

Jamesport & S. Jamesport Civic Assoc., 3/28/89-Urges that all appropriate review be taken re: application for docking facilities at Cases Creek. Filed

Supervisor Janoski, "Thank you. The time for the first scheduled public hearing has not yet arrived and that public hearing will be cancelled. The situation is this; that the Conservation Advisory Council has withdrawn its findings regarding the application for docks at Dreamer's Cove. The application for appeal which precipitated the public hearing which was scheduled for tonight, therefore be cancelled because there is nothing to appeal. And that action was taken by the applicant sometime this afternoon in withdrawing the application for appeal. I

thought I explained it but I will try again. The Conservation Advisory Council in its findings, recommended against the docks which were applied for at Dreamer's Cove Motel. The Conservation Advisory Council has withdrawn it's findings because they acted before they should have as it turns out. Therefore, there is nothing to appeal. So that the applicant has withdrawn his appeal. If anybody wishes in the open part of the Town Board meeting to make any statement, that certainly is permissible. But the hearing will be cancelled because there is no reason to have a hearing. There is no application. No, no. There is no appeal."

Councilman Pike, "There is an application pending. It is not moving anywhere at the moment. In fact, it has dropped back several steps. People will be free to..."

Unidentified Speaker, (lady) "Could you describe the steps for us? Could you tell us what is in and what is going on?"

Supervisor Janoski, "The application requires, as I understand it, either a special permit of the Town Board or a joint approval of the Planning Board and the Town Board of the site plan. It is in an area designated as a critical environmental area. Therefore, it will most likely need an environmental impact statement. That is one thing that will have to be produced. If it is a special permit application, there will be a hearing on the special permit as well as the environmental impact statement as that's the way the Town Board proceeds. As you know, the Town Board can either have a hearing on the draft form of the environmental impact statement or it can designate a thirty day comment period in which comments are received in writing. It has been the practice of the Town Board over recent years, to hold a public hearing. But simply put, there is nothing to appeal in that the Conservation Advisory Council has withdrawn its findings because they didn't have the environmental information on which to act. So that being the case, there is nothing for the applicant to appeal. So the hearing on the appeal is cancelled. Betty."

**7:45 PUBLIC HEARING RE: VICTOR PAFUNDI'S APPLICATION FOR DOCKING FACILITIES; CANCELLED.**

Betty Brown, "I spoke to Pat about this application during the week and she said we would be able to use this opportunity even though it was not a legal public hearing. Everyone has come down tonight to tell you their concerns. They'll perhaps come back again if you so set aside another day."

Supervisor Janoski, "I thought I just said that Betty. That if anybody wishes to speak in the open part of the meeting, that they can do so."

Betty Brown, "You would not like us to do that now at quarter of eight?"

Supervisor Janoski, "No, because there is no public hearing. There is a period of time which anybody can be recognized but there is no public hearing because the applicant has withdrawn his appeal. But anyone who wishes to comment on the application certainly can."

Unidentified Speaker, (lady) "May we be assured that we will be able to come to a meeting before anything further is done on this?"

Supervisor Janoski, "We're really running contrary to the way this works. If you'll just let me do some unfinished business here, then I will recognize you and anyone who wishes to be heard so that you can come up to the microphone and it can be part of the record. And let me simply say that under Unfinished Business we have a long list and the status is reported on the agenda. And now, I will open the meeting to anybody who wishes to be heard on any subject. And I would recognize that woman in the back. Where did she go? You must come up to the microphone and say who you are and where you live because we keep records of these meetings."

Gloria Keller, Aquebogue, "I live on the west side of Cases Creek. I'm really not prepared for anything long. It's just that my instincts told me that this would happen tonight and I would just like to be assured that before anything further comes on this, no matter what it is, that the public will be notified and we will have time to be here and hear it. Not just in writing but to be heard."

Supervisor Janoski, "The law requires in the case of a special permit application, that it be noticed in the paper and that there be ten days notice before any public hearing."

Patricia Moore, T.A., "It's not a special permit. It's a permitted use. Marina is a permitted use."

Supervisor Janoski, "The Environmental Quality Review Process would require input. As I said, it has been the practice of the Board over the recent years, to hold a public hearing."

Gloria Keller, "Yes and I appreciate that."

Supervisor Janoski, "And that must be noticed."

Gloria Keller, "The question that I had in my head is that you said there would possibly be a need for this environmental impact, not absolutely. That was the thing I kind of questioned."

Supervisor Janoski, "I'm not the one nor the Board to make that determination. But I could say with some certainty that because it is a designated critical environmental area, that an environmental impact statement will be necessary. I would be

very surprised, shocked as a matter of fact, if the opposite were true."

Gloria Keller, "Thank you Mr. Janoski."

Supervisor Janoski, "Larry."

Larry Galasso, Aquebogue, "For the record, I must comment on the passing of the resolution regarding East Creek Marina at the last Town Board meeting. However, I would first like to comment on the basic misconceptions entertained by a few Riverhead residents. Unfortunately, these people are not aware of the facts that East Creek Marina as it exists today, was not there when I originally signed the lease with the Town of Riverhead back in 1974. Before we, when I say we, that's my immediate family, took over, there existed approximately 100 feet of bulkhead in disrepair; six back in slips, two catwalks with approximately 12 small boats. Not a single floating dock existed. Boats were secured by an antiquated system of pulleys and weights, both a liability and a considerable expense for the town to maintain. Our effecting a lease within the legal parameters within the town, we have invested a large sum of money and time to make East Creek Marina what it is today. We installed all the floating docks and piles, ramps, walkways, exterior lighting, four electrical services and wiring, a new fuel tank and dispenser, new bathrooms and a snack bar, water service and a solar hot water heating system, a septic tank, a complex cesspool system, parking lot, fencing, bubble system, repairs to the bulkhead and refurbished a framed building that was ready for firewood. All at no cost to the Town of Riverhead. During our occupancy, we suffered major uninsurable losses of catastrophic consequences. In 1977 we had a severe winter that produced ice two feet thick destroying 95% of the existing docks. March 29, 1985, we had a flood seven foot above high tide. And its wake, it left several inches of mud in the buildings, washed away the berm protecting the cesspool system, part of the parking lot, all the decking, ramps and walkways. Equipment such as freezers, refrigerators, ice machines, slicing machine, bubble system pumps and numerous other items were lost in the wake of this storm. I have tried to keep East Creek Marina a workable endeavor for the Town of Riverhead. Permission was given to local baymen association to utilize part of the leased property to store and maintain access to their seed clam beds. When bus loads of visitors came, we gave them the use of our facilities, parking and bathrooms. Various nonprofit organizations such as Riverhead schools, St. Johns, St. Isidores, were also extended the use of our facilities. We requested D.E.C. to fence in a certain nesting area for the rare least terns also on part of our leased property. We give free dockage to the Riverhead Town Police boat. We set and maintain the buoys at the entrance of East Creek. We set the dock pole for the town ramp across the creek at a nominal fee. An outside contractor would probably charge two to three times as much providing you can get them to come in at all. As for the apparent low percentage of Riverhead residents docking at the

marina, in spite of the innuendos, there is no discrimination of town residents. The need to qualify potential dockers is tantamount for acceptance. As this operation is not subsidized by taxpayer funds, is basically operated as a private enterprise. All potential dockers are required to comply with certain standards spelled out in the dockage standards. These are very much universal in marine industry. There has also been a question regarding the cost of maintaining the tennis courts at Jamesport town beach. Other than proximity, I do not understand the reference to these tennis courts. They do not have any connection whatsoever with East Creek Marina. Now I would like to comment on the voting of this resolution. The first vote was cast by Mr. Boschetti who voted against this resolution. His reason given was his reservations for the lack of experience on the part of the new lessee. In my opinion this was just a ploy to vote against the issue. Experience is not the proven quality to be successful in business. Character, hard work and sacrifice are the key factors. The second vote also a negative one was cast by Mr. Pike. Before Mr. Pike cast his vote on the resolution, he pompously made a motion to table this resolution. I acknowledge the wisdom of the other Board members not to second this motion. Presumably by their attendance at the work sessions regarding this matter, all concerns were resolved. I myself took time out from a busy work schedule to attend two work sessions. Mr. Pike was not present at either one. I feel he demonstrated very poor judgment in this matter. Mr. Lombardi cast the third vote which was in favor of the resolution. As a veteran councilperson, he is cognizance of the marina operation as it evolved over the years from its inception. He participated in the work sessions to resolve any questionable differences he entertained. I must note that Mr. Lombardi is a hard worker, has a practical approach to issues. And above all, he shoots from the hip. Another yes vote was cast by Ms. Civiletti. She had expressed her concerns regarding sufficient insurance coverage and the clarification relating to the method used to award slips to town residents. These issues were discussed and resolved at the work sessions. She demonstrated the ability to formulate and effect change in a positive manner with constituency in mind. Last by surely not least, Mr. Janoski has, I feel in my experience over the years, his fingers on the pulse of the Riverhead community and is doing a commendable job. As a resident of Aquebogue for the past twenty years, I am proud of the accomplishment of this endeavor. Many people have been extremely supportive of my undertaken at East Creek. East Creek Marina is an asset both economically as well as aesthetically to the Town of Riverhead. I am thankful to have been afforded the opportunity to make East Creek Marina what it is today. Thank you for your time."

Supervisor Janoski, "Thank you. Steve."

Steve Haizlip, Calverton, "Mr. Janoski, may I inquire; do we have a highway committeeman yet which use to be Mr. Lombardi? Is he still maintaining that position?"

Councilman Lombardi, "And Mr. Boschetti."

Steve Haizlip, "Ok. Which brings me up to my complaint. This is my third trip up here complaining about the sign on 58 and 25 where it terminates. Now, 58 terminates way back and there is a sign that says 25 West. But as you go up farther, it says right lane ends. No such a thing. The right lane is not ending. The right lane stays in tact and stays continuity right on to where 25 comes off in Manor Lane. So, that sign actually is on West 25. So the reason I'm complaining about it is the principle of the thing. When you put signs up, they can make an error but this is the third time that I'm bringing it up. And so, I can't get down to the highway barn."

Councilman Lombardi, "That is not a town road."

Steve Haizlip, "Yes John. I'm going to bring that up. I can't get down to the barn. I've tried to get there a couple of times and they're closed and gone by the time I get off work and get over there. So since we're the lowest on the totem pole in government bodies and we elected yous to help us with these problems with these higher ups which treats us like orphans so to speak, so I'm asking you to look into it. Now, second complaint of a highway is right over here on 25 right in front of the Maple Tree deli. There's holes over there that's big enough to take your whole wheel in. And I mean it really just knocks you out if you're not holding on. So I'd like for you to look into that John. Thank you."

Supervisor Janoski, "Jessie."

Jessie Jackson, Aqueboque, "Good evening. My name is Jessie Jackson, 32 years in Aqueboque. My main concern is about this Cases Creek which I understand is going to come up possibly at a later date. However, in this room there are a lot of neighbors here who are also showing concern too. I would just like briefly to state that I'm concerned about two pollution problems. Noise and the water. Noise because we're experiencing it now when boats leave Meetinghouse Creek, head for Simmons Point. These are these muscle boats or performance boats. They like to hit the throttles and some of the windows rattle as a result. When coming back in in the evening, they turn Simmons Point, they do the same thing for the last stretch. Being a boat owner, I do the same thing myself. Therefore, if such a consideration were given at Cases Creek for such a marina, what would happen when these boats pulled in there and be allowed. The second part is that 32 years of living on the Bay, we didn't swim too well 32 years ago because of blue crabs that were there. We had to wear snickers to protect our feet. We no longer have blue crabs today. Horseshoe crabs had their mating season in the Spring. We had those there. Now, they go back to the prehistoric days I'm told. They're no longer in this area. Clams, what few are left, we're not allowed to dig because they have quarantined the area. Now, I know from years ago that a lot of studies have been

made of the Bay area and that is a very vital food supply to the marine life. So much so that a developer was stopped and I see the Velys are here this evening, from developing above Velys because they wanted to build a road following the creek all the way down to Peconic Bay Boulevard and that was denied at that time because it would destroy the environment and this food chain. I can remember about 12 years or maybe 15 years ago there was someone in the town who was running for office. And at election time reported seeing a seal on the beach. We don't see seals on the beach any more. So I'd just like to point this out because I feel it's very important for you people if it comes time to vote on this to consider this. As we have no more blue claws, no more clams, we have no more horseshoe crabs. And certainly any boating in there will certainly add to the destruction of the environment. Thank you."

Paul Baker, "I'm the president of the Organization of Riverhead Civic Associations. Our town has been blamed for contributing to the pollution of the Peconic Bay and the Brown Tide. We have spent thousands of dollars to improve our management of our waste water. Cases Creek is a critical environmental area. Suffolk County is allocating thousands of dollars to study this and other waterways impacts on Flanders Bay. We believe that studying potential impacts before approving permits is the wisest and most cost effective means of preserving our resources and our taxes. We have asked you in the past to stand up to the pressures of developers who wish to maximize their profits while maximizing our taxes for services needed. Please deliver a clear message to all developers that you will demand applicants to address these concerns before allowing business as usual. Thank you very much."

Supervisor Janoski, "The time has come for the first scheduled public hearing. I will open the floor to comment on any subject. Yes."

William Maloney, Attorney, "I'm from Esseks, Hefter and Angel. We're the attorneys who represent the applicant on the Cases Creek matter. I came down today..... I'm from Bill Esseks officer. We're the attorneys who represent the applicant in the Cases Creek matter. I had not anticipated that there would be any discussion of that this evening. I would simply like to say that the applicant understands the concerns of these people. He believes that there is a lot of misapprehension in the community about what he plans to do and I'm sure many of the people who are here tonight (most of them) who live in that neighborhood, are familiar with what already exists at Cases Creek. Based on my visits there, it has existed there probably thirty or forty years. That is a completed bulkheaded boat basin. Where there are now existing floating docks, where there are now existing stairs down to the floating docks. The applicant doesn't intend to change any of that. This area appears to be suitable for the application for the use the applicant intends to put in there. We will pursue this application and we fully anticipate that we

will satisfy the concerns of the community and this Board. I was quite surprised to receive from our client this morning, what is an anonymous that is unsigned and is no indication from whence it comes, flyer which was apparently distributed in the community of Aquebogue stating that we can save Cases Creek. The applicant, that is, prompting people to come here tonight to save Cases Creek. The applicant does not intend to destroy Cases Creek. It also says that an out of town developer. I mean, what is Riverhead but a place which people from out of town have come to make a living and to make the community a place to live and for all to use. I don't think that this is fair publicity particularly when it appears to be completely anonymous. It also implies that Mr. Pafundi intends to threaten the quality of life in Aquebogue. That is not his intent. In fact, Mr. Pafundi has taken an old structure and spent more than \$400,000 to renovate it and upgrade it."

Supervisor Janoski, "Ladies and gentlemen. There is one rule that we have here. When someone has the microphone, they have the microphone. If you wish to be recognized, I'd be happy to do that. But I will not allow that kind of interaction between the audience and the speaker and that's the way we're going to play it. If you want to be recognized, you can have the microphone when he's finished."

William Maloney, "Thank you Mr. Janoski. I just would close that this flyer is inflammatory and inaccurate. And I hope that when we get through with our presentation which we will make through this Board and through the Conservation Advisory Council, this sort of reaction to a perfectly reasonable application to restore a use which is historic in this neighborhood, will be more reason and more fair. That's all that we ask. We don't intend to do anything which will destroy the way of life of the people who live in Aquebogue. Among our partners is a long time resident of Aquebogue and certainly it's not his intention to see that anything is done there to permanently alter the way of live of the people who live there. That's inflammatory, unfair and we intend to address ourselves to that if we have to in the future. Thank you very much."

Supervisor Janoski, "Thank you Mr. Maloney. Mr. Pike."

Councilman Pike, "Mr. Supervisor and Counselor, if I might, as something of the resident expert in receiving statements that are both inflammatory and inaccurate, I thought it might be appropriate for everybody here to realize that a lot of these people really do know the whole history of Cases Creek. Are aware of what it was like, what it has been. I myself, in my youth, use to drive my boat over to Cases Creek and was unable to get through it despite the very desirable goal of going over and talking to Mike Velys young daughter. And the basic thought I would like you to leave here with and everybody else here to live with, is that the time for the hearing on this one is yet to come and we're more than happy to hear what you have to say. There is

also the realization that all of us really grew up around here or a lot of us grew up around here and know the Cases Creek very very well."

Supervisor Janoski, "I have a public hearing which is scheduled. We will have the meeting open to comment as long as people want to but people are here expecting a public hearing."

William Maloney, "I'd just like to make a single comment. Not a big thing."

Supervisor Janoski, "And I will let you do that as soon as we're finished with the public hearing. Let the record show that the hour of 8:04 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall on Tuesday, April 4, 1989 at 7:55 p.m. to hear all interested persons who wish to be heard regarding: **Change of Zone Application of Life's Equity from Industrial "A" to Residence "A" in Wading River.**

Supervisor Janoski, "Let me just ask for the record, is there anyone present representing the applicant? We have, in correspondence, a letter from Charles Cuddy stating that the second hearing is unnecessary and resolution 270 be rescinded. Well, we've already noticed the public hearing. But therefore, at the applicant's request, we will cancel this public hearing. But if anyone has any comment on it, when I open the meeting to general comment, they can comment to their desire. It just happens to be 8:05 p.m. and we can move on to the next public hearing which is scheduled for that time and the Town Clerk will please read the notice of public hearing."

**7:55 PUBLIC HEARING WAS CANCELLED**

PUBLIC HEARING - 8:05 P.M.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, April 4, 1989 at 8:05 p.m. to hear all interested persons who wish to be heard regarding: **Amendment to Chapter 48 of the Town Code regarding motor vehicles on town beaches.**

Patricia Moore, T.A., "This is a rehearing. If you recall, on February 7th we had a public hearing on this ordinance. Based on that public hearing, we made some changes to it and at this point, we're incorporating the changes. I see a lot of the fishermen that we're starting to recognize here. The changes that you requested have been adopted. Some of your comments were that your best fishing months are September. So we included September as the time you can continue to use your truck with a

proper registration and proper permits on the beach. The other change that we incorporated is whether fires are permitted or not permitted. We're allowing barbecue grills of a certain size to be used on the beach and that was a clarification of the language that was existing. One error that we didn't catch or I didn't catch until just looking at it today, we had included a four wheel under prohibition of operating trikes, motorbikes, mini-bikes and other two, three or four wheeled vehicles. That was my error. When I was at the beach I saw something that just did not fit either a two or three wheeled vehicle. It was just an odd looking thing and I included a four wheeled vehicle but we never intended to exclude properly permitted vehicles from coming on to the Sound beaches. This prohibits only on the Bay beaches. The changes are throughout the code but the only prohibition on operating motor vehicles is on the Bay beaches. So, I just want to clarify that before everyone stands up here and believes otherwise."

Supervisor Janoski, "I see my friend from the last public hearing is here and I am happy that this may not be a controversial hearing because it took me two days to recover from the last one. It was not the hearing. It was a reading after the hearing that caused me some pain. Is there anyone present wishing to address the Town Board on this matter?"

Bill Roberts, Baiting Hollow, "I talked to Irene Pendzick about this and there was a reversal of northerly and southerly in the definition of where the high water mark and the low water mark was on the Peconic Bay beaches. The way it's printed, it says the mean high water mark as a northerly boundary and a low water mark as.... I'm sorry. The way it's printed it says the mean high water mark is a southerly boundary and the low high water mark is a northerly boundary. That should be reversed on the Peconic Bay beaches. Okay? A comment I have on section 48-7 (a): I'll read it the way the notice appeared in the paper. The Recreation Department is hereby authorized to issue a permit for the use of the operation of a motor vehicle on the Sound beach to qualified residents or taxpayers of the Town of Riverhead upon showing the following proof of residency: Number one; resident beach parking permit pursuant to section 48-13 B1. It would be very hard to bring a residency parking permit because one person goes to the beach to get that resident parking permit, the attendant affixes it to the left side of the front bumper. So I think that's an ambiguous statement that should be taken out. And the definition or that section that you refer to Pat Moore, the operation of trikes, motorbikes, minibikes, all terrain vehicles. The definition in the first posting of the public notice is okay. The one that appeared recently announcing a reposting, that's the one that drew the ire of a lot of people where it referred to two, three or four wheel powered vehicles. So if you use the first description that was in the first public notice, that will be okay."

Supervisor Janoski, "Thank you Mr. Roberts. Paul."

Paul Baker, Wading River, "About a year and a half ago, I know Oakwood on the Sound and a number of civic associations came here to the Town Board with a specific question in reference to the policing of the north shore beaches, especially around the time when the young man died at the Hulse Landing beach when he was crushed to death. And they asked a particular question at that time about the future policing of the north shore beaches. And I understand that this particular resolution is particularly concerned about the south shore beaches. About a month ago, the fishermen also came here, the different fishing groups and so forth, and recommended permitted uses and permits and so forth that might be purchased as a means of somehow funding that policing of the beaches which struck me (really) as a fine idea that they were offering to the town. My first question is; will the north shore beaches be policed this summer by the Town of Riverhead?"

Supervisor Janoski, "Yes."

Paul Baker, "They will be policed."

Supervisor Janoski, "As they were last year."

Paul Baker, "You have vehicles and so forth to....?"

Supervisor Janoski, "We have a number of four-wheel drive vehicles and there was an assigned patrol last summer season if you want to call it that and there will be again this year."

Paul Baker, "There is. Okay. So we could refer to the Riverhead Police Department anyone who had a complaint of that type or nature and call the Police Department and we could expect to hear from them that they have been so ordered to patrol the north shore beaches?"

Supervisor Janoski, "Absolutely."

Paul Baker, "Great. Thank you. Rob."

Rob Goldman, "North Fork Environmental Council. We support the revised resolution. I think it's a really good compromise in protecting the Peconic Bay area with the tern nesting colony and it's also a good compromise to allow public access of the people who have been up there using that beach on the Sound for many many years. I've been fishing at Roanoke Point for 28 years. And most of the people who come down there, 99% of them are really responsible. They drive real slow. They don't litter. They're there to fish. They're there to relax and it's a good compromise ordinance and we support it. Thanks."

Gail Gambino, Baiting Hollow, "I have just a couple of questions regarding the vehicles on the Sound beach. I did not attend the February meeting at which time much of this was discussed. But in view of the fact that there have been... It

seems to me that there is a resolution prohibiting, I want a clarification on that, motorbikes, minibikes or is there not on this town beach? There is."

Patricia Moore, T.A., "Yes. The prohibition is we will not allow it even if for vehicles, they must be registered. They must come in for permits and they have to have four wheel drive so they can get up and off the beach. As far as trikes, motorbikes, minibikes, two and three wheel vehicles, atv, all terrain vehicles, they are not permitted on the beaches anywhere. They are prohibited all together on the beaches."

Gail Gambino, "I thank you for that and I second that applause. As a family who lives on the Sound and we enjoy the beach almost daily, what I really wanted to ask; well then, as a citizen, as a family of citizens, how can we (if we're walking on the beach) help either support the Riverhead Town Police and in what way can we act as responsible citizens in terms of approaching bikes or reporting bikes that we see almost daily?"

Supervisor Janoski, "I would not approach the bikes because you'll only be more angry. Simply report any violation of the code that we are probably going to enact at the next Town Board meeting. And while it is difficult if not close to impossible to catch these types of vehicles, we at one time did consider the purchase of one of those types of vehicles and we do have four wheel drive vehicles and we will do our best to enforce the law after it's enacted."

Gail Gambino, "I appreciate that. And I just wanted to very quickly say that as not someone who is a fisherman, I am always pleased and very happy to be on the beach with the fishermen and those people who have a real respect and reverence for that beach. They are just marvelous. They are marvelous neighbors and I'm very happy for the distinction that is made between them and this kind of perpetration. Thank you very much."

Supervisor Janoski, "If I were you, I'd consider myself very lucky to have him agreeing with you. Chief."

Chief of Police Grattan, "I'm sure you people that go to the beach and use the beach are familiar with the difficulties in trying to apprehend the trikes and the all terrain vehicles. Very frequently these vehicles are operated by younger children. We certainly don't want to chase younger children and cause them to have a tragic accident. However, we have found in our experience that most of these children do not buy these vehicles. They're supplied to them by their parents. And quite often, the parents live very close to the beach and they release these kids onto the beach to play with them all day. It would be very beneficial to the Police Department if you are aware of a situation like this, if you could identify the parents to us. Because the only real way to get control of this is to have the parents put a stop to turning the kids loose on the beach with them and

that would be very helpful to us if any of you can do that. Thank you."

Supervisor Janoski, "Thank you Chief. I was wondering when you were going to get up."

Jim Kreutz, Reeves Beach, "I just want to thank the Board for recognizing one thing, that the fishermen are human beings and they deserve to be on the beach. I just want to clarify one thing. You said it was all right in September to go fishing. Can you clarify the times now? Has there been any change in the time."

Patricia Moore, T.A., "Yes there has. Between May 15 and September 15th, no motor vehicles may be operated on the beaches between May 15th and September 15th. We gave you half of September. We were going to eliminate September all together and we changed it. We continued the ordinance the way it was which allowed you to fish after September 15th. And the hours, before 9 a.m. and after 7 p.m."

Jim Kreutz, "You really didn't give us too much did you. First of all, there ain't no people that go swimming in May. The beach don't open until June. It closes in September."

Patricia Moore, T.A., "I didn't say it right. I'm sorry. I can't read my own ordinance. No motor vehicles may be operated on the beaches between May 15th and September 15th except between the hours of 7 p.m. and 9 a.m."

Jim Kreutz, "That's what you just said."

Supervisor Janoski, "Tell us what your position is Jim."

Patricia Moore, T.A., "Tell us what you want and we'll work on it."

Jim Kreutz, "What I tried to tell you like I told you the last time. In May, there's no people that swim at the beach. The beach is closed. The beaches don't officially open until June. Labor Day, everybody goes back home to the City and the kids go back to school. Why can't we go down there and fish? Seven o'clock at night is a bit late. The lifeguard goes home at 5 o'clock. We come home at 5 or 6 o'clock at night. Why can't we go down there and fish? Why can't we all share the beach? That's what I'm trying to get at. That's what we tried to get at the last time. What you're giving me here is not really nothing. You're giving me two weeks in September. I told you the best month to catch blue fish. Okay?"

Patricia Moore, T.A., "That's what we have right now. Our code, we didn't change that. The code right now..."

Jim Kreutz, "You took two weeks away."

Patricia Moore, T.A., "No we didn't take anything away. That's what you've been living under all this time, has been half of September."

Councilwoman Civiletti, "Let me just, if I may, read how the code is presently written. It says no motor vehicle may be operated upon the beach June 15th and September 15th except between the hours of 7 p.m. and 10 a.m. And what this would do is change from June 15th to May 15th. That was at the Recreation request."

Jim Kreutz, "So you're taking a month away already. You slid that in there."

Councilwoman Civiletti, "That was at the request of the Recreation Department and I'll explain that in a minute. September 15th, we had proposed to change that to September 30th but we're leaving it as the 15th and we're changing or we proposed to change the 10 a.m. limit to 9 a.m. The change in the time and the change from June to May were both requested by the Recreation Superintendent for reasons that involve being able to get the beach cleaned up and ready to be operational for bathers. Ten o'clock, I believe that's when the lifeguard comes on duty and the beach opens. They want to try to get people to start to move off the beach with their vehicles at nine so they can tidy things up and stop the traffic flow in time for the lifeguard coming on duty and people coming in. That's why the ten was."

Jim Kreutz, "That's fine. I have no problem with that. We work during the day."

Councilwoman Civiletti, "And from June to May 15th was, again, at the request of the Superintendent of Recreation and that had to do with people using the beach in May."

Jim Kreutz, "Who goes swimming in May? Who uses the beach in May? Does anybody here use the beach in May? You do? What do you do?"

Supervisor Janoski, "Jim, no. Mr. Roberts please. The reason for this hearing is for you to express your ideas to us. And obviously, we reacted to the last public hearing and make your suggestions."

Jim Kreutz, "Well I did. So what you gave me is you gave me nothing. You took away. You took away May. Right? May is a great month for stripe bass."

Patricia Moore, T.A., "We took away half of May."

Jim Kreutz, "Half of May and half of September. That's a month you took away."

Patricia Moore, T.A., "No. We didn't take away September. You have the same. The September date has not changed. The only change that we've incorporated in this resolution or this ordinance is May rather than June."

Jim Kreutz, "Ok. Fine. Ok. What I would like to say and I'll get right out of your face. May to September is fine. Give us the hours we want to go down for fishing. Don't make it 7 o'clock at night. Ten o'clock in the morning, fine. You can have it. Give us the time to go on the beach and enjoy ourselves a little bit too. From May 15th to September...."

Patricia Moore, "Give us the hours you would prefer to have."

Jim Kreutz, "The hours; I would say 6 o'clock at night is fine. The beach officially closes at 5. The lifeguard is not there. The people should not be there swimming at their own risk. We go to the beach at our own risk. And like I said before, we do not fish where the people are swimming. It's common sense. There's no fish there. All we ask is access to go across that beach a mile, a mile and a half to go catch the fish. That's all I have.... Like I said before, we don't bother the birds. We don't bother the fish, the people that swim. We don't bother the people that want to walk on the beach. We drive slow. We go around the people. We just want to use the beach like everybody else. Let's all enjoy the beach. We're not hard people to get along with. We're going to have another meeting now to discuss this?"

Supervisor Janoski, "I would hope that any changes that result, would not be significant enough to have another public hearing. Jim, I want to thank you for a very concise expression of your opinion."

Jim Kreutz, "Thank you. That's all I've got to say."

Supervisor Janoski, "Mr. Roberts, did you wish to be recognized? Are you leaving Jim?"

William Roberts, Baiting Hollow, "There seems to be a very popular misconception (too bad Mr. Kreutz left) that all beach, all sandy area between the water and the bluffs is public, Town of Riverhead property. On Long Island Sound, the Town of Riverhead has three public town beaches. About 300 feet or less in Wading River. Less than 400 feet definitely in Reeves Beach and about 400 feet at Iron Pier. All the rest of 15 miles of Long Island Sound beach above the mean high water mark, is privately owned. So when somebody says I'm going down to the beach, he's going to past where the swimmers are and the lifeguards are. There aren't lifeguards on the privately owned beach. There are lifeguards on the town beach. And people who own the property, go down at 6 and 7 o'clock even though there's no lifeguard at the town beach. There are people that are still swimming on

privately owned beaches. As I said, there seems to be a misconception. There will be another public hearing on this as you saw. But most of the beach as we know it in the Town of Riverhead above the high water mark, is privately owned."

Unidentified Speaker, (man) "But sir, you do not own the water. You own the high water mark...."

William Roberts, "Mr. Janoski."

Supervisor Janoski, "Jim."

Jim Kreutz, "Come on. Give us a break will you."

William Roberts, "People pay taxes."

Jim Kreutz, "I pay taxes too."

Supervisor Janoski, "Jim, come on. Mr. Roberts thank you. Alice."

Alice Graff, Riverhead, "In speaking of the private beaches, how is that tax base structured? The property, of course, is waterfront property. So that's an increase as opposed to someone that does not live on the waterfront. But what about how much of this property, this sand, how much of that is taxed and how is that taxed? How does that structure work?"

Supervisor Janoski, "Where is he? I know he's here somewhere. Would you like to close that outside door or would you like to respond to the question? Where's LeRoy? Joe, would you like to respond to that as an Assessor for the Town of Riverhead?"

Joe Loughlin, Assessor, "All waterfront property is assessed at a different rate than interior parcels. One of the problems that I see in a lot of the deeds is how the deed reads in terms of property on the Bay, more particularly on the Sound. Some of them do read to the high water mark and some of them do not. Some of them read to the edge of the bluffs. But in general, waterfront property is assessed at a higher rate than interior parcels."

Alice Graff, "Well, what I'm wondering is when you're measuring, are you also measuring that sand? When you take that into consideration for the tax for so many feet, is that included as part of....?"

Joe Loughlin, "The measurement is by the acres or the area and that may or may not include sand depending upon the way the deed reads. We don't specifically read every deed and account for so much sand."

Alice Graff, "So basically, you just go to the cliff."

Joe Loughlin, "That's right. Well it runs to the sand depending how the deed reads. It's either a tenth of an acre or two tenths of an acre or half an acre."

Alice Graff, "But generally, it's to the cliff. It's not actually to the high water mark."

Joe Loughlin, "If somebody comes in and contests it, it would be to whatever their deed reads. Ok? While I have the opportunity, may I say something as a private citizen? This may or may not be germane to the issue that's here. But one of the private objections I have as a person who loves and enjoys the beach is the ski mobiles that are being used in the water. I think one of the things you're going to have to consider sooner or later is some kind of boundary on their use. Because down in Wading River, there are often, and they are people who live there, unfortunately. Or they may or not be. I've seen people come with trucks with them. But they come dangerously close to people swimming. There should be some kind of boundary. But more important than that, they go in, not only the ski mobiles but motor boats, into the salt marsh area. Which, as any environmentalist will tell you, is the cradle of where it all starts. And I think they're doing real hazardous damage back there. They're tearing it up. And I think it's one of the things you might consider in this code."

Supervisor Janoski, "Joe, thank you very much for your observation. Mr. Roberts, I've already recognized you and I'm very sorry to say that because Mr. Schmelzer has his hand up. Mr. Schmelzer. You can speak again after anybody who wishes to speak."

George Schmelzer, Calverton, "Well, about these deeds going to the top of the bluff, that means there is a piece of land unclaimed between the top of the bluff to the high water mark. Maybe you ought to look into that because the private titles go to the high water mark. Isn't that right Mr. Assessor?"

Supervisor Janoski, "That is right."

George Schmelzer, "And as far as the beach is concerned, the high water mark, doesn't the public have a right to use that since colonial times even under federal law, colonial law?"

Supervisor Janoski, "Below the high water mark? Yes."

George Schmelzer, "So what's the fuss about. If somebody wants to walk on there, drive a bike or buggy, so what. It's a public roadway for every citizen in the United States any method they may choose."

Supervisor Janoski, "It's the king's highway."

George Schmelzer, "I'm no king here. King's highway is in Brooklyn. Have you ever been on King's highway in Brooklyn? I thought maybe you didn't know, maybe you come from Pennsylvania."

Supervisor Janoski, "I do."

George Schmelzer, "You should burn coal because you grew up with it. What's the fuss about on this hearing anyway? What's the problem?"

Supervisor Janoski, "Different points of view on the subject George."

George Schmelzer, "Tell them to do what they want to and leave people alone. Gee, I don't know why people are so.... Must be these outsiders coming in. If you got four of you there, only one was raised here but he's as bad as the rest of them. So I don't know what to think. Ok."

Supervisor Janoski, "George, thank you for your comments. Steve."

Steve Haizlip, "I just want to make sure I understood Mrs. Moore correctly. You're introducing or allowing the barbecue grills that they can be used. Very good because when people go to the beach, they like to have a hamburger and a hot dog and a soda and a beer and so forth. But I would like to suggest a safety rule and I mean it's important. One day I happen to see a young fellow with his foot all bandaged up and I said what happened to you? He said; well, I was walking on the beach. One of the grills was sitting on the sand and they gathered up everything and left and I stepped right in the hot spot where the grill was setting and I got fried. So now, I don't know if these beaches have containers or barrels or grates or something like sand to put the coal from here. But all the thing is when people are on the beach, of course a lot of times they do what they like to do. I'm just saying that I don't want to see anybody walking around with a bandaged up foot like this young fellow obtained from one of these things sitting on the sand. I'd like to see some safeguards introduced there. At least we're covered."

Supervisor Janoski, "Thank you Steve. Is there anyone else who wishes to address the Town Board on the matter of section 48-1; beach buggy requirements? Mr. Roberts, did you wish to add something."

William Roberts, "The official real property tax service agency maps published by Suffolk County that are used by all towns including the Town of Riverhead by the Assessor's Office, show that the ownership of Long Island Sound front lots does not end (I should say) at the bluffs but extends to the MHWMM, high water mark of Long Island Sound. That's on every map in the Assessor's Office that's published by Suffolk County. Those, the private ownership and to the high water mark. Anything below the

high water mark is public private property. Everything above the high water mark is owned by somebody other than the public Town of Riverhead beaches. One other thing too. Most of the lots owned by people on Long Island Sound are insured by title insurance companies that have guaranteed to the owners that the northern boundaries of their properties extend up to the mean high water mark of Long Island Sound. My deed reads like that and so do most of my neighbor's deeds. Not at the bluffs."

Supervisor Janoski, "Thank you Mr. Roberts. Is there anyone else remaining who wishes to address the Board on the matter of this change? That being the case and without objection, I declare the hearing to be closed. We have a public hearing scheduled on the Block Grant application. Let the record show that the hour of 8:36 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

**8:05 PUBLIC HEARING CLOSED AT 8:36**

PUBLIC HEARING - 8:15 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, April 4, 1989 at 8:15 p.m. to hear all interested persons who wish to be heard regarding: **The Submission of the Town of Riverhead's Community Development Block Grant application for the fiscal year of 1989.**

Supervisor Janoski, "Andrea, I want to explain to you that I'm not being rude but I'm going to read the diocese because I am absolutely in pain and I know what the application is going to be. So if you'll explain that, I will be right back."

Andrea Lohneiss, "This public hearing is being held to inform the public as to which activities the town has determined to include in this years small cities application for a Community Development Block Grant funds. Each activity proposed for inclusion in the application is considered on the basis of feasibility, the available funds, the national objectives of the program and other issues. This year, in light of the town's currently affordable housing project in Riverhead, we are proposing a second project. As Silver Linings nears completion and 22 low and moderate income families prepare to become first time home buyers, there are many other similar families in the town who are having to leave Riverhead because they can't afford to buy homes in the towns on Long Island where they grew up. So we're proposing a second project which would also be on Osborn Avenue on a town owned parcel. We would use the grant money, \$323,100 for the installation of infrastructure, water, drainage, roads, curbs, street lights and street trees and recharge areas. Once the grant proposal is approved, we would request proposals from builders for construction of the homes and take applications to determine families that are eligible for the homes. Then they are actually ranked by a lottery. Upon completion of construc-

tion, the homes are sold to the low and moderate income families. So 100% of the grant amount would be for the benefit of low to moderate income persons. The second project is the demolition of the Suffolk Tire Shop which is located on Peconic Avenue along the banks of the Peconic River. It's also known as the Ribeiro property. It has recently been acquired by the town. It's a substandard structure and we're proposing to demolish it and landscape the area to extend the park, the Grangebél Park which will increase the safety in the area, increase the park space and provide a place for the residents and the people who work in the downtown business area to enjoy. This project is expected to cost \$33,500. An additional forty three four is proposed for administration of the activities. So 100% of the proposed grant amount would be for activities principally benefitting low to moderate income persons."

Supervisor Janoski, "Thank you Andrea. Paul."

Paul Baker, "President of the Riverhead Organization of Civic Associations. A question about the part of the grant for the affordable housing project. What is the school population that they are projecting? The increase to the school population as projected by that grant."

Andrea Lohneiss, "I would guess about 40."

Paul Baker, "Forty children. And what type of increase in state aid to education....?"

Supervisor Janoski, "Paul if you could just address your questions to the Board and I will have them answered."

Paul Baker, "Sure. What type of increase in state aid to education can the School District expect to receive for these forty children coming to our schools and for taking on a project of this type for Suffolk County and for New York State?"

Councilwoman Civiletti, "Can I just interject something here. That this is going to be held in the same manner as the other affordable housing project. It's for Riverhead residents. So that the school children are there already in the Riverhead school system unless they are underaged. In which case they will be whether or not they live in one of these houses or whether they are not born yet. But this is a limited number of housing units to be offered exclusively. The way worked out in the other case was exclusively to Riverhead residents."

Paul Baker, "Well, I guess the main thrust of my concern is this; is that we are building affordable housing which I think is admirable. Unfortunately, looking at the increased taxes over the last year or so, affordable housing for the existing residents of Riverhead is slowly becoming unaffordable. And by opening up new affordable homes, I'm kind of curious how affordable it will be over the next five to six years and whether that

is being included in the project or whether it hasn't been addressed at all. If it hasn't been addressed, I guess my question is; well why aren't we addressing it knowing what's going on right now with our school taxes and so forth."

Supervisor Janoski, "Paul, you're an educator right? Are you not an educator?"

Paul Baker, "Yes sir."

Supervisor Janoski, "And you know as well as I do how the school aid formula works. I'm sorry. The school aid formula, aid to education works on number of students, actually works on attendance at school and there are some other factors in the formula. Some of which make no sense at all as a matter of fact. But the State of New York, I don't believe, takes into account that the town is making an effort to provide a number of houses at an affordable level as far as their consideration of state aid. I wish they would but they don't."

Paul Baker, "Have we approached them to make such a consideration?"

Supervisor Janoski, "I have approached the State of New York on state aid to education as well as municipalities on a number of issues. As I said, much of what they do does not make sense and we can get into a long discussion on that."

Paul Baker, "Oh sure. That's why I'm asking at this point, would it be considered or has it been considered as part of your application that considering the present tax burden, assuming an increased tax burden, I was hoping that certainly that question could be addressed to the state education department. As you know Joe, there are many communities upstate. You're an educator. There are many communities upstate that get a great deal of their school budget paid for out of state aid to education. We get a very very small share here in Riverhead because we are land rich."

Supervisor Janoski, "That's right. That's one of the things that makes no sense at all. You're absolutely correct. Seventy nine percent of budgets upstate are funded by the state. Here, 58% is picked up the property taxpayer. So that there is a disparity there. And one of the problems is; that the farmland is not looked at by the State of New York at its farmland value but it's true value. And which is an argument that I've made for many many years. But absolutely, we can raise those questions."

Paul Baker, "I hope we would because it's just a mind boggling equation here to figure out. We're going to make affordable housing affordable in Riverhead. And yet we're not entitled because of being land rich, to increases in state aid or help from the state. So we as a town, are going to assume that entire burden. Not only paying the freight for the physical

building of the facilities but then over the long haul, the education of those people that live in the facilities. Thank you very much."

Supervisor Janoski, "Thank you. Any other questions, comments on the application? Mr. Schmelzer is that you with your hand up?"

George Schmelzer, "I don't know who I am. I've got to look at my license to see what it says."

Supervisor Janoski, "Would you like to take the microphone?"

George Schmelzer, "I've been hearing you bought Ribeiro's place. I've been told that so when the cars pass by they can look at the beautiful park. I thought when cars passed by, it would be looking at the car in front of them and not on the side. So I don't know what the h--- you bought it for. And now somebody before said the way they previously, you're going to make a parking lot out of it. That building is on stilts. Are you going to fill in the river?"

Supervisor Janoski, "She didn't say parking lot. Park."

George Schmelzer, "I thought it said parking lot. Pardon me then. Well, that's a historical building. You always spend a lot of money on historical buildings. Why knock that one down? That's the last old shop on Peconic Avenue. It's probably been there as long as that Vail Theatre."

Councilman Pike, "George, I know I'm going to get in a lot of trouble responding to you."

George Schmelzer, "Go ahead. That's what you're there for."

Councilman Pike, "There are two buildings there that were actually combined into one. I've been all over that thing and that was originally two separate buildings which had a complete surround facade put on it to combine it into one."

George Schmelzer, "So what."

Councilman Pike, "What they're pulling down would be one so what. The second is; anybody that's seen it, doesn't really think they have much historical significance. And the third thing is; that the building on the stilts was knocked down quite a while ago. This is on the biggest piece of concrete you've ever seen."

George Schmelzer, "Why spend taxpayer's money for something like that? Let somebody else buy it and take it down. The park is big enough. And you're talking about building affordable

housing with a lottery. That's a form of illegal gambling. If you want affordable housing, how come you're trying to zone the farmland in Wading River two acres? You're going both ways at one time. Is anyone going to afford that? If you want affordable housing, why do you require that a mobile home be put in a park instead of a private lot? If people could put mobile homes on private lots, maybe you'd solve some of this affordable housing problem. Are people who live in mobile homes different class of people that you segregate them in a park on industrial land? How about it? No answer. How about it Bob? So this is all a d--- big farce about affordable housing. Being you have no answer, I believe you think so too."

Supervisor Janoski, "So Mr. Schmelzer, I take it that you are opposed to the application which has been proposed."

George Schmelzer, "Well, get down to something practical, not that nonsense. It's a lottery anyway. It really is a form of gambling. I got no response."

Councilman Pike, "I don't know if we have to respond to 22 people who do live in the Town of Riverhead who, but for the efforts of this Board, would not have a house to live come this year. They do now and that's a fact. The other comments you made, if there's a major complain about what we do, sometimes people say if you want to do something, buy it. Well, in this case George, we did."

George Schmelzer, "Who told you that? Who wanted to buy it? You yourself? Anybody petition you to buy it? The towns people?"

Councilman Pike, "To improve Grangebél, yes we did. Grangebél is a mess."

George Schmelzer, "No, I asked you how many people in town asked the town to buy that piece. No answer."

Supervisor Janoski, "Did you ask Alice?"

Alice Graff, "Yes I did."

George Schmelzer, "There's one. How many people in town? Twenty two thousand? You mentioned twenty two people before. Twenty two people out of twenty two thousand have affordable housing. That's a big percentage isn't it? It solves a big problem."

Supervisor Janoski, "George, the purpose of this hearing is to hear your comments on the application. Please tell us."

George Schmelzer, "I never saw the d--- application. I don't know what it says. I just know about what I hear being spoken. Ok. Thank you."

Supervisor Janoski, "Thank you George. Is there anyone else present wishing to address the Board on the matter of this application?"

Bob Pekar, Calverton, "This parcel of land for the affordable housing project, this is that triangular piece between Horton and Osborn I assume, where they're doing work now. Is it in that area?"

Supervisor Janoski, "It's in that area."

Bob Pekar, "That's the same area approximately, where the Chesterfield's Enterprise is and the one I've been reading about in the paper? Chesterfield is on the other side and then the one north of there they just now mentioned in the paper the last couple of days between Middle Road and basically the highway barn? Is that section there a condominium project? The intersection of Osborn Avenue, Middle Road, that piece of property in the woods there. Casilen, that's in that area, all in that general area. Ok. One of the things mentioned in the paper about that general area is whoever the consultants were, they said something about there would be no impact on traffic. Now, I don't know about anybody on the Board but I drive that road two or three times a day. And coming down on Middle Road down to Osborn Avenue down that hill when it's wet or there are leaves on the road or snowy, it's a hazard by itself. Then there's a double intersection that you have to cross. Now with all these projects going to that area, I hope the Town Board is not going to go on the advice of whoever made that statement in the paper that no type of traffic control would be necessary there. Because I'm sure the person who made that statement was the same person who designed the three shopping centers we have in town where you take your life in your hands every time you go in and out of them. Obviously, they don't know how to develop a traffic pattern. But another concern is and maybe this is off pace, but I just bought a new map Saturday and it still shows that the Long Island Expressway proposed expansion goes right through all those parcels. Is this being considered or is it going to be ignored? Have we contacted the state to see if the Long Island Expressway, the proposed route for that is still through the Chesterfield project, through the affordable housing project? Or are we going to go ahead and build this and then somewhere's down the road, we as taxpayers in New York, going to pay for the condemnation of all this? Has this been taken into consideration?"

Councilman Pike, "You've asked two questions. Let me deal with them both. The first one was the substance of the applicant's draft environmental impact statement on the parcel west of Osborn and South of Middle. That's their draft. It's not our opinion of it and that goes to full comment period hearings if we choose and you'll have an opportunity to correct that draft and make it accurately reflect (as will we) and that's our responsibility. To make it accurate. People often use draft environmen-

tal impact statements as advocacy documents rather than an objective open look at it and you'll often find that and that may be the case there. We'll correct that. The second thing has to do with the Long Island Expressway expansion. It is true that there is, on a number of maps, a route for this thing. It is also true that any time you contact the state in terms of their capital facilities improvements for highway improvements, they have absolutely no plan whatsoever of building that highway. And for all the bonding you see for transportation for all of the roadwork, nobody in Albany is talking about extending the Long Island Expressway at all, today or any time in this century. I mean they have absolutely no plan to do it."

Bob Pekar, "So we're going to ignore that. And if and when it happens and it going to happen, we all know that they way Eastern Long Island is expanding, then we're going to go through the condemnation proceedings and we're going to pay for that. I would think at least, you would make some kind of an effort to inform the state of these projects and what is happening and try to get some comment or something said that they will not go through that area. That would seem to be common sense."

Supervisor Janoski, "They are always informed Mr. Pekar. State D.O.T. is always informed. Whether they react to it or not, they are always informed."

Bob Pekar, "All right. Well, like I say, everybody complains about their taxes all the time whether it's state, local or whatever. It all adds up. And at whatever level we can do to help some of this to look with a little bit of foresight into the future, it might be wise for us all. As far as affordable housing, I have no complaints or comments other than I support it. Thank you."

Supervisor Janoski, "Thank you. Any other comment on the matter of this application? That being the case and without objection, I declare the hearing to be closed. Thank you Andrea. Let the record show that the hour of 8:55 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

**8:15 PUBLIC HEARING CLOSED AT 8:55**

**PUBLIC HEARING - 8:25 p.m.**

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on April 4, 1989 at 8:25 p.m. to hear all interested persons who wish to be heard regarding: The Petition of Crystal Pine Estates to Construct a dry lateral water main.

(See Water District Minutes)

**8:25 PUBLIC HEARING CLOSED AT 8:58**

Supervisor Janoski, "You have waited patiently sir. I now invite you up to the microphone."

Bob Keller, Aquebogue, "I'd like to respond to Mr. Pafundi's attorney. He seemed to be very upset about the language in the flyer that was distributed by anonymous persons. I submit that the people of Aquebogue are very upset about the possible pollution and destruction of Cases Creek as we know it today. Mr. Pafundi's intentions may very well be taken. However, I submit that the intentions of the Exxon Oil Company and Captain Hazelwood also, they did not intend to pollute Prince William Sound. I don't think Mr. Pafundi will have any control of the people and the boats that will be docked at his commercial docking and that we will ultimately see Cases Creek become a cesspool. Thank you very much for your attention."

Supervisor Janoski, "Thank you. The meeting is now open to comment on any subject at all. Something on the agenda or whatever you have on your mind. Mr. Goldman."

Rob Goldman, N.F.E.C., "My question to the Town Board is on the Seqra process for the Cases Creek application when we see a full application, will Town Board be Lead Agency?"

Supervisor Janoski, "Most likely. Once again, you're asking about an action that will be taken in the future. I would say yes."

Rob Goldman, "Any other comment from any of the Board members. Yes? Ok."

Supervisor Janoski, "I see a hand. Sherry."

Sherry Johnson, Manorville, "Also on Cases Creek. The letter (I guess) must have been from George of the Conservation Advisory Council. They revised and sent a memo apparently, from their original determination. The letter says that they are waiting for a site plan, a building permit and an environmental assessment form. That means they are going to get additional information and further review this and then make another decision?"

Supervisor Janoski, "That's right."

Sherry Johnson, "And they will make another decision?"

Supervisor Janoski, "That's their responsibility."

Sherry Johnson, "Ok. Thank you."

Supervisor Janoski, "Way in the back there."

Roger Troup, Peconic Bay Boulevard, "I live right near Cases Creek at 710 Peconic Bay Boulevard. And I'm sorry that Mr.

Pafundi couldn't be here and he had to send his mouthpiece because there's an old axiom about residents like us who like to preserve the land and developers seem to like to exploit it. And I would just like to be cautious about this. The ultimate goal, I think of Mr. Pafundi, is not just to have a motel there but rather to do something to exploit that community. I would like to invite Mr. Pafundi to come here the next time himself in person to talk to us about it if possible. Thank you."

Supervisor Janoski, "Any comment on anything at all? Betty."

Betty Brown, N.F.E.C., "I'm representing the North Fork Environmental Council. Advantages of healthy bay waters are common sense to many of us. People visit from other towns to spend summers or just short weekends in Riverhead Town at our bays our sound, our motels and our restaurants. Perhaps some of us wish to ignore the pollution that exists in the Flanders and Peconic Bay estuaries. Perhaps some of us are just too busy to do anything about it. Or maybe some of us just don't know where to start. We are all aware that land on and in close proximity to the shore commands high assessments and is the equity that Riverhead Town has that enables it to collect very high tax dollars. This water front property value is dependent on clean waters and our economy and welfare is dependent on the same. Cases Creek is a small tidal creek that is extremely low flushing and shallow. This means that the creek is not as easily capable of flushing away pollution and cleansing itself as perhaps another larger creek opening into a deeper body of water. Hence, Cases Creek is susceptible to pollution overload. The extent to what goes on in this small creek and other creeks that feed into the Bay, is critical to the total productivity of Flanders Bay. Therefore, any development proposed for this small water body, especially a commercial marina, must be very carefully scrutinized. We support the Town Board's responsibility and obligation to protect Cases Creek and its associated wetlands in order to prevent their despoliation and their destruction. We are here tonight to express our concerns in regard to the commercial marina proposed on Cases Creek. We have an applicant. But to date, we have no application. We trust that a special permit application to the Town Board will be submitted with a complete description of the project and full disclosure. We look forward to reviewing the environmental assessment long form that must accompany the application and detailed environmental impact statement to address all possible impacts. Not only has Cases Creek been designated a critical environmental area, it is a very sensitive body of water. It is an area of exceptional scenic beauty and unique character. It is of great value as wildlife habitat. Additionally, this creek was included on the 1972 EQBA list for acquisition. And most recently, presiding officer of the county legislature, Greg Blass, has offered to sponsor legislation to propose that the property be the subject of a joint county town acquisition. We are confident that the Board as well as the applicant, is able to glean from comments here this

evening that this is not just a flurry of debate over 18 boat slips. This is a regional problem of great importance. The North Fork Environmental Council joins the 102 people that oppose the marina, the Organization of Riverhead Civic Associations and the Brown Tide Advisory Committee. We support development but not when the environment is at risk. I wanted to just briefly respond to a couple of the comments added by Mr. Maloney, the attorney for the applicant. He assured us and it has been mentioned earlier, that his client had no intention of damaging or doing harm to the creek and certainly many of us never intend to pollute. We as residents that live here and want to leave Riverhead a better place for our children, can not rely on the past performance and reputation of developers. What do developers know about the ecosystem of small creeks in our bay? And isn't it true that developers often sell their projects and to who? Make no mistake about it, the neighbors are concerned about Cases Creek. The flyer was not an attempt to insult anybody. The flyer was used as a tool to get people together to come to the Board at a time designated by this Board to hear the people and their concerns. Much like an attorney is hired as a tool to make his applicant's wishes known and get what he wants. The only difference is, the flyer was cheaper."

LuAnn Georges, Aquebogue, "I am concerned as a resident, as a new resident of the Riverhead Town. I moved here from East Moriches and previously before that, Cleveland. Needless to say, Lake Erie is an example of what can happen to bodies of water that aren't scrutinized and I'm concerned about this because I came from the Newport Beach area in East Moriches and the Association has their own marina there. That body of water has... It's a disgrace and those are concerned residents that do live in that area. I don't believe that people coming to the motel and docking their boat for the week or the two weeks are going to have the concern that a resident has. I really feel that, especially if they start bringing in the cigarette boats or any of the high speed boats. It's really going to be a treacherous situation for our children. The wildlife there is beautiful and I am concerned. I am definitely opposed to this."

Supervisor Janoski, "Thank you."

Bob Keller, S. Jamesport, "I took off work to be here tonight for this hearing and it's unfortunate that the way politics work, I probably won't be able to be here next time. So I'm not going to talk long. I'm just going to say this."

Supervisor Janoski, "Mr. Keller, politics has nothing to do with your work schedule and I don't know what you're saying but I wish you'd make it very clear."

Bob Keller, "Ok. That very simply, that when something is advertised that it's going to take place at 7:45 p.m., certain people have obligations and they have to fulfill them or take off to be here."

Supervisor Janoski, "Mr. Keller, I very carefully explained the situation."

Bob Keller, "I'm not blaming you sir."

Supervisor Janoski, "Ok. That's the implication I'm hearing."

Bob Keller, "By politics, I don't mean what you do. I mean the way things operate. I understand that. I'm not going to talk long. I just want to say that the way I view it, the Town of Riverhead is at a real turning point right now. A turning point that was faced by places in Western Nassau maybe thirty years ago and they blew it. If you go to the Town of Hempstead, the groundwater is contaminated. There's no clams, there's no nothing. The run away taxes, piles of garbage. The highest point in Nassau County is the landfill. You want that to happen? Don't let it happen."

Supervisor Janoski, "Thank you."

Perry Conklin, Aquebogue, "I'm amazed on how much people know about Cases Creek. I own the north half of it and I'm really happy to see how valuable it is. But you know, two or three years ago, the state put a drain in the north end of Cases Creek. I didn't see anybody there fighting it. I fought it. Now, all the water from Tuthills Lane, the Main Road, the salt water, the rubber from the tires, the oil, the kerosenes and everything go right in to Cases Creek. This is on the north end. This is where the water springs are. This is where all the fresh water comes from. Nobody was there then but everybody is here to fight the south end where there it washes into the Bay just a little bit. I don't understand this. Why, when we ruined the water on the north end, nobody was there fighting it. Now, the south end, a few boats, everybody fights it. I just don't understand it and I think I know Cases Creek about as good as anybody in this room. Maybe anybody in the county, maybe anybody in the state because I do own. I've walked on every inch of it. While I'm on the subject, I want to talk on another subject too on the two acre zoning. Does everybody in this room now how big two acres is? Two acres is a big piece of property. Maybe you should explain to them like the Town Hall, how big a piece of property this is here that they're going to have to take care of. Well, to zone this town two acres, in my estimation, is an act of discrimination against the landowner and anybody in the future who wants to buy a lot. But I think I have a solution to it. Let everybody in this town have an equal share. Let's treat everybody equally. What I'm trying to tell you, if you want a quarter of an acre, buy an extra acre and three quarters. This would solve your problems. You probably would have enough land in Riverhead Town to sell. You'd have your open land. Maybe you'd have to buy from Mattituck or Brookhaven or somebody. You can't get enough land together. Then everybody would be equal, you'd have your tax structure. And Riverhead landowners would be

happy they sold their land. We would have our open space. The environmental control would be happy. We'd keep it on the tax rolls. You'd have your taxes. You wouldn't have to run any more water mains. You wouldn't have to have any more sewers. You wouldn't have to have any more additions to schools. You wouldn't have any more businesses. Of course, you wouldn't have any more jobs but nobody seems to care anyhow. So if you're going to punish one person, let's punish everybody. Let's be equal about this thing. Let's be fair. That's all I ask."

Supervisor Janoski, "Thank you. Mr. Velys."

Mike Velys, Aqueboque, "Joe, I came prepared tonight, as others did, to speak on this matter of Cases Creek and I'm not going to take the time to say all that I intended to say. I've lived in Aqueboque directly across from Dreamer's Cove. I've lived there for 32 years and I'm very concerned about Cases Creek and the environment there. I'll save my comments for the next session if there should be one, public hearing. But I just want to go on record that I'm very much opposed to any commercial development in that area."

Supervisor Janoski, "I'm not going to tell you what to do but you are a member of the Conservation Advisory Council."

Mike Velys, "I'm speaking as a private individual. I stated that I live across the street. I never gave up my rights Joe. That job doesn't pay enough for me to give up my rights."

Supervisor Janoski, "Yes."

Marica Kramer, Aqueboque, "I am directly in front of the Dreamer's Cove Motel. Now, it's not only the Dreamer's Cove Motel that I'm worried about. Behind the Dreamer's Cove Motel there is also a lot of property there that is for sale. And across the creek there is another parcel of land that is for sale. When we say 18 boat or 20 boats, we are not only talking 20 boats because that might be if let it (god forbid) go to that now. But then when other people come in and see what's happened, we're going to have that whole area just over run. We moved out here thirteen years ago from Queens. And I mean as I turn around and I look at the area, every where you look, the area is changing. If we can't preserve the water even with the brown tide and everything else. I am very concerned. My children, we love that beach and they feed the ducks and the beautiful species of birds that I've never seen before that inhabit that creek. It really is a sin. It's a disaster and I hope that for once, because there are a lot of times that I feel politics, as whoever it was before me stated, that I would like to feel that you're on the side of the residents of your town and not new comers. I mean we want the new comers but not to destroy what people seek, what people came out here to enjoy. Thank you."

Supervisor Janoski, "Is there anyone else present wishing to be heard. Steve and we'll follow that up with Mr. Schmelzer."

Steve Haizlip, "This gentleman right there, his name is Mike. Well, the gentleman that was up said he owns the north end of Cases Creek. Ok. So he spoke about, I believe, he said approximately 30 years ago the state put a drain pipe in there. Three years. Well then if it was three years, then I can't use the scripture: forgive them for thou not know any better because they did know better then. Ok."

Supervisor Janoski, "Mr. Schmelzer, again."

George Schmelzer, "I'd say that anybody wants to put a marina up, let them do it. Anybody wants to make a private beach on the Sound, let them do it. We had a private beach in Westhampton for years since I was a little kid. Now the village took it over and they don't want any outsiders on it. That was so called Rogers Beach on the ocean. And if you want summer business, you've got to have enough marinas for them. I remember in the '50's in Mt. Sinai Harbor when you couldn't put a boat-house up for even a row boat. They wouldn't let you. It was double A zoning and the ritzy people up there loved it and then the town came along and condemned the whole beach for a marina and now they've got hundreds of boats there and they couldn't do nothing about it. The town did it too. So as people come into Riverhead as others come after them, they complain. My answer to them is they should have stopped that the day they moved in. Any of them. So that's hypocrisy. And we hear a lot of talk about pumping stations for boats on the state and county level. I haven't seen one yet. Maybe I haven't been around long enough. Is there any one around, pumping stations for boats? Does the town have one?"

Supervisor Janoski, "Larry's marina has one."

George Schmelzer, "I don't know if there's enough of them around. Maybe you know more about that. Maybe the best use of that creek would be to dam it up about six feet. If you flood somebody's cellar, so what. They wouldn't mind. They're good environmentalists. That preserves and raises the water table and stops any infusion of salt water in the ground. I say again, the ones that preserved the water best were the colonial millers who built the dams around for water ponds. You've got a dam on the Peconic Avenue, at the Forge, Edwards Avenue and one more down at Donahue's and that's what keeps the water table high. And if Blass wants to condemn any land around, let him use the land his house is on and condemn that but I don't think he'll do that. I really think you should consider damming that creek up. Really. That's what we need up in the North Fork. We need to preserve this water. The only way to do that is to dam the creek and you can start right there and I'm sure you've got more creeks up to the east. You have a lot of these good environmentalists with their houses there. They wouldn't mind having it dammed up."

Maybe they can raise fish in their cellars but they wouldn't mind. Ok. Thank you."

Supervisor Janoski, "Thank you. Mr. Maloney."

William Maloney, "I appreciate George's help. Maybe there's too much of it sometimes. My only point here tonight is to come and tell the people that yes. Mr. Pafundi will be here. Mr. Pafundi will answer your questions. Mr. Pafundi in fact, is going to put in a pumping station. One of the few pumping stations in a marina in this area. Mr. Pafundi has obtained from the Department of Environmental Conservation with whom my office litigates regularly, a permit to do what he wants to do. He has obtained from the Corps of Engineers a permit to do what he wants to do. What Mr. Pafundi wants to do in fact in this zone, is a permitted use. He wants to put a resort marina in here. Also in this zone, a permitted use is a yacht club. Also in this zone, a permitted use is a certain type of golf club. I don't think the people who are here battling Mr. Pafundi are necessarily fighting a fight which this Board has not considered before. This area is appropriately zoned. What Mr. Pafundi wants to do is appropriate for this area. Mr. Pafundi has satisfied the state watchdog on the environment that what he is going to do will not be deleterious to the environment. He's persuaded the Army Corps of Engineers that what he wants to do will not be deleterious to navigation. And Mr. Pafundi's application before this Board when it is completed, I'm sure, will satisfy the concern of his good neighbors in Aquebogue. I look forward to seeing them all here again as I'm sure they will be here again when we come back again to appear before you. Perhaps the Conservation Advisory Council will not recommend a denial of our application in which case we might not be back. But I anticipate that if we do have to come back here, that we will all leave good neighbors and that we will all comport ourselves accordingly. Thank you."

Supervisor Janoski, "Thank you. Let me just say that Mr. Maloney's statement concerning the appeal which was scheduled for this evening, may not happen. But there will be of course, consideration of a draft environmental impact statement and other considerations by the Board."

Unidentified Speaker, "Consideration?"

Supervisor Janoski, "Pardon me."

Unidentified Speaker, "A consideration?"

Supervisor Janoski, "A consideration, yes. We don't make up our minds before hand. I don't understand what you're asking me. If there's a draft environmental impact statement, we must consider it."

Unidentified Speaker, "You're going to consider the draft environmental impact statement. You're going to require SEQRA."

Supervisor Janoski, "We don't require. The Town Board doesn't do that."

Unidentified Speaker, "Well, that's what I asked before. Who is going to be the lead agency?"

Supervisor Janoski, "The Environmental Quality Review Board."

Unidentified Speaker, "The Environmental Quality Review Board and they will recommend to the Town Board."

Supervisor Janoski, "I can't predetermine what they're going to do but I have every expectation that they in fact are going to require an environmental impact statement."

Unidentified Speaker, "Because we all know that this is a designated critical environmental area and requires such. Ok. We want that assurance."

Supervisor Janoski, "I can't give you that but I've said as much as I can. Did I see your hand up again."

LuAnn Georges, "As I mentioned before, I moved into the area. I'm in the process of building a house now. When I first did move into the area, I rented a house directly across the little side street that the Dreamer's Cove Motel is on. How does Mr. Pafundi plan on providing parking spaces? Because there was a time when not even all the rooms were filled up and there were no parking spaces there. They were parked in front of our homes on our lawns. How are these people going to trailer their boats in? Are they strictly navigable? I don't understand how or where he's going to put the boats. Where is the parking supplied for this?"

Supervisor Janoski, "As I understand the application, it is what is called a boatel. The people would come to the motel by boat. I don't believe that there is any expectation of renting out slips."

LuAnn Georges, "No. But they did trailer their boats in and there was an inconvenience to the point where the association had a wedding there and they had used the beach and I'm not sure exactly how that was. But this man's motel had public driveways blocked by his clientele. Another thing that is a major concern to me is the Grey Goose that sits directly behind it is for sale. Now, if this marina goes in, does that mean that this person also has the option of extending? Since all of these things supposedly are going through, whoever purchases the Grey Goose, do they also have the option of expounding on this marina? Is it going to turn into a low rent Miami Beach? They said a golfing area there. Where are you going to put a golfing area? It has to be putt putt or miniature golf. That means we're going to see ducks with wings flying around and daisies."

Supervisor Janoski, "I think you misunderstood what the council was saying."

LuAnn Georges, "I may have and I apologize if I have. But just getting back to the parking; there is no parking there."

Supervisor Janoski, "A legitimate concern to be raised and certainly should be addressed in any preparation of an environmental impact statement."

LuAnn Georges, "Ok. Thank you very much."

Supervisor Janoski, "Thank you. I see Joe Gergela's hand up there."

Joe Gergela, "This has nothing to do with the public hearings this evening. I just have a question for the Town Board. I spoke with the Supervisor's Office this morning and I was told that the Wading River neighborhood zone was going to be on the agenda this evening. I did not see it on the agenda. As a professional courtesy, I would like to know if that is going to be addressed this evening."

Supervisor Janoski, "The resolution 240 was (I believe) tabled at the last Town Board meeting. It is something that, by motion of the Board, can be taken from the table at any time. I have asked the question of members of the Board and I do not expect a motion to take that resolution from the table this evening. That doesn't mean it won't happen. So you can ask members of the Board if there's any intention of taking it from the table."

Joe Gergela, "Ok. I'll be blunt. I'd like to know if you intend on handling that this evening. If not, I'd like to know that now so that I don't have all our farmers in Riverhead Town stay here until 2 o'clock in the morning to find out that it's not going to be addressed this evening. Out of professional courtesy."

Councilman Pike, "I know of no Town Board member who is going to take it off the table or wants to vote on it tonight."

Unidentified Woman, "When will it be voted on please?"

Supervisor Janoski, "Once again, it is a question in asking us to predict the future. I would hope that at the next Town Board meeting when all five of us, that it would be brought up and taken from the table."

Unidentified Speaker, "We can continue to watch our backs at all times."

Joe Gergela, "I thank you for your answer. It's obvious to us that it will not be discussed this evening."

Councilman Pike, "That's correct."

Supervisor Janoski, "So the Board is telling you that there will be no motion to take it from the table."

Joe Gergela, "Thank you very much."

Supervisor Janoski, "Yes ma'am."

Gloria Keller, "Just a very short comment. I would like to ask Mr. Maloney if it's possible to know the names of these partners. The one that is a long time resident of Aquebogue, could it be Mr. Galasso?"

William Maloney, "No. Mr. Esseks."

Gloria Keller, "William Esseks and the other partners please?"

William Maloney, "William Esseks runs our law firm. I only said that Mr. Esseks lives in Aquebogue. He is not a partner of Mr. Pafundi."

Gloria Keller, "You said long time resident. Well, then you misled me."

Supervisor Janoski, "Ma'am if you could ask us the questions."

Gloria Keller, "Ok. I'm sorry. I would like to know the partners involved for the marina."

Supervisor Janoski, "Members of the agricultural community, please. I appreciate you being here but we are having a meeting and there's testimony being given here. So if you could tip toe out. Thank you."

Gloria Keller, "I would just like to know the names of the partners involved with Mr. Pafundi."

William Maloney, "I don't know that there are partners."

Supervisor Janoski, "Is that the question? Thank you. Mr. Maloney, do you a response?"

William Maloney, "I have one client who is Victor Pafundi."

Councilman Pike, "If you referred to a partner named Esseks, it's his partner in the law firm that are representing Mr. Pafundi."

Gloria Keller, "But Mr. Pafundi is the only one involved in owning this motel and the marina or proposed marina?"

William Maloney, "As far as I know."

Gloria Keller, "Ok. Thank you."

Supervisor Janoski, "Well, this may come as a big shock to you, but we're going to take a break. We will return at quarter to ten, 9:45 p.m."

TOWN BOARD MEETING RECESSED AT 9:30  
TOWN BOARD MEETING RECONVENED AT 9:56

Supervisor Janoski, "We will take up the resolutions."

Resolutions #245-#285 found on pages 362-438 of the 1989 RESOLUTION BOOK.

**#262 AUTHORIZES THE SUBMISSION OF THE TOWN OF RIVERHEAD 1989'S COMMUNITY DEVELOPMENT BLOCK GRANT.**

Councilman Pike, "I just wanted to take an opportunity to talk, all of us, with Andrea basically before we move ahead with this. I intend to but Andrea, could you join us at the mike please. One of the requests that we heard at the hearing was the possibility of the Kay Road water extension. And I wondered one; whether or not that qualified. And two; I understand that there's a scoring system that you have to evaluate in determining what goes into the package, whether in your opinion that even if it did qualify, it might have lowered the score of our application so that it would have hurt our chances of getting anything."

Andrea Lohneiss, "No. I think we've done in the past, in 1985, the Hulse Landing extension and hookups. If the area is primarily low to moderate income which I'm led to understand it is, then it would score fine. In fact, it would possible be a project that we would include. It would probably take the entire grant application because it would be a fairly expensive project."

Councilman Pike, "Do you have a sense of the scale of the cost?"

Andrea Lohneiss, "Only from Paul Baker this evening. Two to three hundred thousand dollars. It would depend whether maybe they went from the private water company or from the town water."

Councilman Pike, "So the choice is really whether we do new affordable housing or add an amenity to an existing affordable housing. Thank you."

**#263 AWARDS BID FOR BAY CONSTABLE BOAT.**

Supervisor Janoski, "It is important to note that a portion of the cost of this boat will be financed by the State of New York and we are proceeding with an application for that reimbursement."

**#280 ADOPTS AMENDMENT TO RIVERHEAD TOWN CODE AND ZONING USE DISTRICT MAP (BUSINESS CR TO MULTI-FAMILY RESIDENTIAL PROFESSIONAL OFFICE - WADING RIVER.**

Councilman Pike, "There was a typographical error in the adoption of one of the new zonings. We are correcting that to reflect our original intent in the original whereas clauses."

**#282 APPOINTS MEMBER TO INDUSTRIAL DEVELOPMENT AGENCY.**

Supervisor Janoski, "Discussion. The resolution states that Supervisor Janoski has withdrawn from the Industrial Development Agency. That is not true. I have not withdrawn from the Industrial Development Agency."

Irene Pendzick, "Are you amending?"

Supervisor Janoski, "I didn't move it. My position is that there is no vacancy. So what do the movers of the resolution want to do. My opinion is that there is no vacancy. I did express an intention to remove myself, I have not done so."

Councilman Lombardi, "We thought you retired Joe."

Supervisor Janoski, "I didn't. I said that I was going to but somebody changed my mind. What could you do?"

Councilwoman Civiletti, "We could take out due to, we could delete; the withdrawal of."

Supervisor Janoski, "There's still no vacancy until I do resign."

Councilwoman Civiletti, "Well, then we can insert; to the fact that Supervisor Janoski was not appointed by resolution."

Supervisor Janoski, "Well, that's open to debate too. Some Board members are taking the position that I was never appointed to the Board. This is something that would have to be researched and find out. I would hope that I was appointed by the members of the Town Board at that time many years ago because I have acted in the capacity as a member of the board. So what do you want to do now guys. In my opinion, there is no vacancy."

Councilman Lombardi, "In my opinion there was."

Supervisor Janoski, "So what do you want to do? There is no letter of resignation to the IDA that you have on file."

Irene Pendzick, "There's no appointment either."

Supervisor Janoski, "Well, we will deal with that tomorrow when I get some time."

Irene Pendzick, "Well, if I can answer the one, I can answer the other."

Supervisor Janoski, "There's minutes of IDA meetings."

Irene Pendzick, "Which are not on file with the Town Clerk."

Councilwoman Civiletti, "I have a second and then I would submit the motion that I just offered to amend. I move to amend #282 so that the first person; whereas the vacancy exists on the Industrial Development Agency due to the fact that Supervisor Janoski was not appointed by resolution of the Town Board. Rather than due to his withdrawal."

Supervisor Janoski, "You can move anything you want."

Councilwoman Civiletti, "Do I have a second on the amendment?"

Councilman Pike, "Second."

Supervisor Janoski, "I still contend that there is no vacancy but it is moved and seconded."

The vote for the amendment, Boschetti, absent, yes Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, no.

The Amendment was thereupon duly declared adopted.

The vote, Boschetti, absent, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, no.

The resolution was thereupon duly declared adopted as amended.

Councilwoman Civiletti, "About the other resolution, the other vacancy. Did we determine what the school was? That was sort of left up in the air."

Councilman Lombardi, "Leroy, when does that school start?"

Leroy Barnes, "The classes are given some time in May."

Councilman Pike, "Is there a vacancy."

Supervisor Janoski, "There will be as soon as I can get the letter of resignation to the Town Clerk. Does that make it official? I have a letter which, quite honestly, have not read."

But I understand that it is a letter of resignation from Mr. Conroy who has recently been elected as co-chairman of the Republican Party. And as such, has made the decision to step down from the Review Board."

Councilwoman Civiletti, "I want to make sure we can appoint someone in time for the school to fill Mr. Conroy's vacancy otherwise it would be a two person board."

#### #284 ADOPTS RESOLUTION REGARDING THE LONG ISLAND LANDFILL LAW

Councilwoman Civiletti, "We were requested by the State D.E.C. to give them a resolution telling them officially how we intend to comply with the December 1990 deadline for closing of the Town of Riverhead landfill for the purpose of landfilling and process of municipal solid waste and that's what #284 does. Essentially it reaffirms our commitment to reduction, recycling and composting set forth in an earlier resolution of the Town Board adopted in February. And also reaffirms our commitment to avoid incineration base waste to energy as a means of handling solid waste disposal for the Town of Riverhead. And specifically states that we have no present intention to participate in the Town of Brookhaven waste to energy facility formerly proposed. Because Mr. Berger in his letter of February 28th, expressed surprise because he thought that it had been the town's official position that we were in fact, intended to participate in that incinerator. And I'll move #284."

Supervisor Janoski, "Well, there is more that I agree with in this resolution than I disagree with. So I will vote yes."

Resolutions concluded at this point.

Supervisor Janoski, "There is perhaps another matter that the Board may want to consider. Anything else?"

Councilwoman Civiletti, "I also think that if we do that... At this point, I think I'm certainly willing to do that. But I think it ought to be written out and thought through more carefully. I would suggest that there may be a possibility of a special meeting between now and April 18th."

Supervisor Janoski, "There probably is a good possibility of that."

Councilwoman Civiletti, "That maybe we can get it together in time for that."

Supervisor Janoski, "Whatever the wish of the majority is, I will certainly go along with. There's nothing else that you want to do? Without objection, this meeting is adjourned."

There being no further business on motion or vote, the meeting adjourned at 10:27 p.m.

IJP:nm



Irene J. Pendzick  
Town Clerk