

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Riverhead Town Hall, Riverhead, New York, on Tuesday, August 3, 1993, at 7:00 p.m.

**Present:**

Joseph F. Janoski,	Supervisor
Victor Prusinowski,	Councilman
James Stark,	Councilman
Frank Creighton,	Councilman
Harriet Gilliam,	Councilwoman

**Also Present:**

Patricia Moore,	Town Attorney
Barbara Grattan,	Town Clerk

Supervisor Janoski called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Supervisor Janoski: "We have representatives of National Night Out. Why don't you come up. And while they're coming up, I would point out that people around are going to think that I'm (inaudible).

WHEREAS, the National Association of Town Watch is sponsoring a unique and nationwide time and drug prevention program on August 3rd, 1993, that's called National Night Out; and

WHEREAS, the 10th annual National Night Out provides a unique opportunity for the Town of Riverhead to join forces with thousands of other communities across the country in promoting cooperative police community, crime and drug prevention efforts; and

WHEREAS, the Town of Riverhead plays a vital role in assisting the Town of Riverhead Police Department through joint crime and drug prevention efforts within the Town of Riverhead and in supporting National Night Out, 1993 locally; and

WHEREAS, it is essential that all citizens of the Town of Riverhead be aware of the importance of crime prevention programs, and (inaudible) their participation can have on reducing crime and drug abuse in the Town of Riverhead and that police community partnerships

and neighborhoodsafety and awareness and cooperation are important themes in National Night Out programs.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby call upon all citizens of the Town of Riverhead to join us and the National Association of Town Watch in supporting the 10th annual National Night Out tonight, August 3rd, 1993; and

BE IT FURTHER RESOLVED, that I, Joseph F. Janoski, Supervisor for the Town of Riverhead, do hereby proclaim Tuesday, August 3rd, 1993, as National Night Out.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the great seal of the Town of Riverhead to be affixed this 3rd day of August, 1993.

For the Resolution part of that, may I have a motion?

Councilman Stark: "So moved."

Councilman Creighton: "Seconded."

Supervisor Janoski: "Moved and seconded."

Councilman Stark: "By acclamation."

Supervisor Janoski: "Suggested by acclamation. So ordered by acclamation."

I am going to present this to you, Chief, so you can get out there and take part in this effort."

Councilman Prusinowski: "I just want to introduce Bob (inaudible). He's from Schwenk Electrical Supply, and representing the Chamber of Commerce tonight. He's very involved in National Night Out. They're here this evening to show their support and I'm sorry, I didn't get your name-- and Ken Reilly from Phillips Electric, who together with Schwenk has donated light bulbs throughout the community. We have a program in conjunction with the Chamber of Commerce for those residents who need light. Lighting is very important in neighborhood watches to fight crime. So they are here tonight to join part of the-- so, well, the activities, we don't call it celebration."

Supervisor Janoski: "Do you wish to say anything?"

(Unidentified) "We would just like to thank the community for the opportunity to work with them and help achieve light throughout the area."

Councilman Prusinowski: "And you are going to go out tonight with the Police Department (inaudible)."

Supervisor Janoski: "Okay. I have a motion to approve the Minutes of the Regular Town Board Meeting of July 20th."

Councilwoman Gilliam: "So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 Yes.

**REPORTS:**

**Building Department**

Monthly report for July, 1993  
Total fees collected was  
\$13,557.00

**Town Clerk**

Monthly report was \$6,293.19

**Vail-Leavitt Music Hall, Inc.**

Annual financial report for the year ending March 31, 1993

**Open Bid Report**

Johnstone Farm Extension #24R  
Six bids were received and the bid was opened on July 22, 1993

**APPLICATIONS:**

**Tanger Factory Outlet Center**

Revised site plan

**Army Corps of Engineers**

Application of James McCarthy who wishes to install a small ramp and float on Miamogue Lagoon in Great Peconic Bay

CORRESPONDENCE:

County of Suffolk

A Notice of Enactment regarding Zoning Ordinances for the Town of Southold - Objections received until August 5, 1993

New York State Dept. of Transportation

A Notice of Order regarding parking regulations

William J. Welsh

A letter commending the excellent job performed by Mr. Oliver Miles, a Riverhead Town employee at the Jamesport Community Center

Town of Southampton

Notice of a Public Hearing involving local laws in the Town of Southampton

15 Letters in Favor of Music at the Osborne Inn

All requesting that live music be allowed

Elaine Ervolino

Requests that the Town not allow the circus, because she believes it is a cruelty to animals

Janet Jensen

A long letter requesting that the side streets in Polish Town (particularly Lincoln Street) not be used to set up booths for the Polish Town Fair stating her reasons for this

Supervisor Janoski: "Thank you. There are no Public Hearings this evening so I will recognize anyone who wishes to be heard on any subject. Yes, sir."

Dominick Tacoma: "My name is Dom Tacoma. I'm from Wading River. I'm here to concern-- one of my neighbors also myself, that my neighbor can't get a parking permit down the beach for her children, which is blood relation. Also, the children are paying taxes to keep this house going. Also, myself, if my children live out of town, they come and visit me, why can't they get a parking permit of \$5.00 like every-

body else in the town paying taxes.

Also, I just thought of something when I came down here tonight. (inaudible)-- get parking permits for \$5.00, they're not taxpayers, they're leasing the bungalows. I talked to the attorney this afternoon. She understood what I was talking about. Maybe I can't make myself too clear here. That's what I'm here for. I'd like to get parking permits for the children of the people that are paying taxes. If they come down here to visit their parents, one or two weeks a year with their children to go down to the beach, it's a nice hike going down. But it's a bigger hike walking up when you have children under five years old, bringing blankets and beach umbrella, stuff for the children to keep cold. Why can't these people, these children, get parking permits, paying \$5.00 and their parents are paying taxes. Also the children are helping pay taxes for this house. That's what I have to say. Thank you."

Supervisor Janoski: "Yes, sir?"

Barry Birnstein: "Good evening. My name is Barry Birnstein from Bear Estates. I have a letter that I would like to read. This is a letter from Two Bears attorney, addressed to the Town Board. This is a-- regarding the drainage plan that's now being worked on by the Town Board. It's asking the Town Board under the following terms and conditions that the builder is willing to do work in this neighborhood. I'm going to read directly from the letter.

The town and Two Bears acknowledge and shall communicate to the public that the need for the subject work did not arise out of any nonperformance or malperformance by Two Bears. Rather Two Bears designed the original drainage plans pursuant to the town's specifications. Such plans were approved by the town and Two Bears built the project pursuant to such plans.

The public shall be advised that the need for such work has arisen by reason of unforeseen circumstances which Two Bears and the town have agreed to resolve as a joint effort. The \$780,000 road and improvement bond which Two Bears has posted with the town shall be released upon (a) Two Bears delivering to the town contracts with reputable contractors to perform the work required on the plans, and (b) Two Bears depositing in escrow funds necessary to cover the price for such work as set forth in such contracts plus a cushion equal to 10% of the total contract price for such work.

In the alternative, at Two Bears option, the road and improvement bond shall be released upon its replacement with a new bond covering the work called for in the plans.

This letter goes on to say that the town shall be responsible for securing the (inaudible) to the west of the project permission to remove free of charge the soil necessary to regrade the project pursuant to the plans. The town shall also secure from the applicable homeowners permission to do the work shown on the plans.

This is currently being done. Site plans have been sent to some of the homeowners. The town shall also be responsible for the fees of John J. Raynor, for preparing the plans and for supervision of the work to be performed by Two Bears pursuant to the plans.

My comments on this letter. The need for drainage work has not arisen by reason of unforeseen circumstances but strictly because of improper work by the builder. If the builder, in fact, designed the original drainage plans pursuant to the town's specifications which were approved by the town, then the town is responsible for what has occurred and I feel there should be an investigation.

It has been stated in previous Town Board meetings that the private drainage structures on individual lots were never approved by the town and consequently the engineers need as built surveys. If this is true, the builder is wrong in his letter but on the other hand, if the builder's letter is correct, the town has not been truthful with us. The bond should not be released. The agreement says nothing about correcting problems with the houses.

In paragraph two, it says that the builder picks the contractors but not the engineer. The builder can't be trusted. They're supposed to use reputable contractors in the first place, and we still have problems from this.

Also, a new bond should not be used to cover only the new work. There will be no leverage as the Board has previously stated if this is done. Mostly, the taxpayers, of which I am one, should not be paying for what the builder has created. This is not the taxpayers' fault. The builder has caused this. We have documentation to prove this.

We would like a copy of the final agreement that has been signed

between the town and Two Bears pursuant to this drainage problem. We would like it now. The office is only down the hall. We would also like a copy of the performance bond tonight. Thank you."

Supervisor Janoski: "Just a minute. I want to tell you one thing. We have a process of freedom of information here. And you can, in fact, fill out that form and request whatever information you like. And in five days time, I will get it for you. Victor?"

Councilman Prusinowski: "Okay. First of all, that was a copy of a letter that I gave you to support your contention of manufacturer's defects in your house, as we've been trying to work with these builders. As I also stated to you and the Town Attorney plainly stated, that was his letter to us on his version of the (inaudible) that was held in the basement of this building with Councilman Stark, John Raynor, the attorneys that were present.

We subsequently sent him a letter of what our interpretation, which is the real interpretation of that meeting. You came in here with half the facts and you are trying to make something that's not true. The bulders are going to be responsible to pay for the drainage -- the correction of the drainage problem, including all the costs. Okay? The negotiation over the drainage bond is proper and we will-- first of all, you're not even involved in this Barry, so the public knows. You're one of the ones that are not involved in the drainage situation."

Barry Birnstein: "I-- that's correct. I don't have a drainage problem on my property."

Councilman Prusinowski: "Everybody who has been involved has been contacted personally by Mr. Raynor, has received all the plans personally, are reviewing them right now. If they have any questions they are going to understand them. The Town Attorney has done a good job in securing the permission from the property owner next door, which is going to be a golf course, and we are going to take the topsoil off of that because he'll get the benefit of creating this pond that he wants to create, but we're going to use that topsoil at no charge to do the upgrading according to the plan. We-- there is another letter and we'll be happy to furnish it to you once you fill out the freedom of information as the Supervisor has indicated."

Barry Birnstein: "Has the agreement that I read been accepted

in full or in any part?"

Councilman Prusinowski: "There has been no agreement signed between the Town of Riverhead and Two Bears as of yet. What is happening is that-- where are we on that, Pat?"

Patricia Moore: "There's been agreement to some of the aspects of the letter, and there is not going to be a formal agreement that anyone signs."

Councilman Prusinowski: "Right. We still have to get the easement signed from the property owners. The contractors will be approved by our engineer. Okay? The work will be supervised by the Town of Riverhead's Planning Board engineer, who by the way has done an extremely good job in this process."

Barry Birnstein: "Yes, he has. Mr. Raynor, yes, he has."

Councilman Prusinowski: "As I told you, two things. And I'm going to sum up and that's going to be it tonight. Number one, we've been trying for months to help resolve on an individual basis manufacturer's defects that have been alleged between you and the builder. In some cases, we've been successful, in some cases we have not, and I've urged people to hire an attorney and sue them. Number two, the Town of Riverhead, again, will make this offer. Anybody who is not satisfied with their house and Two Bears, the Community Development Office will buy your house back according to your contract agreement, including the capital improvements you put in the house. Like, for example if you paved your driveway and you paid for it. That offer stands. If you're not satisfied with your house, you felt that you've been unjustly treated, we will make it right by buying the house back according to your agreement."

Barry Birnstein: "So people understand, my involvement is this. I do not, as you stated, I do not have a drainage problem on my property. I have no flooding on my property."

Councilman Prusinowski: "I understand that."

Barry Birnstein: "My interest in this is that people are not getting what they're supposed to be getting and we don't think things are being done properly."

Councilman Prusinowski: "Well, then, that's great. Then, we'll

turn it over to the Attorney General of New York State and they can investigate us. What we tried to do here, Barry, was provide affordable housing. We did the best we could on the safeguards. I have to tell you that some of the complaints about the houses were legitimate and some were not. Okay? As you and I have discussed on numerous occasions."

Barry Birnstein: "I'll agree with you. I will agree with you."

Councilman Prusinowski: "As you and I have discussed on numerous occasions."

Barry Birnstein: "Yes."

Councilman Prusinowski: "And we have told the builders here that they have to come up with the additional hundred and whatever it is, eighteen thousand dollars plus ten percent to correct this problem. That's unheard of. Okay? And one case, we're actually lifting a house up. There's a lot of people in town that have drainage problems. This is over and above. One of the two partners of the Bears-- is very concerned, he wants to get this thing rectified right. The attorney told me that he wants to straighten it out, they want to solve the problems with the houses. And that's where we are. And we are continually putting pressure of them. I've written letters to them; you've seen them. He's written back to me, a little bit nasty a few times because I said some things to him. We've been trying the best we can. If you're not satisfied, our files are open, like I said before we had the inspection files open when we had a meeting here. There's nothing to hide. We're doing the best we can."

Barry Birnstein: "Okay. On reviewing past tapes of the Board meetings that we spoke at since September, it's now about 10 months, we were promised a meeting with the builder. In fact, you suggested that we have a meeting with the builder. It was agreed to by several others on the Board. It never happened."

Councilman Prusinowski: "You're right. That particular didn't happen. In the meantime, we did meet with the builders' attorney and John Raynor has been meeting with them to solve the drainage problem. We could arrange that. If you want to have a meeting and talk to the builder about your individual complaints with your houses, that's fine, we can arrange that."

Barry Birnstein: "Okay. As far as contacting the builder, I filed a civil suit against Two Bears for my rear concrete stoop, the wood's rotted out same as Dean Terchunian has been talking about the last year and a half. So people understand what you have to go through to file a civil suit against Two Bears. They do not live, work, or do business in the town of Riverhead. You can't go to Justice Court or Small Claims Court in Riverhead. You have to go to East Hampton. The reason being is that their address is in East Hampton."

Councilman Stark: "Well, they're also a corporation, too, Barry."

Barry Birnstein: "We're currently trying to serve them."

Councilman Stark: "You can't-- correct me if I'm wrong, you can't sue a corporation in Small Claims Court."

Councilwoman Gilliam: "That's not true."

Barry Birnstein: "We-- it seems to me that we are going to end up having to go to the Secretary of State and file papers on the Secretary of State. This is what we're going through. So, for us to be told, simply go to Justice Court, you don't just go to Justice Court. You can't do it. I spent a week on this."

Councilman Prusinowski: "I didn't say just go to Justice Court. I said hire an attorney and sue them. Whatever that means. If you'd like to contact the Secretary of State, be my guest. In fact, I think you should call Senator LaValle's office and Assemblyman Joe Sawicki because the state of New York-- actually this applicant applied to the state of New York for the money to build this affordable housing project. The town of Riverhead did not sponsor this project, we were a conduit for the money. You know, we were forced to sign an agreement which, hey listen, I'm not backtracking. I think it was a good project. We gave the opportunity for over a hundred families-- "

Barry Birnstein: "Yes, you did."

Councilman Prusinowski: "-- to have a home, it was the American dream. And I'm not backing out from that. We came in after the thing was initially got under way. Fine. I'll take responsibility for it. We're trying to do the best we can for you. I welcome that. Go to Ken LaValle. Go to Joe Sawicki. Get News 12. Have a press conference. I'm with you."

Barry Birnstein: "This builder had a track record from East Hampton, from Southold. He is now in Water Mill. Water Mill is now having the same problems."

Councilman Prusinowksi: "That's why we hired-- "

Barry Birnstein: "We are curious why we had trouble like this since the builder had such a past record."

Supervisor Janoski: "Barry, could you make your point so that we could move on."

Barry Birnstein: "I think I did."

Supervisor Janoski: "Okay."

Barry Birnstein: "Thank you."

Councilwoman Gilliam: "To follow up on a comment that the Town Attorney made about there wouldn't be a contract between Two Bears with regard to the upgrading and the drainage work, then what-- "

Barry Birnstein: "I think they are looking to release the main bond, the \$780,000 bond in lieu of a much smaller bond which will only cover the new drainage work."

Councilwoman Gilliam: "Well, my question is, what mechanism do you have in place in lieu of a contract that would specifically outline the scope of the work and the responsibility that they are going to do with regard to this drainage upgrading."

Patricia Moore: "They were before the Planning Board, in fact, for all this drainage work. The Planning Board engineers prepared all of the plans. They have agreed in total to all of the plans as we've submitted them. And it's that agreement, we still have the bonds and they have contracts, they are going to post money in escrow so that that money is guaranteeing the work. It's-- one more point, and I can't think of it right now."

Councilman Prusinowski: "John Raynor is supervising."

Patricia Moore: "Yes, John Raynor is supervising the work, so all in all, the Town has-- we won't release the bond if there isn't

another bond or escrow, and all the work that's being done isn't as we've proposed it, so to that extent it's complete."

Councilwoman Gilliam: "It's complete in terms of a plan that's been approved and-- "

Patricia Moore: "It's been approved by the Planning Board-- "

Councilwoman Gilliam: "-- and their representation that they are going to adhere to that plan."

Patricia Moore: "Yes, and they are going to put money in escrow, and if they don't do it, then we are going to use that money to complete the plan that's been proposed."

Barry Birnstein: "And the town is being reimbursed for-- I know you've spent a tremendous amount of hours on this-- I know you have, for a long time and I know it's not an easy job."

Councilman Stark: "Vic and I haven't been reimbursed for it."

Councilman Prusinowski: "We have been reimbursed for some of the engineering costs, we are not going to be reimbursed for the staff costs, obviously."

Barry Birnstein: "Which has to be very-- "

Councilman Prusinowski: "Which the staff has been here. You're right, the engineer, the Town Attorney, and other people here, John Raynor and Rick, they've spent literally tens, almost hundreds of hours on this project. Like I said, and I'm not trying to be glib or unfair here, we're trying to do the best we can. I have a file this fat and thick. As you know, I wrote some exchanges with the attorney, Mr. (inaudible), and told him about the workmanship and most of the cases we have resolved to a reasonable degree. Some of the manufacturer defects or workmanship problems in the homes, in your particular case, I think, like I told you, you have a unique situation. There's something there between the two of you, and like Judge Wapner says, sometimes you have to take it to Court. And that's my honest (inaudible)."

Barry Birnstein: "Well, one of the things in my case, I was promised that the town engineer would take a look at the house. That never happened either. There have been many promises-- ."

Supervisor Janoski: "Listen, you know, Barry, we're open every day from 8:30 to 4:30."

Barry Birnstein: "That's the same hours that I work."

Supervisor Janoski: "Now this is the kind of discussion that you can have-- I'll stay after for you. I'll have people stay after for you. Make an appointment because this is the kind of discussion that without the TV camera we could probably have and get somewhere. This kind of interchange that we're having now. The Town of Riverhead stuck its neck way out on this one. We agreed to build 120 homes at affordable cost and a lot of people in the community didn't think it was such a good idea. But the Town Board took a flyer on this one. And we said that we want to provide affordable housing to our young people. Now, I don't know what you're trying to do here. Victor has said, in very clear and concise words, we're going to fix it. Everybody has said, we're going to fix it. The drainage. Now, what is it that we can do beyond that? And Vic has also said, Barry, you don't like your house? We'll buy it back."

Barry Birnstein: "My main point is that we don't feel the taxpayers should be paying any part of what's going on here because this is the builder's fault."

Councilman Stark: "The taxpayers are not paying anything for the drainage work. It's being paid by the Two Bears people."

Barry Birnstein: "Okay."

Councilman Stark: "So any problems that exist in the house, and that I've heard numerous times, and you and I have discussed numerous times, is the towns' the property owner, and the builder. And we really don't have any control over them. We can put some pressure on them for you. And we have been trying to do that, as you well know."

Barry Birnstein: "Yes, I do. Yes. That's right."

Councilman Stark: "And you admit that?"

Barry Birnstein: "Yes, absolutely."

Councilman Stark: "And we were up there-- the first night you came here, we were there the next day or within two or three days."

And we've been trying to do. And, it's time to go to Court and we'll give you every support we can in order to correct those misgivings, if they are misgivings as far as construction."

Councilman Prusinowski: "The only reason I say Senator LaValle is because the money that subsidizes each lot came from the state of New York. Okay, it's the state taxpayers' money. It's all of our taxpayers' money."

Barry Birnstein: "That's another concern of ours."

Councilman Prusinowski: "And he might be interested in this. Okay? And that's how the price of it was reduced. It wasn't so much the cost of the house, it was the property was subsidized by \$20,000 on the lot. That's how we got the price down."

Barry Birnstein: "Okay. Thank you."

Supervisor Janoski: "Thank you. Henry?"

Henry Pfeiffer: "Henry Pfeiffer, Wading River. For some time now, I've been nagging, admonishing, cautioning you about the problems at the Wading River community park, sometimes known as Bayberry Park. And I've been irritated, which I've tried to conceal quite a while about (inaudible) some deficiencies being corrected. Now, Tuesday night last, I, together with a number of members of the Recreation Committee, Town Recreation Committee, rode around through all the facilities, all the recreational facilities that the Town provides, from Jamesport, step by step, clear down to Wading River. And I still find that there are a couple of things in Wading River which need correction. I'll remind you of that in a moment."

However, one of the things that seem to annoy me most was that a tremendous amount of money proportionately was being spent on Stodsky Park vis-a-vis, Wading River. The last stop that we made was at Stodsky Park and I want to tell you that my impression changed tremendously because Stodsky Park was being fully used, the parking lots were crowded with cars, the young people were out there playing baseball, being supported by their parents and other semi-adults, and so forth. And it occurred to me that perhaps not only are you providing entertainment for young people, but probably by virtue of providing a positive factor in young people's lives, and young adults lives, that you are probably keeping many of these people from being involved in some untoward incident which might require the presence of

Chief Grattan.

I'm very pleased with this and, of course, rationalizing the thing, I'm happy to see that the money is going where it is being used. However, I still intend to remind you about Bayberry Park. Thank you."

Supervisor Janoski: "Henry, what you say may be true except for one thing that you're forgetting. The amount of money it took to dredge that creek and to move all that sand on Wading River beach. You take just that one single thing and it blows away everything we did at Stodsky Park."

Henry Pfeiffer: "Yeah, I used to be pretty smart when I was younger and I miss a lot of these particular things, and I'm very glad to be reminded of this, but the point that I'm trying to make is that there is a positive aspect to this thing, that instead of simply denying the young people that you're hovering around this parking lot or something like that to the annoyance of the neighbors and so forth. You're giving them something positive to do. And I hope that you'll be doing this throughout the entire community."

Councilman Stark: "One of the things that's also positive, Henry, is people like yourself that I have asked to be on that Recreation Advisory Committee, you represent the senior citizen community, but you also represent the community in general. You are very active in the community. And I think we have a great Advisory Community now that's taking a great deal of pride and intention not just to their own backyard, but from Wading River to Jamesport. And I commend you and the Committee for presenting us with ways to spend this money that Victor was part of getting into Resolutions several years ago in his second term. And that is not anything that will cost the taxpayer a dime. It is actually recreational fee money that we received from development."

Henry Pfeiffer: "I thank you very much for your comments and I'd like to just add this simple thought. That for the first time I've been to many of these places before, Reeves Park Beach, Jamesport, and so forth, but this is the first time I had a chance to do a thorough examination of them and their current status. And I would advise and recommend to most people that live in the community that it's well worth while taking a trip around, taking a look at it themselves and see what's being done. Thank you."

Supervisor Janoski: "Thank you, Henry. Let's take up the Resolutions."

Resolution #518

Councilman Creighton: "This Resolution authorizes the Clerk to publish and post a Public Notice to change the location of our next regular Town Board Meeting on August 17th. It will be at the Jamesport Civic Center, at 7:00 p.m. This is the annual location-- re-location of the regular meeting to Jamesport. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: "Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski?"

Councilman Prusinowski: "I just want to point out that when we ran for office in 1990, that was one of our campaign promises. I was happy-- it's been a good experience. I vote yes."

The Vote (Cont'd.): Janoski, yes. The Resolution is adopted.

Resolution #519

Councilman Creighton: "Several times over the years, specifically the last time, 1989, a great deal of work has been done by various people in town, including farmers, members of the Town Board, some of whom are here now, and many interested people to try and bring about a Farmland Preservation Program. For various reasons, the difficulties associated with that prevented them from being enacted into law. This past year and a half, the Jamesport Hamlet Study addressed the problem again, and over a period of 18 months, with the cooperation of the Farm Bureau, the Planning Department, and the individual farmers, bakers and candlestick makers from the Hamlet, we hammered out a code for-- a Riverhead Town Code which would implement the state enabling legislation and finally get on the books in Riverhead a program to permit the transfer of development rights from farmlands onto more desirable locations for increased density and residential use, and also to include commercial use. This Resolution authorizes the Town Clerk to publish and post a Public Notice to consider Local Law 5 of 1993, entitled Transfer of Development Rights. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. The Resolution is adopted.

Resolution #520

Councilman Creighton: "In order to implement the (inaudible) program, state law requires that land be designated specifically on a map to include sending areas and receiving areas. And what this next Resolution does, 520, is offer a public hearing notice to consider the map that covers the hamlet area of Jamesport which specifically designates sending and receiving areas. The intent is that this map would be modified over time to add sending and receiving areas in the other hamlet areas in Riverhead as those recommendations come in. For the Public Hearing, so moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. The Resolution is adopted.

Resolution #521

Councilman Stark: "Authorizes the Town Clerk to publish and post Public Notice to amend existing Town Code Section 101-38 Conditions for Eligibility for Handicapped Permits and Section 101-43 Privileges Accompanying Handicapped Permit. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #522

Councilman Creighton: "Awards a bid for Riverhead Water District

Extension 25R. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #523

Councilwoman Gilliam: "Awards bid for one new 1993 Vac-Con model 3V16 mounted on new Ford LTS 9000. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #524

Councilman Prusinowski: "Awards bid for one new asphalt and concrete automatic curb extruder. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. The Resolution is adopted.

Resolution #525

Councilman Creighton: "This amends Resolution 675 establishing a petty cash fund for the Labor Management Committee. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #526

Councilwoman Gilliam: "Authorizes Town Clerk to increase the fees of the Riverhead Zoning Code pamphlets. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #527

Councilman Prusinowski: "Appoints part time police officer to the Riverhead Police Department. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #528

Councilman Stark: "Appoints a provisional appointment for paralegal assistant to the Town Attorney's office. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #529

Councilman Creighton: "This appoints Barry Chandler as a park attendant to the Riverhead Rec Department. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #530

Councilwoman Gilliam: "Approves site plan of East End Recycling and Composting Co. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #531

Councilman Prusinowski: "Amends site plan of Belinda Bender. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #532

Councilman Prusinowski: "We are referring the commercial development report of the Aquebogue Hamlet Study Task Force to the Riverhead Planning Board. This is the first step in a process that we are beginning from the Aquebogue Hamlet Study, which started with the appointment of the group. We did an Aquebogue Hamlet Study-- I'm sorry, a survey of the residents. We will get the Planning Board recommendations. Then we are going to hold an Aquebogue Town meeting, probably at the Aquebogue School. Then we'll send our final report back to the Town Board to continue the process. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #533

Councilman Creighton: "This authorizes the Supervisor to transfer funds. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #534

Councilwoman Gilliam: "This is a budget adjustment, Town of Riverhead, Little League Ball Field, Capital project. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes."

Councilman Stark: "Henry, this is one of those projects up in Stodsky Park that you so eloquently spoke about tonight. And, again, this is coming out of the funds that Victor was very crucial or very instrumental in obtaining in his second term. So this is another project that you are talking about up in Stodsky Park. Yes."

The Vote (Cont'd.): Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #535

Councilman Prusinowski: "We are doing a transfer here for the P.A.L. fund. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes.

Councilman Stark: "And this is another one of those projects up at Stodsky Park. Yes."

The Vote (Cont'd.): Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #536

Councilman Stark: "Authorizes the Supervisor to submit a letter of support for application of Riverhead Housing Development Corporation. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. The Resolution is adopted.

Resolution #537

Councilman Creighton: "This Resolution reinstates heavy construction equipment operator to the Highway Department effective immediately pursuant to the CSEA contract and subject to a written stipulation of settlement. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. The Resolution is adopted.

Resolution #548

Barbara Grattan: Pay bills.

Councilman Stark: "So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Erusinowski, yes; Janoski, yes. Resolution is adopted.

Supervisor Janoski: "Without objection, this meeting is adjourned."

Meeting adjourned: 7:45 p.m.

Barbara Gustafson  
Town Clerk