

Minutes of a Regular Board Meeting of the Town Board of the the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, September 6, 1988 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilwoman

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

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

*Councilman Boschetti offered the following resolution TO BE TABLED which was seconded Pike.

RESOLVED, that the Minutes of Regular Board Meeting held on August 2, 1988, Special Board Meetings of August 4 and 22, 1988 and Scoping hearing of August 9, 1988 are hereby dispensed with and approved without objection.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared TABLED.

Supervisor Janoski, "There are some department heads here somewhere. There's one, there's Stanley. So there's a couple department heads here, (there's Dottie) should anyone have any question concerning the operation of any department, they are present. Now, there is a reference to Board Meetings of August 2nd. That's the one in question. And at the request of Mr. Kasperovich who finds there is, alleges there is submissions, that we would like some time to go through them. Actually, we haven't received any of these minutes."

Councilman Pike, "They're in the boxes."

Supervisor Janoski, "Ok. They're in the boxes. So that perhaps we might consider tabling these because we really haven't had the opportunity to review them having received them this afternoon. So is there a motion to table the approval of the minutes?"

Councilman Boschetti, "I will move to table and also to give Mr. Kasperovich time to point out to us where these omissions occur in the minutes."

*See above for resolution and vote of minutes.

Supervisor Janoski, "Reports Mrs. Pendzick."

REPORTS

Supervisor's Office-Monthly reports for February, March, April June and July, 1988.

File

REPORTS Continued

Planning Board, 8/22/88-Approves final plat; "Tall Oak Estates".

File

Building Department-For month of August, 1988.

File

Planning Board-Notice of Completion of DEIS & SEQRA Hearing re: Lewin Farm subdivision.

File

Supervisor Janoski, "Thank you. Applications."

APPLICATIONS & PETITIONS

Site Plan-Riverhead Building Supply, Pulaski Street, addition to facilities.

File

Site Plan-Finecraft enterprises, Inc., Riley Avenue, construction of storage facility.

File

Site Plan-Agway, Inc., Osborn Avenue, renovation of buildings.

File

Site Plan-LPB of Wading River, Route 25A, construction of building.

File

Petition-Mohring Enterprises, Inc. for Jamesport Water Ext.

File

Change of Zone-Casilen Corp. Agricultural "A" to Residence "C" on Osborn Avenue and Middle Road.

File

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Jesse & Delores Stidd, 8/17/88-Opposed to stone-crushing facility on Osborn Avenue.

File

John & Joyce Rienzo, 8/16/88-Sees no reason to restrict traffic on Middle Road.

File

Suffolk County, 8/16/88-Resolution in support of National Estuary Designation for Peconic Bay.

File

S.C. Planning Dept., 8/25/88-If no objections received by 9/14/88 re: Brookhaven Local Laws #14, 15, 16, & 18-88, it will be assumed there are none.

File

Wandelin Giebel, 8/15/88-Expresses concern re: expanding Wading River jetty; advises stringent set-back requirements; suggests removable boat ramp and recommends plans of upgrading or dredging be abandoned.

File

H2M, 9/1/88-Advising that Water District wells were used to capacity during summer and the need for two new wells by next summer.

File

CORRESPONDENCE, Continued

June Marcley, 9/2/88-Copy of Letter to Chief Grattan re: Bike-a-Thon on 10/16/88.

File

Supervisor Janoski, "Thank you. The time for the first public hearing, the only public hearing has not yet arrived. There is, as you can see from our newly designed agenda, a very lengthy list of Unfinished Business and it is explanatory as to where they are in the process. I would recognize anyone wishing to be heard on any subject at this time. Steve. I almost forgot your name. It's been a while since I've seen you."

Steve Haizlip, Calverton, "Ever since this report that came out from Judge Jason about this traffic situation up in Hauppauge and the courts and the way that the motorists and so forth..... (undecipherable). And about the insurance scam. So I decided to write our First Senatorial Senator that use to be your former boss. And now if he wants to put feathers in his hat, he sends out nice reports and pictures and he gets feathers in his hat. But when you write him correspondence asking him for an answer and saying this is going on in his district and do you condone it, you don't get any answers back. So when you elect these people, you elect them to answer your questions and send the correspondence to them and not be ignored. And in closing, you always say anybody can speak their mind, their peace in your town and thank you for allowing me to do it."

Supervisor Janoski, "Thank you Steve. Is there anyone else who wishes to speak to the Town Board on any subject, anything contained in the resolutions? Alice."

Alice Graff, Riverhead, "I wonder when these sidewalks on Main Street will be completed, the finishing up of that area."

Supervisor Janoski, "I wonder too. I don't know. The Highway Department is busily engaged, and of course the period of time which they have to work on sidewalks is coming to a close because the cold weather."

Alice Graff, "It's been forever that it's been like this."

Supervisor Janoski, "Forever is a long time."

Alice Graff, "That's right."

Supervisor Janoski, "I don't know the answer to that Alice. If the Highway Superintendent were here, perhaps he could.... Is there anyone else who wishes to address the Board on any subject? I'll get you next."

Bob Pekar, Calverton, "A couple of weeks ago there was a public hearing here concerning the appointment of assessors versus the election of assessors. And I understand that that is going to be voted on this evening. I also know that it might be a little bit dangerous to quote newspapers but I'm going to do so anyway here. According to Newsday today, several (Quote) Town Board members said

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PERSONAL APPEARANCES, Continued

Bob Pekar, Continued

by passing the measure, all you're doing is insuring that the public has its say, (unquote). Then Mr. Boschetti is quoted as saying it's really just a question for the voters to decide. I think our job is to allow them to make the decision. Then it goes on to say; sources close to the Board (whoever that is) time is right for the sole assessor question to be put to a vote. Now that all sounds very well. I'm sure that you people bringing this up, you have our best interests in heart. If that's being the case, maybe we should take a look at some of the positions that we have in this town that are not elected."

Councilman Boschetti, "Excuse me. Before you go any further, I have to ask this question. I really apologize for interrupting but you said that I was quoted in Newdsday as saying; that the sole assessor question is really one...."

Bob Pekar, "I'm sorry. I said sources close to the Board on that."

Councilman Boschetti, "Ok. But that is absolutely incorrect."

Bob Pekar, "No. I said sources close to the Board and I stated whoever they are."

Councilman Boschetti, "Well, let me just point out to you for the record that the quote that you read being attributed to me on the question of sole assessor is absolutely incorrect."

Bob Pekar, "I also prefaced it by saying that I know it is dangerous."

Councilman Boschetti, "I understand and I'm just pointing it out to you."

Bob Pekar, "I'm just going for what's there and just that. I will get back to my train of thought here. If we're so involved in seeing what's right for the people about whether we should have elected or appointed officials, then maybe we should consider other positions. Possibly the one of Deputy Supervisor. I don't remember that question ever being put to the voters. I don't remember anybody being asked whether that position was necessary. I mean if we're going to go this way, then maybe we should go all the way and look at all avenues. It is just... The only thing I've got to say, I'm concerned and I'm sure you are concerned with what's good for the town. And if we're going to do something, let's look at all avenues. That's all I ask. Thank you."

Kenneth Pierce, Osborne Avenue, "You know I'm looking at your agenda here. I love a mike because I move out here from Smithtown and I go to your Zoning Board meetings. You know why I do this where I do? Because there's a record that I speak. You guys have the unique opportunity to protect out here. I go to your Zoning Board meetings and I listen to people giving variances that are sick. I think I spoke to Mr. Pike earlier and I said to him; go to Smithtown. And I

PERSONAL APPEARANCES, Continued

Kenneth Pierce, Continued

don't want anybody in this audience to think that I'm bringing Smithtown's reverence out here. There is nobody out there that I don't want to protect."

Supervisor Janoski, "Sir, please address the Town Board."

Kenneth Pierce, "Yes but do you know what your position is?"

Supervisor Janoski, "When I woke up this morning, I did."

Kenneth Pierce, "Yes but you know for many years I was a merit badge counselor in boy scouting. You can go back to my records and all that right? You know what you are? And I always apologize to my own self. You're doing a job that we hired you to do because we worked only....(undecipherable)Janoski and I said this to Pike tonight. Do you agree with me Mr. Pike?"

Councilman Pike, "What was the question?"

Kenneth Pierce, "The question was; did I talk to you earlier today?"

Councilman Pike, "You did call me today."

Kenneth Pierce, "That's right. You know what? Nobody wants to prostrate themselves today. And I taught in scouting; I hope that many young boys stand in front of this d--- little thing here to defend themselves. You guys, and I have to find out... I don't know you Janoski. I really don't but I have to go before the Zoning Board and I play jigsaw puzzles and I'm very.... I'm just thinking to myself. You don't have a time limit on this mike."

Supervisor Janoski, "Yes we do."

Kenneth Pierce, "Alright. But I have to criticize you. You know why? Because I want you to be better than what you are. You have gallstones and all that, right? How can I do that in a microphone. Because I'm only..."

Supervisor Janoski, "I'm waiting for a complete thought."

Kenneth Pierce, "No. You know what it is. People forgot what America was about, that they can stand at the microphone and listen to the guy make a presentation to the Board before and he's begging for some sort of a determination from your Board. You don't represent anybody up there outside these people. If you think you..... Where do you get your checks from?"

Supervisor Janoski, "I'm probably one of the few people that signs his own."

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PERSONAL APPEARANCES, Continued

Kenneth Pierce, "That's right. But who signs...? Who gives you the money?"

Supervisor Janoski, "That comes from the people?"

Kenneth Pierce, "That's right. There's nobody in this audience that doesn't pay for your salary."

Supervisor Janoski, "That's true."

Kenneth Pierce, "That's true for anybody that's up on that Town Board there. If you think you're sitting there, you're doing a favor. How would I say it? You're not doing a favor. You're doing a job that we can't do. We hired you to do a job. Am I shouting? That's how arrogant I am because I'm annoyed that you think we're... We pay your salary. Not... I'm taking three attorneys up there. She's an attorney, you're an attorney and he's an attorney."

Supervisor Janoski, "I'm not an attorney."

Kenneth Pierce, "God help us if you put your life in an attorney's hands. I'll tell you what. They'll take your underwear off. Maybe... I enjoy coming here. You know. I used to be an a-----. Yes, but I can prove that."

Councilman Pike, "I got to ask, I got to ask. Has things gone uphill or downhill since then?"

Kenneth Pierce, "I'm sorry if I bore you. But you have to understand. You know, I use to be a very very.... How do I say it?"

Councilman Pike, "A quiet person?"

Kenneth Pierce, "You'd never see that. I just came back... I have my boat down at East Creek, right. And there's a guy that has a boat next to me. You have to understand. I don't get this many opportunities. If you ever want to see me...."

Supervisor Janoski, "You're starting to run out of your opportunity. Your time is running out."

Kenneth Pierce, "Alright. If you ever want to come and throw stones at me Janoski, right..."

Supervisor Janoski, "I just want you to complete a thought so I can understand. I've always understood that I worked for the people and they pay my salary and I work on their behalf. But there's something that's got you perturbed. So tell us what that is. You started off with the Zoning Board of Appeals."

Kenneth Pierce, "No. I started off earlier to say you have a unique opportunity out here in the eastern part of the Island, right. I worked from Cutchogue... No. Copiague, right, Easthampton."

PERSONAL APPEARANCES, Continued

Supervisor Janoski, "I think you're trying to tell us that we have a unique opportunity to preserve the way the East End of the Island is."

Kenneth Pierce, "But that only gives you.... You're halfway.... You understand what I'm trying to say then."

Supervisor Janoski, "Yes."

Kenneth Pierce, "You have to grasp it. You know. I come here with a piece of paper in my hand. I go to your Zoning Board meetings, right. And I'm saying; you know what you do. You go there and you listen to that philosophy. You know what they're doing? And I'll give you a hypothetical situation that I sit there and I'm saying to myself; I'm probably boring everybody here but I have to go on."

Supervisor Janoski, "Well, you've reached about the end of your five minutes believe it or not."

Kenneth Pierce, "Give me about.... But here right. Here is a point...." (turned away from microphone becoming inaudible.)

Irene Pendzick, "Mr. Pierce, I won't get you on the microphone."

Kenneth Pierce, "I'm sorry. You have to understand that I'm a crazy person. But I come back from my boat and I have my boat in the East Creek. Anybody can go down there and sink it. Alright."

Supervisor Janoski, "Mr. Pierce, I'll ask you to make a point in the next thirty seconds or relinquish the microphone without any stories about your life."

Kenneth Pierce, "Janoski, you're a lucky man. I'll tell you that. I go to the Zoning Board meetings and...."

Supervisor Janoski, "You've already established that."

Kenneth Pierce, "You can cover all your faces. All the points are the same. But they're legislating the integrity of Riverhead away. That's all I'm saying. You go there, right, and listen to them. I play jigsaw puzzles. I'm still evaluating you."

Supervisor Janoski, "Crossword puzzles."

Kenneth Pierce, "That's what I do. I have to evaluate you. But I'm saying I don't think your Zoning Board is being as strong and they're all appointed officials right?"

Supervisor Janoski, "Yes."

Kenneth Pierce, "You know. And that's why I come from Smithtown. You know why?"

PERSONAL APPEARANCES, Continued

Supervisor Janoski, "No."

Kenneth Pierce, "Because that's experience, right. And I come out here and I look and see what you do. I'm saying you have such a treasure. But you have to be tough. You have to be a person that's in charge of controlling the zoning."

Supervisor Janoski, "Mr. Pierce, I thank you for that advice and we have a couple minutes left before the public hearing and I know Mr. Kasperovich had his hand up before."

Kenneth Pierce, "Do you mind if I give you..."

Supervisor Janoski, "It's getting to the point where I do mind very much. You've gone to seven minutes. Our rule here in Riverhead and not Smithtown, is five minutes. And we will be doing this again two weeks from now."

Kenneth Pierce, "Mr. Janoski, I make the point."

Supervisor Janoski, "We have a unique opportunity."

Kenneth Pierce, "I take my glasses off, you shall see me here. Why? Only to make you speak better than you are."

Supervisor Janoski, "Well, I appreciate that and I thank you."

Kenneth Pierce, "And I think you... Do you mind? I still have the mike, right?"

Supervisor Janoski, "Not too much longer."

Kenneth Pierce, "I thank the audience and the Town Board and all these people here who are being paid by the public and I thank you."

Supervisor Janoski, "Thank you Mr. Pierce. Is there anyone else who wishes, in the three or four minutes remaining, to address the Town Board? Mr. Kasperovich."

William Kasperovich, Wading River, "Excuse me. I'll repeat that. William Kasperovich, Wading River. This little black box of mine has saved me no end of troubles. It certainly has been able to tell me the following morning, exactly what I said. And to demonstrate a point, if you would kindly bear with me. Because as I leave the microphone and walk to the opposite end of the room where I heard you this evening say that if you get away from the mike, you can't be heard. And yet in the minutes of August the 2nd, I'm standing over here and I'm heard very clearly standing over here and I'm heard clearly. Now something is amiss. It would appear that once again, in very simple terms, that the entire Board...."

Supervisor Janoski, "Can I say something Mr. Kasperovich because I just rememberd that you walked in late and you missed the point that we made at the beginning of the meeting concerning the minutes. We tabled the minutes specifically in one instance on your

PERSONAL APPEARANCES, Continued

Supervisor Janoski, Continued

observation that there was an omission. And we tabled the minutes for the purpose of looking into that particular problem. So that happened, I just remembered, before you walked in."

William Kasperovich, "Well, I demonstrated one of the many problems of that particular evening. I'll continue what I was going to say because I think it's somewhat off the point but important to the entire township. That the people be informed because on August the 2nd, I realized that there is so many people including many officials that do not understand what your five minute ruling is. Now, to me, there are two situations. One, at a time when you have on the agenda anyone wishing to be heard. But then this is in a category by itself and does not cover public hearings. Public hearings announced held for the public, can not be held without restraint of the public speaking. With restraint of the public speaking. You can not have a public hearing and restrain the public from speaking. And it seems that this five minute ruling is falling into two categories. One of which they do not belong. Public hearings are for the public and the right of free speech is given to us by our constitution. Now, who the h--- am I to be up here telling you people this? I'm not smarter than you are. I didn't pass law school. I haven't had the many experiences of, years of experience that the other remaining councilmen have. But yet if it isn't brought to your attention, it seems you take advantage of it. Because nobody but nobody up there made any comment about the man's constitutional rights being violated. And the first time, the old jewish saying was shame on me. But the second time, is shame on you. And because we might face each other before a judicial body, I will now refrain from anything further."

Supervisor Janoski,. "Thank you Mr. Kasperovich. I would, just because you placed that on record, just like to point out that the procedure with regard to public hearings does employ the five minute rule. And that is done to insure that everybody in the audience has an opportunity to speak. But if you will jog your memory Mr. Kasperovich, you will remember that we do recognize people a second time after everyone wishing to speak has been heard. And I have often said from this podium that we will sit here and listen as long as anyone wants to speak. So your facts, while five minutes is used, it is used for that reason and we have not refused to recognize a person a second or third time. And that opportunity to speak item for item is always there."

William Kasperovich, "And yet it was violated for the second time."

Supervisor Janoski, "Thank you Mr. Kasperovich. Well, I see that the time for the first public hearing has arrived and we must move on to that public hearing. Let the record show that whatever time it is, 7:59 (let's call it)."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, September 6, 1988 at 7:55 p.m. to hear all interested persons who wish to be heard regarding: Proposed Amendment to Section 108-97A(1) and (3) and Section 108-97F(1), (2), (3) regarding; Major Subdivisions.

Supervisor Janoski, "Let me briefly... Do you have it."

Patricia Moore, Town Attorney, "There are some minor changes to the major subdivision regulations. We are going from.... Previously the subdivider had to submit seven copies of the sketch plan. Now it's 12 copies of the sketch plan as well as a final plan and that the old ordinance had that the Planning Board had to receive the sketch plan or preliminary plan at least sixteen days prior to the regular meeting but that provision is being taken out. So there will not be a time limitation. This will try to coordinate with our SEQRA laws. The State Environmental Quality Review Board."

Supervisor Janoski, "Is there anyone present wishing to address the Board on this proposal? Did we say that it was a recommendation of the Planning Board?"

Patricia Moore, "Yes. This is a recommendation of the Planning Board."

Supervisor Janoski, "That being the case and without objection, I declare the hearing to be closed."

7:55 PUBLIC HEARING CLOSED AT 8:00

Supervisor Janoski, "Is there anyone who wants to address the Board on any question or the resolutions or anything on the resolutions or any questions? Then we are going to take up the resolutions."

RESOLUTIONS #553-587 contained on pages 998-1059 of the resolution book.

#555 OPPOSES COUNTY RESOLUTION #1802 "PROPOSED CRITICAL ENVIRONMENTAL AREA".

Councilwoman Civiletti, "There are at present, two resolutions on the table in the County Legislature designating Critical Environmental Areas much in the same fashion similar to the way that the legislation that we had a public hearing on a few weeks back. One of them which was introduced by Legislator Thiele seems to make a great deal of sense (it seems) similar to the one that we are considering. The other introduced by Legislator Prospect among others, we as a Board, became clear after our discussion today, felt it does not make a lot of sense. Largely because... Well, one major reason is because for every permit that would be issued, for example, by the Suffolk County Department of Health, the County Legislature as a whole,

RESOLUTIONS, Continued

Councilwoman Civiletti, Continued

would have to approve. I don't.... Need I say more? I move resolution #355."

(resolutions interrupted at #368)

Supervisor Janoski, "Hold it up a second. Do you have a question about the resolutions?"

Kenneth Pierce, "My only point of it is, what you're doing, that everybody in this room agrees to what you're doing."

Supervisor Janoski, "Next resolution."

#570 ADOPTS RESOLUTION RE: AMENDMENT TO SECTION 108-80 OF THE TOWN CODE.

Councilman Pike, "Mr. Supervisor, this language which we did not get a chance to discuss in work session today, still includes the requirement that testimony given at a public hearing be given under oath. In zoning changes I think that's an unnecessary infringement of first amendment rights. So I'm not willing to move, second or vote for this."

Councilman Pike motioned to table which was seconded by Councilman Boschetti.

#573 ADOPTS RESOLUTION RE: LOCAL LAW OF 1988 TO APPOINT SOLE ASSESSOR.

Councilman Pike, "Mr. Boschetti has indicated that he does not want to move this. I will do so with some explanations. We have, for the last couple of months, talked about the possibility of finding ways to increase the professionalism of the Assessor's Office. The current assessors have made the case to us with the new training that they've had and the new equipment that they will get that they will be able to do that. So I've been torn about this resolution. There's been some desire on my part to basically say, okay fine. Do it. Get it done. Get it done right. Get it done well. Get it done soon. We are running out of time before we get clobbered over the head. This local law only reduces one of the disincentives to the problems that we're facing with inequities and assessment rolls. And I don't pretend it would, its passage or its failure solve all of the problems over there. And I think Mr. Barnes is aware of that and has made a commitment at the hearing the last time when we talked about this subject to try to address the other ones. So whether it passes or fails here is not as important as what gets done. I can guarantee you that if it fails tonight that if the job is done in a reasonable amount of time, that this will surface again and that you will have little else to fall back on other than somehow there is something institutionally wrong that prevents the job from getting done and that this might solve it either now or then. It would have been simple to say just that and vote no

RESOLUTIONS, Continued

Councilman Pike, Continued

tonight but I think that anybody who has read the law journal that's published daily out of New York City will discover that the crisis continues and we are continuing to take serious hits in the assessment rolls because of inadequate assessing. And therefore, I'm willing, subject to principle, to move this resolution as being one thing we should consider and continue to consider letting the people of the Town of Riverhead decide whether it would be an improvement to getting the taxes and the tax rolls of this town in shape. So I will move 573."

Councilwoman Civiletti, "I'd like to move to amend it. I think that the version we have before us would have the term of the assessors who are presently in office terminate immediately upon or the day after election day in the event that the proposition is approved by the electorate. And I think of the many things that were said in the discussions both at the public hearing and in the media, one valuable point that was brought up was that it shouldn't be so sudden. I agree with that completely and I would move to amend it. I'm open to discussion in terms of the time frame."

Supervisor Janoski, "Well, it is a Local Law. It requires republication, rehearing. It is a local law and it would therefore, require republishing and a rehearing. I didn't know that my microphone was turned off. This is a local law which means that any change that you make which is significant and this is, would require the republication in the official paper of the notice of the hearing and the holding of another hearing. So I don't think that we can right now amend the resolution. Town Attorney."

Councilman Pike, "I agree with Joe on the legalities there. I think I know what's going to happen here. So let me just say that I agree with the modifications that Denise has suggested. It would, if the people choose, provide for a more orderly transition from the elected assessors to a sole assessor and professional civil servant assessing office. That not being legally possible, I'll keep the motion on the table."

Councilwoman Civiletti, "Ok. Then I'll retract my motion to amend."

Supervisor Janoski, "Is there any other discussion?"

Councilman Boschetti, "Seeing how we're discussing it, I might as well say it now. I would just like to point out the other side of this particular issue which is; we had a public hearing on it which I agreed with not the essence of this particular resolution but I agreed with having a public hearing because I thought it was important to hear what the public had to say on this particular matter. And what they said certainly rang very loud and clear for me. They said that they want to maintain control over this position by having it remain as an elected one. Not one person at the public hearing and this is somewhat unique, not one person spoke in favor of this. I think that that speaks in and of volumes of itself. And because that's the fact and because I happen to agree that I think control of this particular position should remain with the people through the elective process, that we should keep that in mind as we are about to cast our votes. Thank you."

RESOLUTIONS, Continued

Supervisor Janoski, "Ok. The resolution has been moved and seconded. Please call the question."

prior to voting the Supervisor makes following comment.

Supervisor Janoski, "Let me just savor this because it's not very often that I get to cast a deciding vote. Ok. No."

Mr. Kenneth Pierce interrupts resolutions at #577 to make a comment.

Kenneth Pierce, "When you move on these motions, right.... have an opportunity to talk...."

(Speaking from audience, Mr. Pierce's remarks are inaudible).

Supervisor Janoski, "Technically, if you had a question on a resolution, I would recognize you. You have the right to be here and to observe what we're doing but we are very casual here. But if you had a question on a specific resolutions, I'll stop everything and see what's on your mind."

Kenneth Pierce, "My only point is that wherever I go to a meeting..."

Supervisor Janoski, "That's true too. You should come up to the microphone. Being that you've got our attention, why don't you come up to the microphone because it really should be on the record."

Kenneth Pierce, "Do I really have your attention?"

Supervisor Janoski, "Yes."

Kenneth Pierce, "You know... I tell you it's not many..... There have been two books in my life that I have been driven by. One is the dictionary and one is Robert's Rules of Order. Being three attorneys up there...."

Supervisor Janoski, "Robert's Rules of Order does not apply to Town Board meetings. It is specifically prohibited by law."

Kenneth Pierce, "You have to specify that. That is not being really run according to the rules of your charter."

Supervisor Janoski, "I'm afraid you didn't hear what I said. It is specifically prohibited by New York State Law to use Robert's Rules of Order in the proceedings of a Town Board meeting. Believe me when I tell you."

Kenneth Pierce, "I will give Ms. Civiletti.... Alright. Check that out. But I'm saying... Stupid man. I'm only saying that, you know... I go back to what I said to you before, okay."

Supervisor Janoski, "That you're checking me out."

RESOLUTIONS, Continued

Kenneth Pierce, "That guy over there that sits on your right side, right. I have to check him out to find out if he's going to defend me, right."

Supervisor Janoski, "Do you have a question about this resolution we have before us?"

Kenneth Pierce, "My only point was that you don't put it up on the table for discussion."

Supervisor Janoski, "Yes we did when there is discussion."

Kenneth Pierce, "You run these meetings like you're a dictator. I'm not being unfair to you, believe me. But I'm saying... I'll excuse myself from the podium."

Supervisor Janoski, "What are you calling fair?"

Kenneth Pierce, "Discussion."

Supervisor Janoski, "What I mean, if you're observation or you are saying I run this like a dictator is not unfair, what is unfair to you? I'm sorry. One thing you don't know about our procedure is that the Town Board has met and worked over these resolutions this afternoon. Usually it's done on Monday but because it was Labor Day, we did it today. When there was a question, you saw that happen. There was discussion."

Kenneth Pierce, "You know what I want to do?"

Supervisor Janoski, "What."

Kenneth Pierce, "Is to... I'm telling you, you don't know hard I've argued in my life to prove to people. I've ran for offices where you're sitting, right. I have my public records to prove that, right. Pike knows me, right, and his father. Whatever that means. But I'm coming out here, right, and I'm only saying I'm going back to what I originally said to you earlier. You have to protect that Zoning Board. I'm telling you, that's where you lose your integrity."

Supervisor Janoski, "I understand. Mr. Pierce, I recognized you for the purpose of a question you might have on a resolution before the Town Board. Do you have such a question?"

Kenneth Pierce, "My only point was exactly what you're doing right now. To open it up into discussion."

Supervisor Janoski, "There is open discussion. If you have a question about the resolution, I'm willing to discuss it and so are the others."

Kenneth Pierce, "If I read this thing here, right, it doesn't know a d--- thing. I don't know what you're talking about."

RESOLUTIONS, Continued

Supervisor Janoski, "Well, why don't you ask a question."

Kenneth Pierce, "What do you think I'm standing here for? I can make an a-- out of myself. You know, I fell in the water the other day."

Supervisor Janoski, "That's pretty obvious."

Kenneth Pierce, "Do you know what?"

Councilman Boschetti, "Mr. Chairman, Mr. Chairman, Mr. Chairman, may we please restore order to this meeting? This is completely out of order."

Supervisor Janoski, "Yes. Mr. Pierce."

Kenneth Pierce, "Alright. I go back to what I said to you before. Thank you very much. Just open it up for discussion. Hey, I'm going to break your whatever. Thank you very much for your time."

Supervisor Janoski, "I don't think so. Thank you Mr. Pierce."

Meeting continued with resolutions #578

#578 SUPPORTS RESOLUTION NO. 1799-88 OF THE SUFFOLK COUNTY LEGISLATURE ENTITLED "A LOCAL LAW ESTABLISHING STANDARDS AND PROCEDURES FOR RENTAL HOUSING FOR THE DEPARTMENT OF SOCIAL SERVICES IN THE COUNTY OF SUFFOLK WHERE SUCH HOUSING IS DANGEROUS, HAZARDOUS, OR DETRIMENTAL TO LIFE OR HEALTH."

Councilman Boschetti, "This particular resolution needs a little bit of explaining. So I'll try to explain it so you all understand it. This particular town and other towns in Suffolk County as well, has been trying to get the Department of Social Services to work cooperatively with us in order to provide housing for Social Service recipients that is not substandard. Many of you may have seen in the past where people who are on Social Services are placed in homes that are simply not fit for habitation. Therefore, we are passing this resolution in support of a Suffolk County Legislature resolution #1799 which states the following: It requires that Suffolk County Department of Social Services, etc." (See resolution, page 1048 of resolution book.)

#579 AUTHORIZES SUPERVISOR TO ISSUE PAYMENT BY CHECK TO STATE OF NEW YORK FOR INTERSECTION IMPROVEMENTS.

Councilman Pike, "We have to own up to a 6% contribution for a series of road improvements that have been made."

Supervisor Janoski, "Without objection, the meeting is adjourned."

Steve Haizlip approached the podium to be recognized after meeting was adjourned.

PERSONAL APPEARANCES

Supervisor Janoski recognized Steve Haizlip.

Steve Haizlip questioned the intent of resolution #579.

Supervisor Janoski, "...by the local government. In this case it's 6%."

Steve Haizlip, "From the Town of Riverhead."

Supervisor Janoski, "From the town. But the resulting work which is being completed totals to more than a million dollars."

Steve Haizlip, "Ok. Let's send them back up to Edwards Avenue and get that dip and crown out of there when they come up to make the light that they don't lose all their mufflers and bumpers and bumper guards when they go across. On 577; I'd like to add a little humor to that. Where it says you're going to authorize to proceed with waste refuse, right. What they're going to find is the statement by Howard K. Smith; buy American quality products made by American quality people. You are going to find that when you get up there, that every American refrigerator, stove, washing machine, is all mountain high and I haven't seen a Japanese one up there yet."

Supervisor Janoski, "Alice, I'm going to save you for last. Mr. Pierce. Now Mr. Pierce, I would like to ask that you make a point."

Kenneth Pierce, "I am. You know I come out here, right. And I am directing it to your Mr. Janoski or are you looking the other way?"

Supervisor Janoski, "I can hear you."

Kenneth Pierce, "I'm concerned for my own safety. I want to say that. It's a wonder somebody hasn't killed me already. I direct my questions to the Mayor...."

Supervisor Janoski, "Quite honestly, by the rules of the State of New York, you're supposed to address the chair. Go right ahead."

Kenneth Pierce, "Yes. And you know through ignorance sometimes I look away. But I'm talking about the intersection of 105 and 58, right. And I'm giving you the opportunity to correct the situation because I don't want to go down to that Supervisor's Office there. I want a striping done, right. I'm giving you the opportunity to do something that should have been done, right. I always get killed there because I come home from Mattituck, right. And I'm coming west and I see these guys pull off on my right side and cut me off when I'm going straight, right. Everybody nods their head. Who is going to correct the situation? You know, I'm not out here to please..... I'm out here to protect Kenny Pierce, right. And by protecting Kenny Pierce, I protect Pike, you. But you're the guy who has... I'm saying myself; I almost get killed there, right."

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PERSONAL APPEARANCES, Continued

Kenneth Pierce, Continued

You're the guy that you have to talk to.... I don't like to use profanity when I'm speaking before such highly regarded people that I'm looking at. But you have to do that job. You know, I can't... I can go there, right. I'm a butcher, right. Pike knows I'm a butcher. I told him that, right."

Supervisor Janoski, "I got the message and I thank you very much Mr. Pierce for your observations."

Kenneth Pierce, "Now, wait a second. Don't give me that run-off. When is the time sequence when it's going to be done? Wait a second."

Supervisor Janoski, "I try to avoid a discussion with you because what you mentioned is the intersection of a state highway and a county highway over which we have no jurisdiction. If I understood exactly, the striping that was necessary, I'm sure that I would call it to the attention of the State D.O.T. which has jurisdiction over that intersection. And I would suggest that if you have a complaint, that you address your letter to the State Department of Transportation which is located in Hauppauge."

Kenneth Pierce, "In essence what you're telling me is that you're not doing a job that we're paying you for."

Supervisor Janoski, "I said I would be happy to bring it to their attention."

Kenneth Pierce, "Mr. Janoski, I lived on Indian Head Road in Kings Park in the Town of....."

Supervisor Janoski, "Mr. Pierce, I'm going to have to ask you to step away from the microphone and I'm not going to ask you a second time. So if I were you, I would sit down and please take that advice."

Kenneth Pierce, "Thank you very much for your attention."

Supervisor Janoski, "Alice."

Alice Graff, Riverhead, "I just want to... This improvement in the Water District facility, could you explain that. We did have improvements a while back. Would you tell me what has to be done?"

Supervisor Janoski, "568 is, I think it's an extension. That's an interesting one as a matter of fact. That is an extension of public water in to a community which is known as Timber Park and the town (I'm happy to say) applied for and received a grant from Suffolk County in the amount of \$345,000 to help pay for that extension into that community. Most of it is going to go to the contractor who puts in the pipes."

Alice Graff, "How much of it goes to H2M? That's what I'd like to know."

PERSONAL APPEARANCES, Continued

Supervisor Janoski, "The usual 10% which engineers charge. I think it's 10%."

Alice Graff, "Thank you."

Supervisor Janoski, "Thank you. Without objection, this meeting is adjourned."

There being no further business on motion or vote, the meeting adjourned at 8:42 p.m.

IJP:nm



Irene J. Pendzick
Town Clerk