

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, October 19, 1993, at 7:00 p.m.

Present:

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

Also Present:

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| 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: "May I have a motion to approve the minutes of a Regular Town Board Meeting of October the 5th and a Special Meeting of October 7th?"

Councilman Stark: "So moved."

Councilman Creighton: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 Yes to approve minutes."

REPORTS:

Open Bid Report

Lighting fixtures for the downtown parking fields, three bids were submitted. It was opened on October 14, 1993.

1. Alert Electrical Supply Corp. - \$13,780.27

- 2. Schwing Electrical Supply - \$15,880.00
- 3. GE Supply Co., Yaphank - \$18,350.00

APPLICATIONS:

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| Parade Permit | Riverhead High School parade on October 23, 1993 |
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CORRESPONDENCE:

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| Alice K. Graff | Letter regarding replacement of embossed street signs |
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| N.Y. Telephone Co. | Five pages of a petition, signed by 44 employees, regarding parking spaces in the Griffing Avenue parking lot |
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| Town of Southampton | Notice of Adoption of three new Local Laws |
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- Notice of Public Hearings:
- 1) Amending Chapter 330-124 B Location of Automobile Laundries
 - 2) Adding a new Chapter 161 - Farming
 - 3) In connection with a Change of Zone Application of Affordable Housing Associates, Inc.

Supervisor Janoski: "We have about five minutes remaining before the first scheduled Public Hearing. I would recognize anyone who wishes to speak of any subject. Yes, sir."

Nicholas DiPierro: "Good evening, I was under the impression that the meeting tonight was going to be concerning the budget hearing. So maybe I'm a little bit ahead of my time, but tonight I'm here to address the Board."

Barbara Grattan: "First, sir, could we have your name?"

Nicholas DiPierro: "I'm sorry, again. My name is Nick DiPierro. I am from Wading River. Okay?"

I'm here tonight as neither a Republican nor a Democrat and I'm not running for office, but I'm here as a concerned citizen that we have heard so much about this political season. And one of the things that this citizen is concerned about is taxes. I know in the last Presidential election we had a saying-- there was a saying going around-- it's the economy (inaudible). I thought that was kind of detrimental. I could say it's the taxes, but I'll leave off the other word. Okay?

Getting right to the point. I'm concerned how our current Supervisor wants to increase the cost of government. Increase the cost of government by not only wanting to increase his salary, but also adding at least \$51,000 to have an assistant. Now, whenever anyone brings up the word, assistant or deputy supervisor, Mr. Janoski very skillfully makes it appear that the assistant or deputy is personally being attacked. This is one of the ways I believe that he has lost touch with the common person.

The common person is concerned about taxes and this position, regardless of who holds this position, will be an unnecessary tax burden. In private industry, we have to work harder with available personnel to get the job done, and sometimes that available personnel is decreasing, but still we have to produce.

Someone, sometimes, whether it's in private industry or in government, if they've been in that position too long, perhaps they get burned out. What happens then? We start delegating; we start getting more and more managers. The cost of business starts getting higher and higher with no increase in productivity.

I think I was here a couple of years ago when you were looking for a raise, Mr. Janoski. I spoke against it then and this time you're looking for roughly an eight per cent raise? I don't think it's warranted. I also don't think this town needs an assistant supervisor. Build up trust with your colleagues. Communicate more with them. Let's work harder and smarter and be the public servant that a politician is supposed to be. And that's all I have to say. Thank you."

Supervisor Janoski: "Thank you."

Barry Griesmeyer: "Hi. Barry Griesmeyer. I'm a resident of Bear Estates. I'm questioning, what is the status with the bond that's been evidently been pulled?"

Patricia Moore: "The bond was called how many meetings ago? Maybe a month ago. Two meetings ago. And in that time, on Friday, I and special counsel Allen Smith had to appear in Supreme Court to answer a temporary restraining order that Two Bears filed against the town to prohibit us from pursuing any further against the bond. That's where we are right now. There's a temporary restraining order that's due to expire next Wednesday and at that time, we have to answer papers and explain to the court why a restraining order shouldn't continue."

Barry Griesmeyer: "What happens to those funds if they become available? I mean will anything be done with them?"

Patricia Moore: "Well, right now, Two Bears is saying that the bonding company should not hand over the funds to the town to correct the improvements. That's what the temporary restraining order prohibits us from doing, is collecting against the bonding company to complete the work that we feel is necessary."

Barry Griesmeyer: "Is that bond-- what does that bond relate to? I mean is that the entire project or just specific parts of it?"

Patricia Moore: "For the road drainage, that portion of it."

Barry Briesmeyer: "Because I heard to the contrary that it was generally for the entire project. That it was a bond that was there to satisfy to make sure that everything was complete to the satisfaction of the entire project."

Patricia Moore: "That's one of the arguments we're making."

Barry Griesmeyer: "Okay. When will we hear any further on this?"

Patricia Moore: "You will hear further, I don't know when. That's the problem. Once it's in litigation, then the court system is very slow."

Barry Griesmeyer: "So this could go on for some time then?"

Patricia Moore: "Quite some time."

Barry Griesmeyer: "Okay. Thanks."

Supervisor Janoski: "Warren McKnight."

Warren McKnight: "Warren McKnight. And I come here neither as a Republican or Democrat."

Supervisor Janoski: "But as a Conservative."

Warren McKnight: "I just want to announce, I was down at the library today and the preliminary budget is down there-- the preliminary town budget is down there for the public to review. The library is open seven days a week, Monday through Friday from nine to nine; Saturday from nine to five; and Sunday from one to five. I recommend that interested people see it."

I also want to thank the Supervisor for reacting on that suggestion that it be placed down there, and I respectfully ask the Town Board to consider to do that in the future so the public could go down there at all different hours to peruse the budget and partake in the process and give helpful and positive and not so positive input on the budget."

Supervisor Janoski: "Mr. Eck."

Ronald Eck: "Ron Eck, West Main Street, Riverhead. I just came here tonight for one reason, Mr. Janoski, to give you some pictures that was taken at the Langhorne unveiling. And if you want them to put in the Town Hall on the bulletin board, fine. There's some of Ms. Gilliam there also. And there is one picture you may not like. That's the one of Eddie Purcell's truck that says elect Carol Ferguson for Supervisor. Which you have endorsed her to be the next Supervisor."

Supervisor Janoski: "I don't think I did that, but-- . Thank you Ron. It's going to be a long two weeks. Yes, sir."

Joe Miller: "My name is Joe Miller. I'm also from Two Bears

Estates, Lot No. 41. My problem was that-- to rectify the problem with my house, that it had to be lifted a minimum of one foot and the recommendation was that it was supposed to (inaudible). Okay. This was an error that was taken-- and mistaken-- and also approved to have it done. I have the drawings. What I want to know is regardless of this legal matter, is this going to take place or not?"

Patricia Moore: "The whole reason for the legal-- the case in court, is to get Two Bears to do the work at your property as well as some of the other properties that were affected by flooding. While this matter is in litigation, we can't comment on it. It's going to be in the courts. So until such time, no, I don't believe it's going to be done."

Joe Miller: "Okay. So the problem even though it was an error that was mistaken and wasn't rectified at the time, now might not ever be rectified. Is that what we're saying?"

Patricia Moore: "No. You have your own cause of action. I think everybody's been told that any problems that you have with your house, you have your own rights to sue Two Bears. What you're asking is whether the town is going to step in and make Two Bears correct it. That's what that lawsuit is about and until such time as a court makes some final decision, nothing is going to be done."

Joe Miller: "All right. So just to be clear then. We are then saying that at this moment that the town then isn't responsible for anything that took place with my house, specifically-- specifically the design of the layout of the property being lower than it was supposed to be. Okay, and then we had John Raynor verify the exact mistake that was done. You authorized that this is the correct action to take to repair this problem, that it was overseen. So even though it was a two part error between two parts in the town to allow this to take place, this error, then, has to be lived with? That's what I really want to know. If this doesn't happen let's say-- "

Councilman Prusinowski: "Mr. Miller, we're in litigation and our attorney has strictly forbidden us to talk about this any further. It's to your advantage that we follow his advice."

Councilwoman Gilliam: "Mr. Miller. I have somewhat of a

different view on this. I think that your situation presents a little bit of an unusual situation as compared to some of the other drainage problem. And certainly the town extended itself in terms of getting John Raynor involved and in having plans drawn up and so forth, and I'd like to discuss this further with the Board in terms of addressing the exigent circumstances of your particular situation before the onset of winter and try to see what can be done notwithstanding the fact that we're also in litigation. Because I think we did get more involved. You were certainly led to believe that something was going to be done with the plans and discussions about lifting of your-- the raising of your house, and I think you deserve a better answer than what you've just been given."

Joe Miller: "Let me just mention that this problem was supposed to be rectified prior to the legal matter that's taking place. So that actually didn't even take place, okay. So now, it's too late to raise the house in the winter, okay. So you just don't do something like that. So that's understood. Okay. I appreciate anything if anyone helps in this matter. Thank you."

Dean Terchunian: "My name is Dean Terchunian, and I live at Bear Estates in Riverhead. On September 25th I wrote a letter to the Town Board requesting a meeting be held by the town for any interested homeowners to have the professionals within the town at the meeting, and to explain to the homeowners what impact the calling of the bond and the hiring of Allen Smith means to the homeowners of Bear Estates, what impact it's going to have on us, and what actions should, if any, the homeowners be taking to help the town and prepare the town with the right information with the problems at Bear Estates. And I have not heard from the Town Board officially on that subject. Thank you."

Steve Haizlip: "Steve Haizlip of Calverton. When Nick was speaking about the budget and you wanting to get an eight per cent raise, I've been engaged in trying to get a water petition for Edwards Avenue and River Road. And now, since this word got out about the raise, you've spooked them. And they're all saying, well if he's going to get a raise, that much, then we can't afford it. And taxes are high enough now, we're spending too much. So some of them said, why don't he go back to Wilkes-Barre. I'm saying-- I'm quoting what they said."

Now, on Route 58, I see that we've got a (inaudible) up there and coated it over and now, the last Town Board Meeting, down in Jamesport, I think I remember seeing it was 70%. Well, now, it's only 90%. But I will live with that 90% because they will not come back and correct it. The termination of the (inaudible) short, in other words it did not have a taper or nothing. In other words, I'm satisfied, but it was better than what it was.

Now, every morning-- awhile back, it stopped now, but for awhile back there, every morning on the news, was talking about the duck is going to be closed October the 8th. And the DEC is in the process of determining the amount of fines against the town. Well, I think I brought this up once before. Now, I'm going to lay an example down here. Now, Judge Werner went on to say in a decision about a blatant violation. Let's take a little comparison check here. The sales tax was supposed to end December 31, 1993, the one-half of a percent I believe it is. Okay? Now, the sales tax is not going to end. They went to the legislator and got an extension. Now, in that case, is Mr. Gaffney in violation of the original agreement? The original law, and is he going to be fined because he went and got it extended? Well, that's just what took place here.

Why should we be fined when we went to the courts and took all legal action and ramification and pursued this and got extensions? And I said it once before, and I'll repeat myself and I'm saying that as long as the courts extended this state, it's like a death sentence on death row. As long as it's being extended, it's legal.

Now, they don't go back and find the guy because we extended it for you. So it was extended here. So I said it again. There should be no fines incurred here because the courts gave legal extensions. Mr. Stark stated at the Civic Association that we have saved about seven or eight million dollars for court action. If we can't get this thing cleared up about these blatant violations that Judge Werner gave and, incidentally while I'm on the subject, she thrashes a little bit which I think was uncalled for. It was more out of the line of judicial decision because she had to get that thrashing in there.

Now, if we don't get this cleared up about these fines and saying failure to close in December, 1990. Well, if that's the case then failure to execute somebody when the date comes up and they get an

escape. Say an example. It's all legal, nobody gets fined. So I think Mr. Isler who our attorney is, should work on this because I just can't see the DEC and Mr. Cuomo and his Commissioner Jorling sitting up there and saying they're going to fine this town when it was definitely legal what was done and it was extended by a court. And if they don't recognize there's court rulings, then you don't recognize no court in this nation. That's all. Thank you."

Supervisor Janoski: "Thank you."

P U B L I C H E A R I N G O P E N E D : 7:22 p.m.

Supervisor Janoski: "Let the record show that the hour of 7:22 p.m. has arrived. The Town Clerk will please read the notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:10 p.m. on Tuesday, October 19, 1993, to hear all interested persons who wish to be heard regarding the real property and the buildings located on the property owned by Frank and Peggi Battaglia located on the corner of Hulse Avenue and Hill Street in Wading River, which are found to be in unsafe condition as described pursuant to Chapter 54 of the Riverhead Town Code.

We also have a letter dated here October 18th from Wildwood Acres to the Supervisor.

To whom it may concern:

We, the residents of Wildwood Acres Association are asking you to take action in solving our problem pertaining to the abandoned home located at the southeast corners of Hill Street and Hulse Avenue in Wading River.

This abandoned home has been burglarized numerous of times. The Police Department and the Code Enforcement have been called many times about this situation. There are continuous problems with teenagers going in and out of this home. As you can see by our pictures that are enclosed, the side door and garage are always open,

which makes it easy access for anyone to get in. The doors have been nailed shut by our Code Enforcer and Police, but it only lasts for a couple of days.

We would also like to mention that animals, such as raccoons, are living in this structure. We have found sick raccoons lying in the yards of adjacent properties. We, the residents of Wildwood Acres, feel that this home is beyond repair and are requesting that this home be demolished and removed.

We would greatly appreciate you helping us resolve this problem in our community.

Sincerely,

William Vitollo
President
Wildwood Acres Assoc.

I have pictures heretoo if anybody would like to see them."

Supervisor Janoski: "Thank you. The town is entering into this procedure which requires a Public Hearing such as this. And does give the property owner the opportunity to step forward and to propose some remedy to the situation that exists.

Failing that, the town will then move to demolish the building and to grade the property and to place the cost of that work on the building as a tax lien.

Is there anyone present wishing to address the Town Board on this property? Way in the back."

Bill Fitz: "My name if Bill Fitz. I'm a resident of 20th Street, Wading River. I have been asked to look at this house. I'm a volunteer fireman with the Fire Department and as you can see with the pictures, it is unsafe. I'm not here as a Fire Department spokesman, but as a volunteer and this weekend coming up is Halloween and if something could be done, even temporary, to secure that house before we do have a problem. It's very bad as you guys can see and we need something done as soon as possible. Thank you."

Supervisor Janoski: "Way in the back."

Jim Marengo: "I'm Jim Marengo. I live on Hulse Avenue, Wading River. I've called the police officers numerous times with teenagers and six year olds and five year olds going in this house. Police officers won't even go in the house. They will if they have to, if they think there's somebody in there, but they open up the doors and they're like-- so, I think the house should really be burned up. I also live next door to this house and I'm very concerned about a fire, especially in the summertime with all my windows open. I have three children at home, and if this house catches on fire in the middle of the night, how would anybody know. And if something happens, all the smoke will be in my house and I could have lots of damage done. Thank you."

Supervisor Janoski: "The young lady in the back, with the gold sweater."

Bonnie Marengo: "Hi, I'm Bobbie Marengo. I'm the wife, okay? I've called the cops many times. I'm home all day long. The kids that are not going to school in our neighborhood, for what reason, I never know, are always in this house. I've called the police. I've called the (inaudible), and I'm tired of calling. I wish something could be done. Okay? Thank you."

Fran Viollo: "Hi, Fran Vitollo, Wading River. I live across the street from this house. The cesspool is not covered. We had the Board of Health there. The cover is on; the dirt has not been filled in and the stench is unbelievable. So please, work on this. You just said that if the people do not show up, you're going to do what you want. Are the owners of this house here? Have they been notified?"

Supervisor Janoski: "They absolutely have been notified. But, there is-- "

Fran Viollo: "I understand a bank owns this house?"

Supervisor Janoski: "What's the story with that, Pat?"

Fran Viollo: "Do we know that?"

Patricia Moore: "I don't know that."

Supervisor Janoski: "Well, the name the property is under is Frank and Peggi Battaglia."

Fran Vitollo: "Uh-huh. Well, I know because they had called the real estate at one time and the real estate wouldn't even look at that home. But they just abandoned that house and the way I just heard that the bank owns that house now. Okay. Thank you."

Paul Reinckens: "My name is Paul Reinckins and I live directly across the street from this vacant house, and it is a health hazard and also a very dangerous situation. Possible fire could occur. And the volunteer firemen and so forth don't need a house like this existing in our neighborhood. So we would appreciate if you could do everything in your powers to take care of it. Thank you."

Supervisor Janoski: "Thank you. Mr. Kasperovich."

William Kasperovich: "William Kasperovich. I live in Wading River. I'm well acquainted with this particular area and this particular house and my memory of it, most of the years going back to the 60's, was a well kept, almost manicured, piece of landscape with an immaculate house. Apparently, some adversity has taken over the Battaglia family. It's my remembrance over the many decades, they are not criminal inclined people, they were good Americans, and something must have happened in the interim."

Nobody has said that the taxes were not paid. Consequently, somebody is entitled to hold onto the land. People or banks or whoever. I went around the-- I drove over to this building this afternoon about 4:00, and I had to get out of the car and look around to see where the house was. It is quite overgrown. So as far as being unsightly, you can't even see the house from out in front. I walked around the house. I stood on top of the cesspool. I didn't smell anything. And I could smell pretty good.

Now, Mrs. Vitollo has a big for sale sign out in front of her house so I don't know what she's so concerned here."

Fran Vitollo: "It's still my community."

William Kasperovich: "But-- "

Supervisor Janoski: "Bill, this is a very simple Hearing. Are you in favor of the action that the Town Board-- "

William Kasperovich: "Don't cut me off like that, Mr. Janoski. I'm entitled to speak."

Fran Vitollo: "Say what you have to say and get it over with."

Supervisor Janoski: "All right, please no interchange."

William Kasperovich: "This is still America."

Supervisor Janoski: "It is, Bill."

William Kasperovich: "And this is a legal process. Now, I'm telling you to what extent I physically examined the building this afternoon. I looked for any violation signs, any danger signs, any hazard signs. I looked for a police line, I saw nothing. A neighbor across the road pointed out to me that there was a notice tacked onto the wall. The notice was gray, blended in with the color of the side of the house, and certainly-- and it was dated September 3rd.

Now, if all this griping is since September 3rd, what has happened in the years past it? Now, the man that says the building is ready to collapse did not state his qualifications as to make such a conclusion. This house is not going to collapse. The rear door was open and I stuck my head in to see what conditions were inside. It is-- if you're not going to call her down, Mr. Janoski, I will."

Supervisor Janoski: "Mr. Kasperovich, please continue with your statement."

Fran Vitollo: (inaudible)

Supervisor Janoski: "Mrs. Vitollo, if you would please. It's bad enough. Please do not interrupt him. Mr. Kasperovich, you have about one and a half minutes remaining to your five minutes. So please take the-- "

William Kasperovich: "And after everybody is said and through, I will come back. And back, and back, and back. You have pulled

this eminent domain thing, this unsafe and hazardous condition from the town law, and this is going too far."

Unidentified: (inaudible)-- "live next door to the place."

Fran Vitollo: "That's right. He doesn't know what he is talking about."

Supervisor Janoski: "Please don't-- "

William Kasperovich: "If the town is so concerned about the safety of the neighborhood, they certainly by this time should have boarded up the entrance. If the town is not going to act on trespasses, they could certainly put a police line around the building such that they can act on it."

Unidentified: "15th Street, (inaudible), be there."

William Kasperovich: "Knock on the door, I'll let you in. I'll let you in."

But this house no way qualifies to be listed as being ready to be demolished."

Supervisor Janoski: "Thank you, Mr. Kasperovich."

William Kasperovich: "All right, board it up. I will ask to be heard after everybody else is heard."

Supervisor Janoski: "I'm trying to. Thank you, Mr. Kasperovich. Mrs. Vitollo, you've already been recognized."

Fran Vitollo: "You won't take me back now. I got to answer this."

Pearl Zapisek: "My name is Pearl Zapisek."

Supervisor Janoski: "Okay, if I could. If you would please refrain from shouting out your opinions and interrupting the speaker."

Pearl Zapisek: "All right. I live next door. I'm adjacent to this property and he has spoken-- one thing that was true."

Supervisor Janoski: "Please, forget Mr. Kasperovich. Tell us what you think about it."

Pearl Zapisek: "It was a beautiful and immaculate piece of property. And right now, it's a nightmare. And for children or anyone, the building is not safe. Even the yard is not safe. And it really is terrible. But he did speak one truth, and that is that it was a beautiful, immaculate property and the Battaglias have lived there only eight years. They've departed two years ago. They just abandoned it. They've never cut, they've never taken care of anything, and they've never improved the property. And a piece of property can deteriorate very, very fast. And all of the homes around it."

Supervisor Janoski: "Yes, ma'am, could we have your name and address for the record."

Pearl Zapisek: "Pearl Zapisek."

Barbara Grattan: "Could you spell that last name?"

Pearl Zapisek: "Z-A-P-I-S-E-K."

Barbara Grattan: "Thank you."

Pearl Zapisek: "And all I can say about it, it is a nightmare. Thank you."

Supervisor Janoski: "Is there anyone else present wishing to address the Town Board on this structure and property? Mr. Schmelzer."

George Schmelzer: "Mention kids going in there. Don't the parents-- can't they control their own kids? If kids start to come into this Town Hall, running around, what would you do? Go after the kids or the parents? This building here itself is unsafe. You can't get out of the cellar without coming upstairs. A violation of your own code. I don't know anything about that house. Maybe those people are sick. Maybe they're dead. Did you notify-- look it up, see if there's a mortgage holder? Did you or didn't you?"

Supervisor Janoski: "George, we're here to listen to you and

not to respond to that kind of-- "

George Schmelzer: "You don't have to respond to anything. You're the lord almighty, huh?"

Supervisor Janoski: "No."

George Schmelzer: "Come on. If the kids-- parents should be responsible for their kids and the house could be boarded up. That's the end of it."

Supervisor Janoski: "George, this is-- the Hearing is on a building and a property, and whether it is, in fact, dangerous and hazardous in the community and that's what this is about. If you would please address that situation. If you haven't seen it, then I don't see how you can comment on it."

George Schmelzer: "Well, have you seen it?"

Supervisor Janoski: "No."

George Schmelzer: "Then you can't comment either."

Supervisor Janoski: "That's why I'm listening."

George Schmelzer: "I'm asking you. If it's ready to collapse or it isn't. If it isn't ready to collapse, just board up the door and windows. That's all. Forget it."

Supervisor Janoski: "The town cannot take that action."

George Schmelzer: "But you can knock it down, but you can't board it up."

Supervisor Janoski: "After a process-- "

George Schmelzer: "That's some system."

Supervisor Janoski: "-- including this Public Hearing, if the owners want to come forward and do-- take some action to make it safe, that's the end of this process. If they do not come forward, then the town has the ability to take strong action."

George Schmelzer: "Are they alive, do you know?"

Supervisor Janoski: "I don't know."

George Schmelzer: "Nobody knows. Very strange."

Supervisor Janoski: "Thank you, George for your contribution to this Hearing."

George Schmelzer: "Do you really mean that?"

Supervisor Janoski: "Yes, I do, George."

George Schmelzer: "Thank you very much. You're welcome."

Supervisor Janoski: "In the middle there."

Denise Kerr: "Good evening. My name is Denise Kerr and I live directly across the street from the house in question. I just want it noted that there has been a lot of drug paraphernalia seen around the perimeter of the property. So that is another thing-- another consideration that I think you should know about. Thank you."

Elizabeth Reinckens: "Good evening. My name is Elizabeth Reinckens. I live on Hill Street, directly across from the house. Like Denise had said-- mentioned, there's a lot of drug traffic through this house, in this house. I've got cop reports on it. I've called them. I've made my statements to them. Okay. And these weren't kids, these were adults. Okay. People, I guess, late 20's, 30's, hanging out at this house, doing drugs. Okay. Cop reports on it. My concern is with the children. It's very difficult. We do talk to the parents. We tell the parents about this hosue. Some of the parents just aren't home when it happens. It is a disgrace that the house is like this and they left it like it. It is a hazard. I have a six year old child. I live directly across. He wants to know why kids are hanging out there and he can't play there. He wants to know why-- different things. Why the cops come all the time? Why are they called? We're taxpayers. We're paying these cops to go to these stupid calls. I mean, they could be doing better things elsewhere. It's just ridiculous. It's a hazard. Something really should be done with this home. Thank you."

Supervisor Janoski: "Is there anyone else present wishing to address the Board on this matter? Just so that-- I will recognize you, Bill, in just a second. The subject of this Hearing concerns this property at the location of Hulse Avenue and Hill Street under the Chapter 54 of the Riverhead Town Code, Unsafe Buildings and Collapsed Structures. To be repaired and secured, first option, or, demolished and removed. Mr. Kasperovich."

William Kasperovich: "William Kasperovich, Wading River. It's unfortunate that when it's in the backyard or across the street or adjacent, there are a lot of loud voices. And if it's down the street a couple of blocks, or on the other side of the neighborhood, you don't even hear a squeak. So these hoots and hollers are not justified.

Yes, if you go through the bushes, you will get close enough to the house to see it, it's unsightly. True, it is in shambles. But it is not unsafe, it's not beyond rehabilitation. And my main concern here is that the town would permit it to get to this state, assuming that all these people are truthful in saying that they called the police and they called the Code Enforcement Officer, and they called the Town Hall. On that assumption, if that is the truth, what has the town done until tonight? Apparently, nothing other than sticking up a piece of paper in a plastic cover to the right of the front door.

But to notify the neighborhood, don't trespass, unsafe, hazardous, afraid to put up a placard on a tree or on the house or what have you. Physically the town has done nothing. And this is my main complaint. This property, the tax has been paid for, and they're entitled to the same services as every other taxpayer. And because the owner is absent, they're not getting it. And this is wrong. In American, you're entitled to own a piece of property. Nobody spells out in what condition it has to be in.

Now, it does not extend beyond the property lines, the danger of fire is minimal. Now, you want to keep people from-- to get within the house, the town has many rights through court action to seal the house. Every other town does it, why can't Riverhead do it? You have to go through this threatening, threatening, and intimidation and what have you because you've done nothing until this point. Are we so afraid to take care of the neighborhood and the

people that live around it that you let it go to this point to act this way?"

Supervisor Janoski: "Now, Mr. Kasperovich, I don't know what you think the town can do. We don't go into properties and do carpentry work. We don't go into properties and cut the lawn. I mean, your statement here is so ridiculous it borders on being absolutely out of order."

William Kasperovich: "That-- "

Supervisor Janoski: "Mr. Kasperovich, I'm not going to debate you on this."

William Kasperovich: "-- but coming from you, I shouldn't be surprised. After all these years, and you have the audacity to want to be Supervisor again, when here is another example of your doing nothing. And you say to me, it verges on the absurdity. Yes, it does. That you know the neighborhood. You drive very close by it. You haven't taken a personal look. You haven't delegated to any of the four elected officials to take a look. But you do set up a Public Hearing. And yet nobody sitting up there will admit to having gone to the property to look at it. And if this is expecting too much from the Town Board, then it is absurd."

Supervisor Janoski: "It is, absolutely. Mrs. Vitollo."

Fran Vitollo: "Hi, Fran Vitollo, First Street. First of all, we requested a meeting, a hearing on this. Second of all, this gentleman, so called gentleman, first he gets up here saying that this place is beautiful and should not be touched. Now, he's turning his tongue around telling you what a disaster it is. I don't think the man knows what he's talking about. I think that we should close this. I think that the Town Board should take action on this here and let's end it because we cannot live with a home like that in our community. Wildwood Acres is very concerned about this area. Not only that one particular home, but we have other homes where we're going to come back to you, Joe. This is not over with. There are other homes where Bill lives, not where I live and where my for sale sign is, it's none of his business. Thank you."

Evelyn Heinz: "Hi, my name is Evelyn Heinz. I live on Second

Street, which is right down the block from this house, and basically all I want to say is I agree with the neighbors, and Wading River was a nice little quite town, nice and clean, and lately it hasn't been that way. And like Frances said, there are a lot of other problems, but this right now is a big one. It's an eyesore and I believe all of us that are here tonight keep our homes really nice. We do our lawns, we do improvements, we pay our taxes, and we're entitled to a nicer neighborhood. And I don't live right next door, but I am concerned about my area, from where I am, all the way down to the other end of Wading River. We moved there because it's nice, it's quaint, and we love it there. But these things have to be taken care of. Thank you."

Supervisor Janoski: "Thank you. Is there anyone else present wishing to address the Town Board on this matter? That being the case, without objection, I declare this Hearing to be closed."

P U B L I C H E A R I N G C L O S E D: 7:50 p.m.

P U B L I C H E A R I N G O P E N E D: 7:50 p.m.

Supervisor Janoski: "Let the record show that the hour of 7:50 p.m. has arrived. The Town Clerk will please read the notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:15 p.m. on Tuesday, October 19, 1993, to hear all interested persons who wish to be heard regarding the proposed increase and improvement of the facilities of Parking District No. 1, consisting of the construction of a new parking lot on a site to be leased by said Parking District at 127 East Main Street."

Thomas Wolpret: "Good evening. My name is Thomas Wolpret, professional engineer with Young & Young, Land Surveyors and Engineers, Riverhead. I hope this will be a more mundane Public Hearing. We are proposing a rather modest improvement to the parking lot behind Swezeys. The project area encompasses 60 by 250 feet or approximately 15,000 square feet. What we are proposing is a drainage system consisting of two catch basins, seven shallow leaching pools. We

are also proposing about 850 feet of belgian block curb together with the striping for 40 stalls and associated landscaping and lighting. And we hope that this will be a much needed improvement to the existing Riverhead Parking District Lot to the west. The engineer's construction cost for these improvements is just under \$70,000."

Councilman Prusinowski: "Paid by the Parking District."

Thomas Wolpret: "Yes, I understand that those monies will be paid for by the Parking District."

Supervisor Janoski: "Thank you. Is there anyone present who wishes to address the Town Board in regard to this Parking District project? That being the case and without objection, I declare the Hearing to be closed."

Bill, you can't blame me for trying."

William Kasperovich: "Yes, I can. William Kasperovich from Wading River. Since I haven't had the opportunity to see these documents that this gentleman refers to, I am still concerned that when we have a high, high tide, and we have a wind east by southeast, we do get a high level of water. It overflows the bulkheads and the entire parking lot is under water. And this problem only comes up infrequently, but when it does come up, it does a lot of damage for years to come. And I would like to know whether this has been addressed. Thank you."

Supervisor Janoski: "Mr. Schmelzer."

George Schmelzer: "Can't walk good. Just where is this spot? It doesn't say here."

Supervisor Janoski: "It-- Tom? I could have answered the question."

George Schmelzer: "Near Sears?"

Supervisor Janoski: "I could have answered the question. I'm trying to get our engineer to-- . Mr. Schmelzer, do you have any other question that you might have?"

George Schmelzer: "Yes. Is it increasing the parking capacity or just making changes for some reason?"

Tom Wolpret: "The net parking stalls-- "

Supervisor Janoski: "You have to come up, Tom, and use the microphone. And, once again, you must identify yourself."

Thomas Wolpret: "Thomas Wolpret, from Young & Young. The net change in parking stalls is zero. We have about 40 stalls there now, although it's a little hard to decipher because there is no delineation, but I counted cars down there and there are as many as 40, but they're more or less-- "

Supervisor Janoski: "The change is, however, that it was private property and now it has become municipal, not municipal, but Parking District. In other words,-- "

Thomas Wolpret: "Correct. This is a private parking lot as it exists today."

Supervisor Janoski: "So, therefore, the Parking District is being-- "

Thomas Wolpret: "Will increase by 40 stalls."

Supervisor Janoski: "Okay. Tom, there was a question raised previously by Mr. Kasperovich in which he pointed out that under certain conditions, the water, the river does come over the bulkhead and what has the engineering plan done to address that potential?"

Thomas Wolpret: "Well, really, in order to prevent flooding, you would have to elevate the entire Parking District property and we are no lower or higher than the adjoining parking lots. It's about elevation six."

George Schmelzer: "Well, did you lease some more land or get dedicated to-- "

Supervisor Janoski: "It is being leased by the Parking District. The Parking District is a District downtown which is comprised of the property owners basically within the business area of the down-

town. They pay the District taxes for the upkeep, maintenance, construction of the parking lots."

George Schmelzer: "And what are the owners going to get out of it?"

Supervisor Janoski: "They are going to get 40 additional parking spaces which are open to the public."

George Schmelzer: "They are going to still pay taxes on all of the land?"

Supervisor Janoski: "The owner of the property pays taxes on the land."

George Schmelzer: "Gee, he's getting screwed, the owner is."

Councilman Prusinowski: "He requested this."

Supervisor Janoski: "George, there is a limit here, and-- "

George Schmelzer: "Okay, thank you for the information."

Supervisor Janoski: "Thank you, George."

George Schmelzer: "I think you're getting heated up. Please don't-- "

Supervisor Janoski: "I'm not getting heated up, George. I'm just advising you that this is a public meeting, there is a governmental process, and there is a limit. And you are coming very close to it."

George Schmelzer: "What's the limit? Tell me."

Supervisor Janoski: "George, when you reach it, you'll find out. Believe me. Thank you, George."

George Schmelzer: "All right, you're not so hot, yet. When you smile, you're cooling off."

Supervisor Janoski: "I'm not getting hot."

George Schmelzer: "Okay, thank you, Joe."

Supervisor Janoski: "Is there anyone else who wishes to address the Town Board in the matter of this Parking District improvement? That being the case, and without objection, I declare the Hearing to be closed."

P U B L I C H E A R I N G C L O S E D: 7:59 p.m.

P U B L I C H E A R I N G O P E N E D: 7:59 p.m.

Supervisor Janoski: "Let the record show that the hour of 7:59 p.m. has arrived. The Town Clerk will please read the notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:20 p.m. on Tuesday, October 19, 1993, to hear all interested persons who wish to be heard regarding Section 103-5 Dumping Prohibited; Penalties for Offenses a Violation of this Section Shall be Punishable by a Penalty of Not Less Than \$1,000.00."

Supervisor Janoski: "Thank you."

Barbara Grattan: "You're welcome."

Supervisor Janoski: "I will recognize anyone who wishes to be heard on the subject of increasing the fine for a violation of illegal dumping. How did I know, Mr. Kasperovich and Mr. Schmelzer? Mr. Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. Since I brought this subject up at the last Board Meeting, I would be remiss if I didn't continue at this point. The number, \$1,000, it does get attention. But to get somebody, some individual or a group of individuals into court to effect this fine, by the way things are written and the way things are conducted in the township, this is nigh impossible. True, \$250 to a contractor gets (inaudible). You pay the fine, and that's the end of it. But if he had to go back and hand shovel it out of where he dumped it, the rest of the town-

ship and county would think three or four times before dumping. Also, we have no town ordinance that requires specific indication and notice of vehicles that could be dumping and could be confronted not personally, but through the Town Hall.

Well, let me put it in simpler words. Maybe you could understand it. A truck has no markings on it other than the license plates. The men who usually work on these trucks are large burly fellows and you are not going to confront them physically. And you not always can see through the mud or dirt or in a position to see the plates. And you can't get the cops to come there before they dump and run off. So a sign on both sides of the vehicle that indicates the owner that could be plainly seen from a distance would be more of a deterrent than the thousand dollars. Because then, they could be fingered and a witness can be in the scene without getting into any physical confrontation with the man doing the dumping or with a policeman who says, well, that's a town ordinance, that's not a police matter.

And I had hoped that some points of serious concern more than just the numerical change would come to pass. But apparently it hasn't. And so I'll conclude and wishfully hope that divine wisdom comes in your direction. Thank you."

Supervisor Janoski: "Yes, George."

George Schmelzer: "Want to see a good example of this? You ought come and sit and see in Brookhaven town what goes on. And as far as lettering a truck, I don't believe they have any right to tell a truck to do that. I don't think you do. Maybe if some dumping takes place, you should be more concerned with the guy who did it getting it removed. And if he doesn't do it, charge him so much a day when it isn't removed. That might be a better system. Think about it.

And trouble that happened on the Brookhaven side of the river is they dump everything, iceboxes, anything, stoves, paper, I even found a heap of stuff one time that came from the Riverhead side. I told the town, they didn't do nothing. But, so they don't want me to put any barricade there, or dig it up with a bulldozer so they can't come in, so one spot I had a friend of mine dump some branches. You know, trees are made out of branches and stumps so it would blend

with the woods. That's in violation, can't do that. So what the hell you want me to do, I said? Well, nothing came of it, you know, I mean Brookhaven. So you can have that problem here, too, but I think if you find out who did it, make them take it out. Fine them so much a day when it remains. It will get out quicker rather than a big fine. Thank you."

Supervisor Janoski: "Thank you, George. Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. Along this line of illegal dumping, I would like to point out an incident that happened at an abandoned gas station, and maybe abandoned properties where there could be barrels or a dumpster left. Now people will come along and they'll notice these barrels but there's no attendants of these properties so-- but they don't know that. So they'll dump these barrels until they come a mountain heap all around them. In this particular case, where is the \$1,000 fine going to? Now, here it has happened, and I know it happened, and I reported it. And I got it taken care of and cleaned up and the barrels went, so that there's no barrels, then they can be no dumping. But I'm just bringing this out for an instance, this can happen.

Even at nighttime when places are closed and the dumpsters or the barrels are out there, then it would be unjustly finding the owner that somebody come along at night and filled up his property-- premises, with debris. So I don't think he should be fined."

Supervisor Janoski: "That's not what this proposal is about, Steve."

Steve Haizlip: "No, illegal dumping and if somebody dumps and fills up barrels and puts mountains around it, it's still illegal dumping, abandoned station. Okay, thank you."

Supervisor Janoski: "Right, Steve, thank you. Warren?"

Warren McKnight: "Warren McKnight, Wading River. Usually what I read about in the papers with fines, usually people who do dumping are usually in financial straits, they're trying to cut a cost here and there, it's a desperate situation. That's not the situation here."

Supervisor Janoski: "I think you're misconstruing what-- we're

not talking about the summertime person who spends a week out here and throws a bag of garbage into somebody else's dumpster."

Warren McKnight: "No, no, I'm talking about a business."

Supervisor Janoski: "We're talking about a tractor trailer having a load to get rid of and they just dump it on a back road or a lot. That's the subject."

Warren McKnight: "Right. Right. Well, usually a business like that we read about in the papers, they usually, they can't afford to go to a dump or something and- "

Supervisor Janoski: "They usually get paid for taking the debris. See, you're missing the point here. There are individuals who will collect a large payment for the removal of whatever type of waste. And instead of paying the fee to legally deposit it somewhere, they will simply drop it in some empty lot or in a back road and then pull away. That's the-- "

Warren McKnight: "Right. There are a lot of companies-- new companies starting up now. I'm missing the point? I don't understand."

Supervisor Janoski: "Now, you want to get across that this poor person-- "

Warren McKnight: "No, no. You're reading into me, Joe. It's not a poor person. It could be a rich person, it could be any person. But the point is, it's the money situation involved. If somebody has to besides the money fine, if they have to do some sort of like what Mr. Kasperovich said, some clean-up work. If somebody has to do it on a Saturday or a Sunday along with this, it will bring home the point more, and I think that should be considered. So I'm not talking about-- don't read into me-- I'm not talking about poor, rich, or anything else but overall situation."

Supervisor Janoski: "Well, in cases where we have in the past had some illegal dumping, we have, in fact, caused the person who committed the act to remove the debris."

Warren McKnight: "Okay, so this is a little bit open-ended here."

It's up to-- "

Supervisor Janoski: "What we're doing is we're increasing the ability of a fine also. Because as you point out, there's a dollar motivation here. And if we make the fine so as to dissuade them from trying to make a couple extra bucks by dumping it in the woods, then if they have to pay \$1,000, they are not going to make any money on it."

Warren McKnight: "Thank you."

Supervisor Janoski: "Thank you. Is there anyone else present wishing to address the Board on this subject? That being the case, without objection, I declare the Hearing to be closed."

P U B L I C H E A R I N G C L O S E D: 8:10 p.m.

P U B L I C H E A R I N G O P E N E D: 8:11 p.m.

Supervisor Janoski: "Let the record that the hour of 8:11 p.m. has arrived. The Town Clerk will please read the notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall on Tuesday, October 19, 1993, at 7:25 p.m. to hear all interested persons who wish to be heard regarding an amendment of Section 101-19 of the Riverhead Town Code Parking for the Handicapped, area is West Main Street."

Patricia Moore: "This is actually a re-Hearing. The original Hearing had a description error so the area is West Main Street, and the description is the southerly side of the street beginning at the easterly terminus of a driveway on the westerly side of the building and running 40 feet east along West Main Street. All other areas as shown in the sketch filed with the Town Clerk."

Supervisor Janoski: "Thank you. Is there anyone present wishing to address the Town Board on the establishment of these handicapped parking areas? That being the case, without objection,

the Hearing-- oh, I'm sorry, Warren."

Warren McKnight: "I wrote a letter to this effect, I was asked to at that time-- Warren McKnight, okay. When I was-- Wading River-- but as I was affiliated with BOCES at the time, BOCES Adult Education Center. The reason why they're requesting this space, it's at the BOCES Adult Education Center located across from Griffing Hardware, so people who are handicapped can park there and attend classes. And that's why they're having this particular Hearing. I just wanted to let everybody know that."

Supervisor Janoski: "Thank you, Warren. Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. I'm awful glad and thankful to Mr. Warren McKnight for clearing this up. For awhile, I didn't know what I was listening to. Now, I do. Now, Mr. McKnight mentions that there are going to be classes held there for the handicapped and there will be provisions provided for parking of the handicapped. I assume that will be day classes, I don't think there will be any night classes for the handicapped."

Supervisor Janoski: "Well, let's ask Mr. McKnight. Mr. McKnight, are there any night classes there?"

Warren McKnight: "Do you want me to come up to the microphone?"

Supervisor Janoski: "If you would, please."

Steve Haizlip: "Yeah, I'd like to get an answer on that, Warren."

Warren McKnight: "This facility is paid for by the taxpayers. You know, the BOCES I District, so there could be day classes or night classes there. At the present time, there's only day classes but the option is open."

Supervisor Janoski: "Thank you, Warren."

Steve Haizlip: "Thank you. And then that leads me to my question that I was going to ask. Of course, you don't have to answer but I'm going to state it."

Supervisor Janoski: "Okay."

Steve Haizlip: "Then if there's day classes and then these parking spaces are left open and if somebody pulls in there at night and they're only for day people, then they're subject to fine and they sit there open all night then, right?"

Supervisor Janoski: "You know you raise a question that I very often ask myself when I go somewhere at night in a building or that isn't being used at the time as to whether you can park in the handicapped space even though no one is going to access that building. And you can't, because it's 24 hours a day."

Steve Haizlip: "That was the reason I'm asking the question. Now, I got a cut and dried answer."

Supervisor Janoski: "There you go, Steve. Mr. Kasperovich."

William Kasperovich: "Very quickly. Kasperovich, Wading River. The English, a second language, run by BOCES starts in the evening, tonight and Thursday that I know of specifically so there are evening classes. Thank you."

Supervisor Janoski: "Thank you, Mr. Kasperovich. Is there anyone else? That being the case, and without objection, I declare the Hearing to be closed."

P U B L I C H E A R I N G C L O S E D: 8:15 p.m.

P U B L I C H E A R I N G O P E N E D: 8:15 p.m.

Supervisor Janoski: "Let the record show that the hour of 8:15 p.m. has arrived. The Town Clerk will please read the notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:30 p.m. on Tuesday, October 19, 1993, to hear all interested persons who wish to be heard regarding an amendment to Section 103-43 of the Riverhead Town Code entitled License Application Requirements-Fingerprints."

Patricia Moore: "In our Solid Waste Ordinance, we've licensed

carters for picking up commercial businesses and one of the requirements is that the carter be fingerprinted. We-- in reviewing the ordinance, it was brought to my attention that we were requesting fingerprinting of business permits, which is local businessmen that get permits, and also landscaper, Class 3. That is not necessary. It's a process that requires review by the State Division of Criminal Justice and it was not warranted for this case. So we're amending the code to exempt contractors as well as business permits from the fingerprinting requirements. In addition, we are going to make the fingerprinting costs, which are \$50.00 per application, that is sent to the state for their processing fees, also paid completely by the applicant rather than any part of it being paid by the taxpayer. Thank you."

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

Councilwoman Gilliam: "I just want to have a question answered for the record. Who is actually going to be responsible for the process of doing the fingerprinting?"

Patricia Moore: "The process is-- the Division of Criminal Justice sends fingerprint cards. I've contacted the Chief of Police and they will do the fingerprinting, and it gets forwarded to Division of Criminal Justice. Sorry about that. All right. The fingerprint cards are issued-- they are formal fingerprint cards that are issued by the Division of Criminal Justice. We then send the applicant to the Police Department. The Police Department does the fingerprinting and the card is then sent up to Division of Criminal Justice. There will probably be a necessity for additional code amendments after I have heard from Division of Criminal Justice to incorporate their procedures into our Ordinance. But, right now, that is the process. Thank you."

Supervisor Janoski: "Is there anyone else? Mr. Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. You know, I'm having a little trouble getting this down as to who gets fingerprinted. It says a license application. Could this be because I want to open up a cigar store and I have to get a license to run it and I got to be fingerprinted?"

Patricia Moore: "No, no, no."

Steve Haizlip: "Well, I mean, I just have a little trouble. Who's getting fingerprinted?"

Patricia Moore: "That's okay. Well, I'll explain it to you. If you-- say you have the fish market-- you own a fish market-- "

Councilman Prusinowski: "He wants to know it's for garbage."

Patricia Moore: "Well, yes, that's why I'm going to start so he can understand."

Councilman Creighton: "Just say it's for garbage only."

Patricia Moore: "This is for-- "

Steve Haizlip: "Now, wait a minute. I'm not that naive. I mean look-- I don't take that, now, look. Because it says: Licensed for a business."

Patricia Moore: "Well, just wait a second."

Steve Haizlip: "All right."

Patricia Moore: "When you come in-- if you need to take your garbage out, okay, and you get a business permit to take your garbage out of your business-- remove the garbage from your business-- there was a business permit. I don't know if we even have them at this point because we-- "

Councilman Prusinowski: "We have the business permits."

Patricia Moore: "Okay, we still have business permits. If-- under the old rules, if you came in for a business permit to be licensed to take garbage, that's all we're talking about, licensing for garbage."

Steve Haizlip: "Oh, for garbage. All right."

Patricia Moore: "For garbage. That application required a fingerprinting. Okay. But we've said, no, no, no, you as a

small businessman should not have to go through the requirement of fingerprinting, that's an intrusion into your privacy. We don't care, we don't want to know. So it's not intended for you. What we are keeping in the code is for hazardous waste removal for commercial carters, they still require fingerprinting. Okay?"

Steve Haizlip: "It's cleared up. Thank you very much."

Supervisor Janoski: "Mr. Schmelzer."

George Schmelzer: "Why is it you have to insult the garbageman by having his fingerprints taken by the Criminal Justice System? He's not a criminal."

Supervisor Janoski: "Thank you, George, for that question. Is there anyone else who wishes to be heard? That being the case, without objection, I declare the Hearing to be closed."

George Schmelzer: "Will it ever come to pass when the Town Board needs to be fingerprinted?"

P U B L I C H E A R I N G C L O S E D: 8:20 p.m.

P U B L I C H E A R I N G O P E N E D: 8:20 p.m.

Supervisor Janoski: "Let the record show that the hour of 8:20 p.m. has arrived. The Town Clerk will please read the notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:35 p.m. on Tuesday, October 19, 1993, to hear all interested persons who wish to be heard regarding a Local Law to provide a tax exemption for capital improvements to residential buildings, consistent with Section 421-F of the New York State Real Property Tax Law."

Supervisor Janoski: "Thank you."

Patricia Moore: "This would incorporate-- the state has authorized the towns to adopt a real property tax exemption that if

you were to make a capital improvement to your house, is you were to put a deck or an addition to your property-- "

Supervisor Janoski: "Or a swimming pool."

Patricia Moore: "Or a swimming pool, okay, yes. That improvement would not result in an increase in your taxes, it would be apportioned over a period of time."

Supervisor Janoski: "Well, let me try it. Okay. If you did said capital improvement, your house would-- your property would not increase in its assessed value, therefore, your taxes would not be increased. And over a period of eight years, there would be a slow reduction of the amount of the exemption which, I believe, is what percentage here?"

Councilwoman Gilliam: "Twelve and a half per cent."

Supervisor Janoski: "Twelve and a half per cent. Thank you, Harriet."

Councilwoman Gilliam: "You're welcome, Joe."

Supervisor Janoski: "And that lasts over a period, I believe, of eight years."

Councilwoman Gilliam: "That's correct. The first year is 100%-- "

Supervisor Janoski: "I don't recognize you, Harriet. I don't know that I asked you another question. So I was just explaining this. Now, that's what the Hearing is about. As to whether the town should, in fact, put into our exemption list this exemption on improvements to property, capital investments which have been described."

Councilwoman Gilliam: "Will you recognize me now, Mr. Supervisor?"

Supervisor Janoski: "I recognize you, Harriet."

Councilwoman Gilliam: "Oh, that's mighty bright of you. The first year of the exemption is 100% exemption and there's a gradual reduction by 12 and a half per cent over the next seven years. It's

designed for improvements where the market value-- there's a ceiling of \$80,000 and the minimum is a \$5,000 improvement. Thank you."

Supervisor Janoski: "Thank you, Harriet. Mr. Schmelzer."

George Schmelzer: "By this rule, could somebody build a house that cost no more than \$80,000, have the first year no taxes?"

Supervisor Janoski: "No."

Councilwoman Gilliam: "No."

George Schmelzer: "No. Well, that's an improvement."

Supervisor Janoski: "That is an improvement to an existing property."

George Schmelzer: "Yeah. So, gee, I feel sorry for the Assessors. With all this mess, they got to keep all this stuff in the figures, I don't know how they do it. The Assessors-- "

Councilman Stark: "They're extremely talented."

Councilwoman Gilliam: "You're recognizing him?"

George Schmelzer: "They must be pretty good, yeah."

Supervisor Janoski: "You know, I really don't want to play this game here. You know, there's two weeks before the election. I know-- George, are you in favor or opposed to this?"

George Schmelzer: "I suppose if I was putting an improvement in my house, I'd be in favor it it, yeah. But I'm not, I'm not in favor of it."

Supervisor Janoski: "Okay. And you bring up a very valid point that the Assessors would have to track it-- "

George Schmelzer: "Whenever you have an exemption, somebody else has to pay for it."

Supervisor Janoski: "Very true."

George Schmelzer: "Yeah, we're doing it with factories and businesses, even foreigners coming into this country, (inaudible) every state to get exemptions and now they're saying (inaudible) put up a factory so four or five years from now, you'll see the yokels down there greeting each other-- ."

Supervisor Janoski: "Okay. Is there anyone else wishing to address the Town Board on the matter of this proposal? Yes, sir, Mr. Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. This on the face of it appears like an idealistic good point for a certain segment of the people in Riverhead. I must comment that in this 95-25 duration of the exemption, that it will continue for the stated period until the dwelling ceases to be used primarily for residential purposes, or title thereto is transferred to other than the heirs or distributees of the owner. Now, heirs to a property do not have to be family members or blood relations. Heirs could be total strangers. Also, transference can be done in various other manners. Now, the point-- the reason this comes to my mind is the various exposures I have had to grants, to no-interest loans or very small interest loans of that sort. There is always one owner, one time, and a period that if it is interrupted, then recovery is made, usually five years. So that if you keep the house for five years, this still applies. If you sell it before that, then whoever buys it has to pay the whatever grant or interest is involved. Or even a tax abatement. There is a specific period of time covered and but only with the owner that it's given to. Nobody else. This is to keep out the speculators and real estate people that want to improve a piece for resale and will do all kinds of gimmicks including moving a family into the house in order to sell it. And this should be reworded to avoid such things specifically. Other than that, I think it's a good idea. Thank you."

Supervisor Janoski: "Thank you. Is there anyone else wishing-- yes, sir."

Ross Maneron: "My name is Ross Maneron from Riverhead. I think it's an excellent idea. I think the motive behind it is to get people to improve their property, and why you-- "

Supervisor Janoski: "Because the motive behind it was to

encourage the building industry, the home improvement industry. That was the motive-- "

Ross Maneron: "Well, that's not so bad because the result (inaudible) the taxpayer. And these days of heavy, heavy taxes, any little thing to help the taxpayer to me looks good and certainly if people improve their property, they improve the town. Incentives are given to business coming into towns, tax relief and abatements and I think it's about time the average homeowner got something."

Supervisor Janoski: "Fair enough."

Ross Maneron: "I just hope this isn't a political thing, because I do know it came down from Cuomo, so. Thank you."

Supervisor Janoski: "Thank you. Anyone else present wishing to address the-- Mr. Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. Again, I would like to get a point clarified. When George, Mr. Schmelzer, when he mentioned about the exemption on this eight year taxes on property, somebody else paid and I think I quote you right in saying, yes, that's true. Now, if an exemption is granted to a charity organization or to veterans exemption, which they've had for about 40 years now from the service, then I could understand that. But if a person is altering his house and putting like an addition and a swimming pool, now he gets an exemption for the first year and so much for the second until it's all caught up. Now, is that-- and then these things, they spot up all over the place, one over here, one over here. Now, does that mean that the Assessors are going to go crazy running around and say, oh, wait a minute here. Steve and Joe and Frank is doing this, now, we've got to see Bob and John to get a little extra taxes. That's the point I want clarified."

Supervisor Janoski: "The Assessors would have to track each exemption granted. If there was 50 or so one year, they would have to track them and then the following year there might be 75 more. So they would have to track those through the eight year life of the exemption."

Steve Haizlip: "So, then, Steve, George and Bill would make up one-eighth, so to speak, I'm just using that as an easy figure

because it's eight years. But it wouldn't be a true one-eighth, it would be a fraction thereof until that other guy got back on level to full assessed valuation."

Supervisor Janoski: "After eight years, the exemption disappears and the improvement is assessed at its full value."

Steve Haizlip: "So we do-- "

Supervisor Janoski: "Is there anyone else wishing to address the Town Board on this matter? That being the case, and without objection, I declare the Hearing to be closed."

P U B L I C H E A R I N G C L O S E D: 8:31 p.m.

Supervisor Janoski: "Now there has been a request for a recess. We will recess until 8:45 p.m."

Recess

Supervisor Janoski: "We will take up the Resolutions."

Resolution #683

Councilman Prusinowski: "We're doing a public improvement refunding of our serial bonds which, at the end of the sale and term of the life of the bond, should save the town approximately \$130,000. 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 #684

Councilman Stark: "Authorizes the Town Clerk to publish and

post Public Notice for Town Board Meeting date changing the Tuesday, November 2nd to Wednesday, November 3rd as a result of that being Election Day. 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 #685

Councilman Creighton: "Authorize the Town Clerk to advertise for bids for the Water Department. So moved."

Councilwoman Gilliam: "Seconded."

Supervisor Janoski: "Moved and seconded."

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

Resolution #686

Councilwoman Gilliam: "Authorize the Town Clerk to publish notice of Public Hearing change of zone petition, Dese Partners. So moved."

Councilman Creighton: "And seconded."

Supervisor Jansoki: "Moved and seconded."

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

Resolution #687

Councilman Prusinowski: "Calling a Public Hearing on the Water District Extension, 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 #689

Councilman Stark: "Adopts an amendment of Chapter 108-56 Signs, of the Riverhead Town Code. 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 #688

Councilman Creighton: "Authorizes publication of display ad regarding attendance at the Suffolk County Police Academy. This is for new hires for our Police 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 #690

Councilwoman Gilliam: "Adopts a like kind exchange of Riverhead Water District property. 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 #691

Councilman Prusinowski: "Authorize the Supervisor to execute agreement with Long Island Lighting Company. So moved."

Councilman Stark: "And seconded."

Supervisor Janoski: "Moved and seconded."

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

Resolution #692

Councilman Stark: "Adopting the East Main Street Urban Renewal Plan, which will be an important factor, again, in taking steps to further the revitalization of downtown. 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 #693

Councilman Creighton: "This adopts an amendment to Section 101-19 of the Vehicles and Traffic Law of the Riverhead Town Code. 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 #694

Councilwoman Gilliam: "Approves site plan of H.R. Talmage & Son, temporary greenhouses. 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 #695

Councilman Prusinowski: "Authorizes for attendance of Accounting Department personnel at a conference. 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 #696

Councilman Stark: "Would the other Council object to doing all three of them at one time? Recreation. 696 through 698 appointment of people to our Winter Recreation program. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "Just a question. 698 is actually for the provisional recreation leader. A little different."

Councilman Stark: "Yes, all right. I'll do 696, 697."

Councilman Prusinowski: "I'll second 696 and 697."

Supervisor Janoski: "Moved and seconded."

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

Resolution #698

Councilwoman Gilliam: "Appoints provisional recreation leader to the Recreation Department. 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 #699

Councilman Stark: "Councilman Prusinowski."

Councilman Prusinowski: "Budget adjustment in the general fund. 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 #700

Councilman Prusinowski: "I make a Resolution to pay bills. And I also want to add the invoice that we have in front of us, East End Recycling for the first week's long haul--."

Councilman Stark: "Seconded."

Councilman Creighton: "We're not going to pay them weekly, are we, Vic?"

Councilman Prusinowski: "No, bi-weekly."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

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

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

Meeting adjourned: 8:55 p.m.

Barbara Heaton
Town Clerk