

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York on Tuesday, May 7, 1985 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor  
John Lombardi, Councilman  
Victor Prusinowski, Councilman  
Vincent Artale, Councilman  
Louis Boschetti, Councilman

Also Present: Richard Ehlers, Town Attorney

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

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

RESOLVED, that the Minutes of Regular Board Meeting held on April 16, 1985 and Special Board Meetings held on April 9, April 23, and April 26, 1985 are dispensed without objection and be approved.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

BILLS

Bills submitted on abstract dated May 7, 1985 as follows:

Councilman Prusinowski offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that subject to complete audit, the following bills be approved for payment.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The heads of the departments of town government are present this evening to answer any questions that you might have. Reports Mrs. Deputy Town Clerk.

REPORTS

Building Department - for month of April, 1985.	Filed.
Tax Receiver - collections as of April 19, and May 1, 1985; \$12,618,849.47.	Filed.
Recreation Department - for month of March 1985.	Filed.
Riverhead Fire District - results of special election re: \$115,000 Serial Bonds for radio communications center; Yes-62 - No-26. and election for fire chief and assistant fire chiefs.	Filed.
N.Y.S. Dept. of Environmental Conservation - Notice of complete application of Wm. Nohejl, Sr. and John Levey.	Filed.
Conservation Advisory Council - Minutes of 3/28/85 Meeting.	Filed.
Open Bid - Horton Avenue Drainage.	Filed.
Open Bid - Cell Bars, Police Facility.	Filed.
Open Bid - Architectural Woodwork, Police Facility. No Bids Submitted.	Filed.

OPEN BID REPORT - HORTON AVENUE DRAINAGE

Bid Date: May 6, 1985 at 11:00 a.m.  
2 Bids Submitted

#1 NAME: SOUTHFORK ASPHALT CORP.  
ADDRESS: DRAWER 2028, EASTHAMPTON, NY  
TOTAL BID: BASE BID: \$101,425.00

#2 NAME: KINGS PARK INDUSTRIES/LAPADULA CONSTR. INC.  
ADDRESS: 380 TOWN LINE ROAD, HAUPPAUGE, NY  
TOTAL BID: BASE BID: \$95,549.90

OPEN BID REPORT - DETENTION CELL BARS - POLICE FACILITY

Bid Date: May 6, 1985 at 11:15 a.m.  
2 Bids Submitted

REPORTS Continued

#1 NAME: FRIES CORRECTIONAL EQUIPMENT, INC.  
 ADDRESS: 1411 COMMERCE PARK DRIVE, TIPP CITY, OHIO  
 TOTAL BID: \$25,670.00

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#2 NAME: KENCO WIRE & IRON PRODUCTS, INC.  
 ADDRESS: 39 EVERGREEN STREET, KEYPORT, N.J.  
 TOTAL BID: \$23,000.00

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Supervisor Janoski, "Thank you. Applications."

APPLICATIONS

Parade Permit-World Vision on June 29, 1985 (Re: Famine in Africa). Filed.

Friendly Ice Cream Corp., 4/22/84-Landscape plan for site plan application. Filed.

Planning Board-Site Plan, resolution and assessment for major subdivision application of Louis Bonavita and Sons, Main Road, Aquebogue. Filed.

Suffolk Tool and Die Corp.-Special Permit to erect and operate in a new building on Wading River/Manor Road, Manorville. Filed.

Hugo Sandolo-Site Plan for auto repair shop, West Main Street Riverhead. Filed.

Hess Realty Corp.-Site Plan for storage building, Route 58, Riverhead. Filed.

Bagshaw Realty-Site Plan for addition to office building, 437 Main Street, Riverhead. Filed.

633 Associates-Site Plan for office building, 633 Main St. Filed.

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Calverton National Cemetary Memorial Committee, 4/30/85- inviting Town Board to Memorial Day services on 5/27/85 and 5/30/85. Filed.

Suffolk County Dept. of Health, 4/29/85-advising no objection and in agreement with proposed rezoning of Route 58 corridor. Filed.

CORRESPONDENCE Continued

Jet Paper Stock Corp., 4/29/85-advising they will no longer be able to pay for corrugated waste paper and old newspapers as of May 1, 1985. Filed.

Riverhead Volunteer Firemen's Assoc., 4/28/85-inviting Town Board to annual parade and drill on June 15, 1985. Filed.

Environmental Quality Review Board, 4/25/85-advising that application of Steve Steckis (Suffolk Tool and Die Corp.) is a Type II Action. Filed.

Sealand Surveying and Engineering, 4/26/85-Recommendng that A 4" Earth Berm will be constructed 20' north of Peconic River Re: Hugo Sandolo application. Filed.

Mecys and Ryta Jauniskis, 4/30/85-Advising that 12' Right-of-way in Aquebogue was named Audra Lane. Filed.

Planning Board, 4/22/85-Resolution approving final plat; Hallockville Est. Filed.

Planning Board, 5/3/85-Resolution rescinding portion of resolution adopted 4/18/85. Filed.

Gregory Blass, 4/17/85-Re: reductions in personnel in vector control program and suggesting a lobbying effort to improve service. Filed.

L.I. State Park and Recreation Commission, 4/17/85-Statement of intent to enter into a cooperative agreement with the water district to incorporate Wildwood State Park Water Supply System into the proposed extension of the district into Wading River. Filed.

Donald Ashworth, 5/1/85-In favor of Water District Ext. 26. Filed.

Wading River Assoc., 5/2/85-In favor of action against ash dump. Filed.

Riverhead Planning Board, 5/6/85-Re: Henry Lee, cluster development, Baiting Hollow. Filed.

Supervisor Janoski, "Thank you. The time for the first public hearing has not yet arrived. Under Unfinished Business:

UNFINISHED BUSINESS

Kimbrooke Enterprises-Special Permit for condominiums on Sound Avenue. That is undergoing the environmental process.

George Nunnara-Site Plan for storage of gas/welding supplies. The Town Board is awaiting elevations of the building.

Steve Tsontakis-Site Plan for gas station facade, Route 25 and 25A. The Town Board is awaiting their revised site plan.

UNFINISHED BUSINESS Continued

Riverhead Honda-Site Plan for office building on Route 25A. That is presently before the Zoning Board of Appeals.

Friendly Ice Cream-Site Plan for restaurant on Route 58. That was passed."

Supervisor Janoski, "There are about 6 minutes remaining before the calling of the first public hearing. I would recognize anyone wishing to be heard on any subject. Bill."

Bill Nohejl, Wading River, "About a month ago there was money appropriated for an appraisal on the Jamesport site. Has anything been done? Has Mr. Bresling been engaged?"

Richard Ehlers, "Yes. Mr. Breslin and I have spoken a couple of times. He's working on it. It's a fairly involved appraisal. It's number one on his list of 3 to be done."

Bill Nohejl, "When do you anticipate it? Do you have any idea?"

Richard Ehlers, "Hopefully within a few weeks."

Bill Nohejl, "Alright. I noticed there's a lot of extensions of the Water District. Again, I wish that you would state where they start and where they terminate please, on the agenda."

Richard Ehlers, "In the notice on the public hearings, there was an actual discription that was published."

Bill Nohejl, "It was published?"

Richard Ehlers, "That was published in the paper. And there will be representatives from the engineer's office here tonight with maps to show everyone."

Bill Nohejl, "All I'm interested in any time a water extension is where it starts and where it terminates. That I wish. Thank you."

Supervisor Janoski, "The representative of Waterview Terrace. Please state your name and address."

Edward Palkot, Waterview Terrace, "We have with us quite a contingent from Waterview Terrace and Morningside who are concerned about the Miamogue Lagoon dredging. We are concerned because we have 3 factors and we notice that you have added number 359 to your list of resolutions. We compliment you for that consideration. There are 3 factors that ought to be considered. One is the health matter. If that lagoon is not dredged, you'll have standing water in there and I need not tell you the problems that entails. You have number 2; drainage from Peconic Bay Boulevard. We have the drains right into the lagoon and that poses a problem. And third; is the matter of boating accessibility. We have people coming in in the summer. We have (clams) seed clams there. We have eelers who come in in the winter, break the ice. There's some question

PERSONAL APPEARANCES ContinuedEdward Palkot, Continued

as to whether this has public access or not and it definitely has public access too by way of Flanders Bay. We are concerned also, about the fact that the Jamesport Marina has already been dredged and there you have an assessed valuation of property in excess of 200 thousand versus our assessed valuation in excess of 4 million dollars. We are representing not just a hand full of people. We represent over 70 families on both sides and these people are quite concerned. Our assessments went up considerably. Those of us on the waterfront had our assessments doubled when it went through. Now, if the assessments justifiably should have been doubled, that is a matter of question. But if they should have been doubled, then there should be a reason for that. And one of the reasons is the accessibility to Miamogue Lagoon and it's facilities. So we would urge you (when you come to it) to pass this resolution 359 and also to send copies not only to those that you've listed but also to Greg Blass who is quite concerned about this being a neighbor of ours just down the road. And also perhaps to Lee Koppleman too who has not been added but probably should."

Supervisor Janoski, "Every legislature will get a copy of the resolution and I'll make sure that our good friend Lee Koppleman gets one too."

Councilman Prusinowski, "I spoke to Dr. Koppleman Friday night attending a farmland committee meeting and I spoke to him about this issue because I believe it was his commission that started the 'hoopla' about the dredging of Miamogue Creek. And I told him that the Town Board was displeased over the way that the report was leaked into the press and thereby started a chain of reaction with the County government. And that's the real reason why that dredging was stopped. You know that had nothing to do with the Town of Riverhead because it was the County government was the one that stopped the dredging. And he admitted to me that his report probably caused that chain of reaction. I told him that our point of view was we were not in favor. We want it to be dredged."

Edward Palkot, "Thank you."

Councilman Prusinowski, "Which he acknowledged my comments and that's about it."

Edward Palkot, "We appreciate your support."

Supervisor Janoski, "Thank you. I would strongly suggest if you have not already done so, that (the next meeting of the legislature I believe will be held in Riverhead which should be next Tuesday) you might gather together your group and speak before the County legislature about it."

Edward Palkot, "What time is that?"

PERSONAL APPEARANCES Continued

Supervisor Janoski, "They start at about 10 o'clock to open the meeting to the public. If you call over to the Riverhead County Center to the legislative office, they would tell you exactly what time and perhaps get you on the agenda."

Edward Palkot, "Splendid. Thank you."

Supervisor Janoski, "Thank you. If you need any help, I would be glad to. It is time for the first public hearing. We will open the meeting up to public comment before we start the resolutions but it is not time to open the public hearing. Let the record show that the hour of 7:46 p.m. has arrived. The Deputy Town Clerk will please read a notice of public hearing."

PUBLIC HEARING 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 7, 1985 at 7:45 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Adoption of Local Law, Article V of the Riverhead Town Code, Extending Senior Citizen Exemption Filing Date.

Supervisor Janoski, "Thank you. Mr. Town Attorney."

Richard Ehlers, "The proposal before the Board this evening is to adopt a local law which would permit senior citizens who had previously filed for an exemption in the previous year, to file late for that exemption should they forget to do so by taxable status date (June 1st) up to the date of time for filing of appeals with the Board of Review. So it would permit a senior (for whatever reason) that had been unable to file their renewal of an exemption from the previous year by taxable status date, to have a grace period so to speak, up to the date of filing of appeals with the Board of Review."

Supervisor Janoski, "Thank you. Does anyone wish to address the Town Board on this matter? That being the case and without objection, I declare the hearing closed."

7:45 PUBLIC HEARING CLOSED AT 7:48

Supervisor Janoski, "There are about 12 minutes remaining before the next scheduled public hearing. Is there anyone wishing to address the Town Board on any matter? Bill."

Bill Roberts, Baiting Hollow, "Since the implementation of the fees to the town landfill, I noticed as probably does everybody else who drives the road, there seems to be a lot more litter appearing at the roadsides. Spare tires, plastic bags of garbage, bags of leaves, timber and it's getting to look like something other than the way Riverhead looked like. Is there any plans to have crews go by periodically and remove this litter?"

PERSONAL APPEARANCES Continued

Supervisor Janoski, "The town does pick up leaves which are placed by the roadside. I believe that the men of the Highway Department (and Charlie can correct me if I'm wrong) when they see something, do pick it up. Is that correct Charlie?"

Charlie Bloss, "Yes. The previous 2 weeks were spring clean up. Household items were allowed to be put out in the street. Mondays have been opened up to pick up along the side of the road."

Councilman Lombardi, "Bill, they do go out on the road to clean up the streets. Is that what you're talking about? His crew is out there."

Supervisor Janoski, "Does anyone else... I see 2 familiar arms there. Who would like to go first? Dick Benedict."

Dick Benedict, Fanning Blvd., "I would just like to reiterate what I read in the paper that Alice Kappenburg said about Malibu East on the north shore. Since Sound Avenue is a historical corridor and Baiting Hollow has a lot of history, I think if you have any influence at all over this application, you could try to get a better name than Malibu East. At least try to convince them."

Supervisor Janoski, "I spoke to their attorney just a few days ago and I said would you please change the name of that project. Steve."

Steve Haizlip, Calverton, "Mr. Janoski and the other Board members. This is the third request that I'm going to make for the Calverton Deli on the south side the shoulders to be graded and levelled. I am more concerned now than I was the last 2 times I spoke to you because I have found out that it's a bus stop. Some of the ladies are standing there on a high mound and water is coming up and they're having difficult times getting into the bus. So like I said, I could call the state but I would like for everything to be done through the town because I think the Town government should. And as you've always pointed out, I didn't know nothing about it. Nobody gave me any input. So now I want to give it to you."

Supervisor Janoski, "That's the side across the street from the deli?"

Steve Haizlip, "The south side. Mr. Artale. I got a letter from Mr. Behan and I've been talking to him about this hydro power. And it's entirely in his words. Let's sort of forget about it. It don't look like it's going to come and Long Island Lighting is going to rule the roost."

Councilman Artale, "It's funny you said that because John Behan had just introduced legislation this past week in Albany commenting on the Marcy South Line and urging them to get in through the Hudson and down into Long Island. It's funny you say that about John Behan because I just got that a little while ago."

PERSONAL APPEARANCES Continued

Steve Haizlip, "I didn't bring my copy with me but I guess I'll have to prove it."

Councilman Artale, "And I'll bring you mine."

Supervisor Janoski, "Yes sir."

Bob Skinner, Wading River, "Mr. Janoski, I read a few comments in the paper 3 or 4 weeks ago about the proposed acquisition of the L.I.L.C.O. site in Jamesport and you were not really quoted but it was mentioned (comments that were direct from you) about.... You said that much of the land would be left for a parkland, etc. but a part of it would go for development or would potentially be sold to developers to try to offset the cost etc. What kind of development would we be talking about in an area such as that?"

Supervisor Janoski, "So that you will hear it directly from me, let us say that you attach a figure (and I wish the press would leave this alone) of 5 million dollars to that parcel of property. The yearly payment to pay for that debt is 750 thousand dollars at today's interest rate which is very good. The Town of Riverhead simply can not afford 750 thousand dollars to pay for a loan to acquire that property. What I was talking about was simply the possibility of an idea that if it were to be condemned, it be condemned through the Community Development Agency. And through that mechanism, you could allow for some economic development to take place there. Some resort or perhaps that would provide the revenue to pay for that part which is retained by the town for public use. And it's just an idea. Something that I myself even have formally in my mind. But there does have to be a source of revenue to pay that bill and it made sense that that's an idea. That that's a possibility."

Bob Skinner, "That sounds a little different that what was in the paper. I am also.... I know you're in the process of having it appraised, etc. If it comes to a referendum as people are talking about, I don't know if it can be in phases. That it could be a yes just for the acquisition or yes for the acquisition and the development. If you see what I mean. Knowing that it will take money from the town to develop that to pay on the facilities. You mentioned a boat ramp, the access. Perhaps ballfields, etc. If all that..... Perhaps the voting could be done based on that too. Because as the town budget stands or even projected into say 2,3,4 years down the road, even if you acquire the property, the budgetary constraints may be such that you couldn't."

Supervisor Janoski, "The development of those items that you mention (of course) would be an additional cost and I think we would be fortunate enough just to acquire it first. And as time went on, to provide the amenities of public recreational facilities. The beach would be there. Perhaps we could put in an access road so the public could get to it. A boat ramp on the Sound is a foley. Unless something were really planned out which of course would be. If we had enough money, we could probably build something that would last. But the idea is one that the Town Board is looking at. We have to find out what is is that is going to be assessed too. I ask the press not to use that 5 million dollar figure because

PERSONAL APPEARANCES ContinuedSupervisor Janoski, Continued

it's one that I picked out of the air based on 10 thousand dollars an acre which I think is kind of low. But I use that as an example so that you would know what the yearly cost of carrying that debt would be. Our entire town budget for this year was about 8 million dollars and you add 750 thousand dollars is quite a bit of money."

Bob Skinner, "One other just quick thing. The Malibu Beach project. Not so much the name but the project itself. Is that something.... How far is that into the works or is that just a concept right now?"

Supervisor Janoski, "Well, it's a concept that's going through the process of environmental process, SEQRA etc."

Bob Skinner, "Have there been hearings on that already?"

Supervisor Janoski, "The Planning Board has had them."

Bob Skinner, "I can't see it as a taxpayer or somebody that lives close to there. Dr. Koppelman and his wisdom and his comments about how it can't be seen from the road, I don't know. Maybe from his house he can't see it but there are plenty of roads in Riverhead where the present structure can be seen. Seven stories does not blend in that area from that stand point along."

Supervisor Janoski, "The Malibu East is a different project than the Bluffs which is currently going on and can be seen from the road. I have been to the property and I think most of the members of the Board have walked that property. There is a hill in front of the site where the buildings are proposed on this particular project. And probably, quite truly, you would not be able to see the building from the road but we will look at that. It's going very slowly through the process."

Bob Skinner, "Ok. Thank you very much."

Supervisor Janoski, "You're welcome. There are about 2 minutes remaining before the next public hearing if anyone would wish to address the Board on any matter. Well let us try to do a resolution."

RESOLUTIONS

#320 ORDER CALLING A PUBLIC HEARING EXTENSION NO. 25 TO THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#321 ADOPTS AMENDMENT TO CHAPTER 105-11 "WATER REGULATIONS" OF THE RIVERHEAD TOWN CODE.

(See Water District Minutes)

PUBLIC HEARING

Supervisor Janoski, "Let the record show that the hour of 8:00 p.m. has arrived. The Deputy Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:00 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 7, 1985 at 8:00 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Repeal of Sections 95-7 and 95-8 of the Town Code Entitled "Taxation" and Adopting Sections 95-7 and 95-8.

Supervisor Janoski, "Mr. Town Attorney."

Richard Ehlers, "When the town went to full valuation in 1979, veterans were dealt with by permitting them to have a prorata increase in their benefits. This prorata increase was granted in accordance with the then existing state law. There was a recent decision by the court of appeals regarding an upstate county that called into question all towns that adopted these local laws back in 1979 and 80. We communicated through the assessors office with the State Board of Equalization and Assessment in Albany and it was their recommendation that (although) our law adopted in 1979 appeared on its face to be validly adopted and would protect the veterans that were so covered by it. That it would be prudent for the Town Board to consider re-adopting the same section again after the court decision to reaffirm the Board's desire to grant the then existing veterans in the Town of Riverhead as of 1979 the prorata increase in their benefits that were occasioned by the full value and that's why this is brought before the Board this evening."

Supervisor Janoski, "Thank you Mr. Town Attorney. Does anyone wish to speak?"

Bill Roberts, "I mentioned this a couple of times in the past. Maybe this will be the last time that I do mention it. I guess I better address this to the members of the Town Board."

Supervisor Janoski, "That's what you've got to do."

Bill Roberts, "The law that Dick Ehlers refers to is the one that stated effective June 1, 1979. Any veteran that does not have a veteran exemption on Riverhead's 1979 tax roll would be denied the benefits of ratio exemption from 1980 on. I did not live full time in Riverhead in 1979-1980. The house that I live in, I purchased in 1965. I paid the full taxes on that house from 65 until I was granted veterans exemption on it during the year 1980-1981. I was receiving the maximum veterans exemption in the Town of Hempstead, Village of Valley Stream based upon a 5 thousand dollar maximum eligible funds exemption. Five thousand eligible funds exemption does not come easily. The average exemption for veterans across New York State is less than 2 thousand dollars. In fact, it's close to 12 hundred dollars or 15 hundred dollars. The only way a veteran can accumulate 5 thousand dollars eligible funds is because he's disabled and he gets

PUBLIC HEARING ContinuedBill Roberts, Continued

monthly compensation payments from the VA for his disability. When I moved to Riverhead, one of the first things I did was to ride down to the assessors office and I sought to have my veterans exemption transferred to the Town of Riverhead expecting fully that the exemption that I enjoyed in Valley Stream would be transferred to my now primary residence in the Town of Riverhead. I was very much surprised to learn, the first year I applied, that I would not be eligible for exemptions because I applied after the call off date. So 12 months after that, I got my tax bill and it said 5 thousand dollars exemption. But the Town of Riverhead has gone from fractional value to full value assessment. So the house that I had been paying taxes on that has been assessed at 3,650 (thousand) dollars, was now assessed at 38,100 dollars. My 5 thousand dollars eligible funds exemption was now applied against 3,650 dollar valuation but against a 38,100 dollar valuation. All of sudden the 5 thousand dollars eligible funds was peanuts. I could go to the supermarket with my wife, bring back 2 bags of groceries and that's how much they cost. That's how much I got from the Town of Riverhead. At the present as Dick Ehlers said, the Board now is going to consider re-adopting the law that was passed in 1979. I am petitioning the Board to see if there is any way that I could be included in that group. And I'm going to talk selfishly now. Although other veterans across New York State, I understand there's about 200 or less who had 5 thousand dollar exemptions, moved into towns that had changed from fractional to full value assessment and found that their 5 thousand dollar exemption was meaningless. The total assessment of the Town of Riverhead for 1984 and 1985 was 531 million dollars. There's a distinction between old veterans and new veterans. Old veterans are the ones that enjoy ratio exemption. There are 870 old veterans in the Town of Riverhead. Those 870 veterans have been exempted from taxes. Of the total assessed valuation of the Town of Riverhead of 531 million. So 870 veterans, have a 2.6 exemption, 2.6%. There's also a category called new veterans and those are guys like me, slobs, second class citizens who don't enjoy the benefits of ration exemption. And those filing under 86, have 7 million dollars of this evaluation or 13%. I label veterans that have ratio exemption and I have nothing against them. I hunger very much to be one of them. I am asking you to make me one of them because then I can enjoy a little more deduction from taxes and I am speaking for myself. I don't give a d--- how much more anybody else will be paying. I fall in with the haves and havenots. The haves are the veterans that live in a town that is assessed at fractional assessment. They never moved from there or they lived in a town that changed to full value and have ratio exemption. The havenots are those that moved from a town that had fractional assessment into a town that taxed at full value. The haves also have a lifetime exemption. Once they get it, it lasts until the day they die and even their widows can still enjoy it. The havenots have a 10 year limit. The haves can add additional funds. For example; I would say roughly that the assessment in the Town of Riverhead were increased 10 times

PUBLIC HEARING ContinuedBill Roberts, Continued

over what they had been when the town went from fractional to full value. Therefore, what has been assessed at 3 thousand dollars, all of a sudden they came assessed at 10 thousand dollars. A veteran could add up to 5 thousand dollars exemption of eligible funds. Let's say that he only has 1,500 dollars. He keeps on getting insurance dividends from his national service life insurance policy. Every year he can add the 300, 400 dollars and keep on increasing the exemption that he presently enjoyed above and beyond his ration exemption. The havenots can't add anything to it. Once they reach a particular figure, that's it. And also the haves got the best deal. Whenever there is a change in the veterans exemption law, whether it allow... (Inaudible) The veterans only opt for the best deal that he enjoys. He does not have to switch to the new one. There are 4 cases of the haves versus the havenots. Example A has property that's valued at 35 thousand. He enjoys a 35 thousand dollar exemption. He pays no town and county taxes. But the town and county taxes or taxes in Riverhead were (increased about) not increased. The evaluation was increased 10 times over what it had been. Veteran B has a 53 thousand dollar assessment. He has 22 thousand dollar exemption against taxes of 53 thousand. He enjoys a 42% reduction of taxes. Veteran C has a 61 thousand dollar assessment. He has a 28 thousand dollar exemption but he's also added another nearly 1 thousand dollars through application of insurance dividends. He enjoys a 47% reduction in taxes. Veteran D has a 53 thousand dollar assessment. He enjoys a 73% reduction of taxes. So you can see, the havenots are limited to 5 thousand dollars exemption. Their eligible funds are more than the haves but yet they can not go higher than 5 thousand dollars against their assessment. I can talk about 2 veterans B and C. Veteran B...."

Supervisor Janoski, "Bill, I'm going to have to ask you to wrap it up. Looks like you've been talking for about 12 minutes now and we do have something of a 5 minute rule. I know that you have talked to each of us individually and most of us understand what it is that you are saying."

Bill Roberts, "The point is; I'm saying is there any way that the town..... And I've written to all these legislatures. I've talked to Behan. I've talked to Sawicki. I've talked to LaValle. Rather than just sympathizing with me and punching my 'TS' card as some of the others have done, is there any way that I could possibly be included in this grouping of haves? I had a 5 thousand dollar exemption. I happened to have crossed the street into another town and I lost it and it hurts. So I petition you to see if there's any way that it could be restored."

Supervisor Janoski, "Thank you. There's about 2 minutes remaining until the next public hearing. Does anyone wish to address the Board on the matter of the veterans exemption and the restoration of the ratio? Mr. Kasperovich."

PUBLIC HEARING Continued

William Kasperovich, Wading River, "I'm glad you know me by name since you defecated on my signature last Thursday. Now I want more than 2 minutes to talk."

Supervisor Janoski, "Maybe you better wait until.... Are you talking about the veterans exemption?"

William Kasperovich, "Yes sir. And I would suggest that when we come back to it, that the esteemed "legal beagle" there give us the facts. Give us the truts and we should go from there. Because you fellows discriminated against the veterans and now you're trying to salvage your errors. You did wrong and now you're trying to make it appear that you'll put it on the books in a legal manner."

Supervisor Janoski, "Mr. Kasperovich, you are entirely wrong and I am going to tell you something."

William Kasperovich, "You have called me wrong for 5 years so it don't mean a d---."

Supervisor Janoski, "Mr. Kasperovich, men on this Town Board in 1980 (not 1979) passed a ratio for veterans who were affected by the switch to full value."

William Kasperovich, "And you didn't give it to me. And you didn't give it to many other veterans in this township. Now these are fellows that lived here for many many years. These fellows have no question of residence. You drew a line and said ok. If these guys don't call in at this point, the h--- with them. Now I came in before the tax roll was closed and you said the h--- with him."

Supervisor Janoski, "I have been advised to leave you alone but you know I don't have to sit here and have you say things that are untrue. The state law as it was passed by the state legislature, did not provide for the person that moved."

William Kasperovich, "I didn't move. I have been here all the time."

Supervisor Janoski, "Mr. Kasperovich, I have listened to you for 5 years and you are going to hear me out. It only provided for the people who lived in the town at the time of the switch to full value. That was the state law that was passed and the Town Board enacted what was possible under the state law. Now you can go ahead and say whatever it is...."

William Kasperovich, "And you didn't give the same ration to all the veterans that live here. Consequently, you discriminated against many veterans. Now the man presented all these figures to you and you got tired in 12 minutes of hearing them. And there's no point in my bringing numbers up again because what he presented, I believe, was perfectly correct. But there are many veterans that

PUBLIC HEARING ContinuedWilliam Kasperovich, Continued

got 100% allowance when it went from ratio assessment to full assessment. And so we have a number of men that do not pay any taxes because of the way these numbers were juggled. We also have a number of men who did not benefit by this number juggling. Consequently, I said before and I say it again, you discriminated against many veterans that live here, have been long time residents here and now you're going to juggle the books to show that you did it legal. You discriminated against the veteran and you have no intention of making any differences or corrections retroactive. Now, if the man can't stand the heat, he shouldn't stay in the kitchen."

Councilman Prusinowski, "Bill we have another public hearing at 8:15. You can come back to the microphone and finish your comments."

William Kasperovich, "Are you taking over the chair?"

Councilman Prusinowski, "Temporarily. Joe went to the mens room."

William Kasperovich, "Are you taking over the chair?"

Councilman Prusinowski, "Just temporarily."

William Kasperovich, "I didn't hear the chairman relinquish his chairmanship to anybody else."

Councilman Prusinowski, "He asked me over there."

William Kasperovich, "He whispers sweet nothings in your ear and keeps the rest of us in the dark out here."

Councilman Prusinowski, "Well Bill, that's not the case and I think you know that. And I'm going to recess this hearing."

8:00 PUBLIC HEARING RECESSED AT 8:18

Councilman Prusinowski, "We are going to have the Deputy Town Clerk read the notice of the next public hearing at 8:15."

PUBLIC HEARING - 8:15 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 7, 1985 at 8:15 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Adoption of a Local Law to Amend Local Law #6-1982 Chapter 10 of the Town Code, "Civil Claims".

PUBLIC HEARING Continued

Councilman Prusinowski, "Thank you Deputy Town Clerk. Dick do you want to explain what we are doing here?"

Richard Ehlers, "The Town Board has had on the books for several years (and it's been amended from time to time) a requirement if you're seeking to bring a civil claim against the town as the result of a defect in something that the town owns or maintains or designs; like a road or a street or a culvert or a bridge, that you have to give us notice in advance so that we have the option to fix that. And that's recognized in the state law. It's in effect in most municipalities. In consultation with our insurance companies as well as attorneys that represent us on behalf of the insurance companies, it was recommended that our ordinance be tightened up again to include all of our entities. The Town Board acts as the governing body of more than just the Town of Riverhead. They govern for the sewer district, the water district, scavenger waste district, the community development agency. So the suggestion to the Town Board is to add the scavenger waste district, the Riverhead job development corporation which is a not for profit organization. And to include with particular description such things as; easements, rights-of-ways, leased land, curbs, catch basins, recharge area, fencing, water mains, appurtenances, meters, the granting or the refusal to grant any building permits since that's your remedy if we refuse to grant you a building permit and you feel we should; is to take an Article 78 proceeding against us, maintenance of our parks, playgrounds, wharfs, docks and marinas. So if you feel that any of these items are unsafely maintained or improperly maintained by the town, you should serve a notice upon the Town Clerk. And in actuality, that generally results in it being fixed."

Councilman Prusinowski, "Thank you Mr. Town Attorney. Does anybody in the general public wish to address the Town Board pertaining to this public hearing? Mr. Kasperovich."

Councilman Boschetti, "Gentlemen, Mr. Kasperovich if I may. In order to make this a legal meeting and a legal public hearing, I think Bill Kasperovich brought up a valid point. We should, in the absence of the chairman, appoint a temporary chairman to conduct this public hearing. Therefore, I move Vic run the meeting."

Councilman Artale, "I second that."

Councilman Prusinowski, "Moved and seconded."

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes.

Councilman Prusinowski was thereupon duly declared chairman of the meeting while the Supervisor was absent. (8:17 to 8:24)

Councilman Prusinowski, "Thank you Lou. Mr. Kasperovich."

PUBLIC HEARING Continued

William Kasperovich, "Councilman, many times over a period of many years, I got up here and talked about curbs on Main Street. I used specific examples on Main Street and Roanoke Avenue which is in the designated crosswalk area. I brought it here to you men in a legal manner explicit and defined so that all would know. Maybe I should have written a legal documents and asked some legal beagle to serve them on you. I don't know but I brought it to you as gentlemen. To this day right now, you still have broken curbs in the designated crosswalk at Main Street and Roanoke Avenue. Now this, I use just as an example. At the time I presented it on several occasions, I used a number of examples to show that it was not an isolated case. So what kind of hoodwinking are we trying to pull here? You people want designation. If you want more than somebody getting up here and pleading with you, then you should make a public attorney available to the residents with which to present legal documents to you. I can't afford lawyers to present legal documents to you. I don't have that kind of money in my wallet. But now, you make specifics and yet because we don't have people taking advantage of these legal loopholes and taking advantage of situations where they could extract money from the township by legal chicanery. So we have problems. We have lived with them. We have learned to accept many of them and we're doing nothing about them. But now to juggle the words around so that we legally safeguard ourselves from people taking court action, the h--- with that noise. Let's get it fixed so that people don't have cause to sue us. Let's fix it when it comes to your attention. Let's accept somebody's consideration that lives here and pays taxes to things. You want your residents to act like lawyers, to come in and give you legal documentation because you want to safeguard yourselves. You put that much effort into fixing and doing away with these things, then you have less concern in that direction. Might be all well and good to tighten up the wordage for our own safeguard for the township. But at the same time, if you're doing nothing about it then d--- it to h---, a curb in the business intersection in the township at a designated crosswalk, what could be more flagrant disregard by you people? So in the light of that, I think you're hoodwinking us with this. You're trying to create the impression that you are considering the dangers and hazards and work that has to be done. And I say; make things safe first and then worry about the law. Then we won't have anybody to sue us because there won't be nothing to sue us about."

Supervisor Janoski, "Yes sir."

Steve Haizlip, "Now, speaking about seeing these curbs and reporting. It brings to mind that we have a highway patrol and we have a police patrol. Are they under any obligation to report any of this to the highway or the highway men report to themselves and in case it's a state road? I think where Mr. Kasperovich is talking about, is part of a state road. And we can't go around touching state road without getting some input from the state and letting them know about it. But is there any kind of communication system set up to (whereas) Mr. New York State Superintendent of Highways, down here in Riverhead at so and so intersection, your curbing is broken off. Do we got that kind of system or can the police do this? I mean it's just something that I would like to input."

PUBLIC HEARING Continued

Supervisor Janoski, "Henry."

Henry Pfeiffer, Wading River, "I have a question to ask our legal eagle or such. In 1982 when this particular section of the town code was passed, it troubled me a little bit because I know that as a private owner having property to which the public has right-of-way, that should there be an accident there, I could not require them to have given me previous notice. And had they given me previous notice, I would have them if they tried to sue me. I would have thought they must have been insane, if they knew about this hole and fell into it. Does the municipality have any special dispensation that they must be notified ahead of time before I return and fall into that hole and can sue you."

Supervisor Janoski, "You certainly may."

Richard Ehlers, "The problem develops in understanding what the mind is of a township. You as a homeowner, I can put on the witness stand. I can ask you (Mr. Pfeiffer) were you aware that your hose was near the curb on the day in question? Is it your habit to leave the hose there and aren't you aware the mailman comes through that area? Now, under the state law, we are subject to interrogation at pre-trial depositions and they can subpoena any town employee. And you can almost, in a town of our size with 200 odd employees, inevitably find an employee someplace who was maybe aware that there might have been a problem somewhere. But can you impute that knowledge to the Board members or the superintendent of highways? So the problem that we have in defending these cases is that there is always somewhere, someplace in the town who has some lurking background knowledge that there maybe a dangerous condition somewhere. What we are trying to do is rationalize. We are trying to say; hey. You gave us written notice to the Town Clerk where it's a public document and it's not a fancy legal document. It's a letter scribbled on the back of a napkin. Beware of the culvert on the corner of Union and Main Street. It's dangerous. Ok? Now we have notice and quickly show the insurance carrier who doesn't want to pay the adjustment to the poorly injured person. I can say to the person; say look. Here's the notice. Pay the claim. Whereas in the other case, we get involved in these days and days of interrogations of the Highway Superintendent and his associates. You commonly travel up and down these road. And when you travel, didn't you notice the potholes at this particular case? Gee, maybe I did and usually I do and I would have fixed it if I could have seen it. And we are just trying to cut that whole thing out. Because you, as one single person, you can easily decide if you can do something. But it's difficult to determine the collective knowledge of a township. So we say, the collective knowledge will be repositied with the Deputy Town Clerk."

Supervisor Janoski, "Is there anyone else to be heard on this subject?"

PUBLIC HEARING Continued

Harold Messick, Aquebogue, "The town has the deed to our road. It's called Poorhouse, Poorlane Extension. Actually it's Meetinghouse Creek Road. We have a problem as far as the water is concerned. I hope something can be done about it. Every time I've written a letter to the Town Board, they've always responded very nicely and this goes back over a period of 40 years. So I want to compliment the town. Every time I've written, I've requested something and I always get some results or a response which is good. I was watching a T.V. program and there was some woman, a sex specialist, "Westingheimer" or something like that. She said you should take a bottle of champagne into the shower. I tried it but all I got was salt water. So you folks can have the same."

Supervisor Janoski, "I wish you would come to more of our meetings sir. Is there anyone else who wishes to address the Board on the matter of the public hearing? That being the case, I declare the hearing closed."

8:15 PUBLIC HEARING CLOSED AT 8:32

Supervisor Janoski, "There are 8 minutes remaining before the next public hearing. Let us continue with the resolutions."

RESOLUTIONS

#322 AUTHORIZES OVERTIME COMPENSATION - WATER DISTRICT.

(See Water District Minutes)

#323 AUTHORIZES TIME AND ONE HALF OVERTIME FOR SEWER DISTRICT.

(See Sewer District Minutes)

#324 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF SUFFOLK TOOL & DIE CORPORATION.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to the special permit application of Suffolk Tool & Die Corp. to erect and operate a new building in Manorville, located on Wading River Manor Road for the purpose of operating a machine shop whose daily course of business is machining small molds, tools, dies and fixtures.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 21st day of May, 1985, at 7:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of Suffolk Tool & Die Corp. to construct and operate a machine shop on Wading River Manor Road, Manorville, New York.

RESOLUTIONS Continued

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#325 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF ABANDONED VEHICLE AUCTION.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice with regard to the public auction of abandoned and town vehicles.

## PUBLIC NOTICE

ABANDONED VEHICLES TO BE SOLD AT PUBLIC AUCTION ON MAY 18, 1985 PURSUANT TO SECTION 1224 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK:

THE AUCTION WILL BE HELD ON SATURDAY, MAY 18, 1985 AT THE TOWN IMPOUND AREA, ROUTE 58, RIVERHEAD, NEW YORK AT 9:00 A.M. INSPECTION OF THE MOTOR VEHICLES WILL BE ON FRIDAY, MAY 17, 1985 BETWEEN 10:00 a.m. and 3: p.m.

AV-21-85	1969	BUICK	435699H52855
AV-22-85	1972	BUICK	4D37H2G144119
AV-23-85	1976	BUICK	4V37J6H447431
AV-24-85	1969	CADILLAC	P9197252
AV-25-85	1968	CADILLAC	P8290569
AV-26-85	1976	CADILLAC	6L47S6Q322081
AV-27-85	1968	CHEVY	124378N463488
AV-28-85	UNK	CHEVY	1XX27W287671
AV-29-85	1966	CHEVY	136696B179263
AV-30-85	1966	CHEVY	153116T258036
AV-31-85	1968	CHEVY	154358T189522
AV-32-85	1970	CHEVY	113270W388186
AV-33-85	1971	CHEVY	14115U222567
AV-34-85	1971	CHEVY	164391T145687
AV-35-85	1972	CHEVY	1M47H2T110351
AV-36-85	1974	CHEVY	CCY2441191611
AV-37-85	1974	CHEVY	1H57H4B535579
AV-38-85	1972	CHECKER	A11230722174
AV-39-85	1976	CHRYSLER	SS22n7R105804
AV-40-85	1971	DODGE	WH23G1A171470
AV-41-85	1968	FORD	8Y84N108023
AV-42-85	1972	FORD	2T12X253042
AV-43-85	1973	FORD	3K91F114014
AV-44-85	1974	FORD	4T10X298240
AV-45-85	1974	FORD	4X93L298663
AV-46-85	1971	FORD	1T01F104486
AV-47-85	1975	GMC	TCE675V602215
AV-48-85	1968	MERCURY	8F91F521297
AV-49-85	1972	MERCURY	GAECNP69533
AV-50-85	1964	OLDS	814M224920
AV-51-85	1974	OLDS	3J57K4G105781

RESOLUTIONS Continued

AV-52-85	1972	PLYMOUTH	VL29B2B249814
AV-53-85	1974	PLYMOUTH	VL29C4B202481
AV-54-85	1975	PLYMOUTH	PH46M5D216897
AV-55-85	1950	PONTIAC	W8TH5034
AV-56-85	1968	PONTIAC	242378P101111
AV-57-85	1973	PONTIAC	2H37R3P328817
AV-58-85	1973	PONTIAC	2K57T3A236630
AV-59-85	1973	TOYOTA	TE28539769
AV-60-85	1975	TOYOTA	TE31009458
AV-61-85	1967	VOLKS	367194761
AV-62-85	1969	VOLKS	369104813
AV-63-85	UNK	HONDA	CB750F2109969
AV-64-85	UNK	SUZUKI	RM12578679
AV-65-85	UNK	YAMAHA	2X6014913

TOWN VEHICLES TO BE SOLD AT PUBLIC AUCTION ON MAY 18, 1985  
PURSUANT TO SECTION 1224 OF THE VEHICLE AND TRAFFIC LAW OF  
THE STATE OF NEW YORK:

AV-07-85	1981	FORD	1FAPBP21B7BK195043
AV-08-85	1980	FORD	0A61G140195
AV-09-85	1982	PLYMOUTH	2P3BB26N3CR169098

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#326 APPROVES SPECIAL PERMIT APPLICATION OF JOSEPH AND LINDA  
SULLIVAN FOR A PERMANENT MOBILE HOME PARK PERMIT.

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

WHEREAS, on April 15th 1983, by Resolution Number 202,  
this Town Board did deny the Special Permit Application of  
Joseph and Linda Sullivan; and

WHEREAS, the Supreme Court, Appellate Division, Second  
Department after reviewing the matter has declared that the  
Riverhead Town Board must issue a Special Permit to Joseph and  
Linda Sullivan along one of the four development schemes pre-  
sented subject to such reasonable conditions and safeguards as  
the Town Board may deem advisable to impose; and

WHEREAS, this Town Board has reviewed the prior papers  
and proceedings had herein including the Riverhead Town Plan-  
ning Board resolutions dated April 16, 1982 and November 5,  
1982; the Riverhead Town Board resolution number 202 dated  
April 5, 1983; the minutes of the public hearings held before  
the Riverhead Town Planning Board and the Riverhead Town Board  
and any and all documentation duly submitted in support of and  
in opposition to the subject Special Permit Application; and

WHEREAS, each Town Board member is each personally familiar  
with the application, its history and the park itself, and

RESOLUTIONS Continued

WHEREAS, this Town Board has considered the recommendation of the Riverhead Town Planning Board, the comments of citizens made at the duly held public hearings and any evidence submitted to the Town Board in making this determination,

NOW, THEREFORE, BE IT,

RESOLVED, that the Town Board does hereby find:

1. That the existence of the park has caused vehicles to be parking on Wading River-Manorville Road and neighboring farmland;

2. That increasing the number of sites would necessarily decrease the area for off-street parking and could aggravate the on-street parking on Wading River-Manorville Road, thereby increasing the potential of an accident at that park;

3. That the present density of trailers or mobile homes, together with other structures not shown on the survey but which exist, has created a crowded condition;

4. That increasing the number of sites would aggravate the crowded condition;

5. That the current density and closeness of structures increases the risk of fire, which risk will increase if more sites are permitted;

6. That the survey submitted to this Board fails to reveal the presence of other structures that exist on the site;

7. That the mobile home park ordinance conditions the existence of accessory structures and accessory storage structures upon meeting certain requirements of the Town Code, See Section 79-13;

8. That no provision has been made for emergency conditions;

9. That the survey submitted fails to lay out parking spaces;

10. That no plan for buffer yards, landscaping, walls, fences, or screening is provided to protect adjacent properties;

11. That the use of the property has caused garbage to be dumped on neighboring properties;

NOW, THEREFORE, BE IT

RESOLVED, that the Special Permit Application of Joseph and Linda Sullivan for a permanent mobile home park permit for the Oak Park Trailer Court at the east side of Wading River Manorville Road, Wading River, New York, to provide for the placement of four mobile home units at the north end of the park be and hereby is approved and all other schemes presented by the applicants be and hereby are denied; and

BE IT FURTHER RESOLVED, that this approval is subject to the following conditions:

1. The mobile home units placed in the park must comply with the U.S. Housing and Urban Development standards and must bear a seal certifying same;

2. The placement of the units must comply with any and all setback and side yard requirements as provided in Chapter 79 of the Code of the Town of Riverhead;

RESOLUTIONS Continued

3. All accessory structures located in the park which do not meet the requirements of Chapter 79, and any other Code provision, of the Code of the Town of Riverhead must be removed.

4. All exposed ground surfaces within the park, except those under construction, shall be paved or covered with stone screenings or other solid material or protected with vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather;

5. Metal garbage cans with tight fitting covers shall be provided by the park owner in quantities adequate to permit disposal of all rubbish and garbage;

6. Garbage cans shall be located on each lot and shall be kept in a sanitary condition at all times;

7. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to ensure that garbage cans do not overflow;

8. The other requirements set forth in Section 79-15 of the Code of the Town of Riverhead relating to garbage and refuse disposal be met;

9. The park shall be maintained in a clean and orderly condition at all times pursuant to the dictates of Section 79-14 of the Code of the Town of Riverhead;

10. The access requirements of Article III of Chapter 79 of the Code of the Town of Riverhead must be met and shall include, but shall not be limited to the following;

- A. If parking is allowed on the roadway, all streets in the park street system shall have a minimum width of thirty six (36) feet. If parking is not allowed on the roadway, a minimum roadway width of twenty five (25) feet is required.
- B. The interior park roadway shall meet the specifications as laid out in section 79-18 (E) and (F);
- C. If no on-street parking is permitted, each new mobile home lot shall be provided with two off-street parking spaces; if on-street parking is permitted, each new mobile home lot shall be provided with one off-street parking space;
- D. Accessory vehicles, camper vehicles, travel vehicles, boats, or other vehicles and cars shall not be stored or parked on individual mobile home lots or in any street or roadway, public or private, but shall be stored or parked in a screened central storage area within the boundaries of the park.

11. Each new mobile home lot shall comply with the requirements of Article VI of Chapter 79 of the Code of the Town of Riverhead relative to utilities;

12. A fence or other form of screening or buffer shall be provided along the perimeter of the mobile home park including that portion of the park bordering Wading River-Manorville Road leaving open only the two access-ways of the park and any presently existing individual lot driveways;

RESOLUTIONS Continued

13. The two existing driveways of the park shall remain accessible and open and shall not be closed unless a new driveway is substituted for each to ensure safe passage into and out of the park.

14. No parking shall be permitted on or at either the east or west shoulder of Wading River-Manorville Road by the park occupants, tenants, owners, agents, guests or others;

15. Any and all parking areas located within the park shall be maintained on a daily basis in a neat and order condition free of litter and debris and from all potholes;

16. The proposed parking area at the southern end of the park shall be paved according to the specifications as outlined in the Code of the Town of Riverhead with regard to type, thickness and grade;

17. There shall be no further expansion of the park by placement of additional units therein unless the lot area of the entire park is extended and unless such extension and expansion meets the requirements of the Code of the Town of Riverhead;

18. Any and all restrictions and/or limitations as outlined in the Code of the Town of Riverhead as it may from time to time be amended, must be met subject to such grandfather conditions as the Code may provide to other property owners.

19. A covenant containing all the limitations and provisions of this approval contained in this resolution, in a form as attached, shall be recorded by Joseph and Linda Sullivan, owners of the property, with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.

20. The applicant must execute, record, and file a certified recorded copy as recorded by the Suffolk County Clerk with the Riverhead Town Clerk the attached covenant on or before the \_\_\_\_\_ (Date to be set by the Town Board and/or the Town Attorney)

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Joel Markowitz, Esq., attorney for Joseph and Linda Sullivan and to the Riverhead Building Department.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#327 AUTHORIZES OVERTIME COMPENSATION IN THE SANITATION DEPT.

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

RESOLVED, that the Superintendent of the Sanitation Department authorizes to pay time and one-half compensation for overtime to the following employees in the Sanitation Department:

RESOLUTIONS Continued

O'Kula, Walter	10.50 hrs.	@\$12.0697 = \$126.73
Hetterick, B.	21.00 hrs.	@\$13.7830 = \$289.44
	Total	\$416.17

FURTHER BE IT RESOLVED, that the explanatory report relating to aforesaid overtime, be filed in the Office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#328 AUTHORIZES OVERTIME FOR HIGHWAY DEPARTMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half overtime compensation for a total of 35-1/2 hours in the amount of \$500.59, in accordance with personal services abstract submitted and filed in the office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#329 AUTHORIZES COURT/RECALL PAY FOR LIEUTENANTS AND SERGEANTS.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following Lieutenants and Sergeants be paid Court/Recall Pay for a period from March 1, 1985 through April 30, 1985.

1. Alexander, F.	3-4-85	2.00
	3-5-85	4.00
	4-15-85	4.00
	4-26-85	4.00
		<u>14.00</u>
2. Droskoski, W.	4-4-85	4.00
3. Grattan, J.	4-13-85	8.00
	4-14-85	8.00
		<u>16.00</u>
4. Grossman, A.	3-18-85	4.30
	4-15-85	4.00
		<u>8.30</u>
5. Mazzo, L.	4-1-85	7.00
	4-22-85	8.00
	4-23-85	8.00
	4-29-85	8.00
		<u>31.00</u>

RESOLUTIONS Continued

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#330 AUTHORIZES OVERTIME PAY FOR SERGEANTS.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following Sergeants be paid Overtime Pay for a period from March 1, 1985 through April 30, 1985.

1. Grossman, A.	3-18-85	1.00
	4-29-85	<u>2.30</u>
		3.30
2. Grattan, J.	4-4-85	3.30
3. Mazzo, L.	4-30-85	8.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#331 AUTHORIZES STANDBY STRAIGHT TIME PAY FOR DETECTIVES.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following Detectives be paid Standby Straight Time Pay for a period from March 1, 1985 through April 30, 1985.

1. Cheshire, D.	3-1-85	2.00
	3-10-85	2.00
	3-25-85	2.00
	3-30-85	2.00
	4-1-85	2.00
	4-16-85	2.00
	4-24-85	<u>2.00</u>
		14.00
2. Dunleavy, J.	3-6-85	2.00
	3-11-85	2.00
	3-19-85	2.00
	3-27-85	2.00
	4-3-85	2.00
	4-10-85	2.00
	4-18-85	<u>2.00</u>
		14.00
3. Miller, D.	3-7-85	2.00
	3-22-85	2.00
	3-28-85	2.00
	4-6-85	2.00
	4-12-85	2.00
	4-19-85	<u>2.00</u>
		12.00

RESOLUTIONS Continued

4. Palmer, W.	3-5-85	2.00
	3-13-85	2.00
	3-14-85	2.00
	3-20-85	2.00
	4-5-85	2.00
	4-13-85	2.00
	4-17-85	2.00
	4-30-85	2.00
		<u>16.00</u>
5. Summerville, A.	3-3-85	2.00
	3-9-85	2.00
	3-23-85	2.00
	4-8-85	2.00
	4-15-85	2.00
	4-23-85	2.00
	4-25-85	2.00
		<u>14.00</u>
6. Robinson, D.	3-4-85	2.00
	3-12-85	2.00
	3-18-85	2.00
	3-26-85	2.00
	4-2-85	2.00
	4-9-85	2.00
	4-11-85	2.00
	4-27-85	2.00
		<u>16.00</u>
7. Underwood, R.	3-2-85	2.00
	3-8-85	2.00
	3-15-85	2.00
	3-16-85	2.00
	3-17-85	2.00
	3-24-85	2.00
	4-7-85	2.00
	4-22-85	2.00
	4-29-85	2.00
		<u>18.00</u>

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#332 AUTHORIZES OVERTIME PAY FOR DETECTIVES.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following Detectives be paid Overtime Pay for a period from March 1, 1985 through April 30, 1985.

1. Miller, D.	3-22-85	5.00
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RESOLUTIONS Continued

2. Summerville, A.	3-23-85	2.00
	4-9-85	8.00
	4-10-85	6.00
	4-11-85	5.00
	4-12-85	4.00
		<u>25.00</u>
3. Underwood, R.	4-9-85	8.00
	4-10-85	6.00
	4-11-85	5.00
	4-12-85	4.00
		<u>23.00</u>

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#333 AUTHORIZES RECALL/COURT PAY FOR DETECTIVES.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following Detectives be paid Recall/Court Pay for a period from March 1, 1985 through April 30, 1985.

1. Miller, D.	4-4-85	4.00
	4-21-85	4.00
		<u>8.00</u>
2. Palmer, W.	3-11-85	2.00
	3-30-85	4.00
		<u>6.00</u>
3. Robinson, D.	3-22-85	4.00
4. Summerville, A.	3-10-85	5.15
	3-31-85	4.00
	4-18-85	4.00
		<u>13.15</u>
5. Underwood, R.	3-22-85	4.00
	4-15-85	4.00
		<u>8.00</u>

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#334 AUTHORIZES STRAIGHT TIME/OVERTIME PAY FOR POLICE OFFICERS.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLUTIONS Continued

BE IT RESOLVED, that the following Police Officers be paid Straight Time/Overtime Pay for a period from March 1, 1985 through April 30, 1985.

1. Cheshire, D.	3-13-85	3.30
	3-2-7-85	3.30
	4-18-85	<u>2.30</u>
		9.30
2. Danowski, J.	3-30-85	4.00
3. Dunleavy, J.	3-5-85	3.30
	3-15-85	3.00
	3-16-85	3.30
	3-18-85	3.45
	3-20-85	3.00
	3-21-85	2.30
	3-23-85	4.30
	3-27-85	3.00
	3-30-85	3.00
	4-13-85	4.00
4-18-85	<u>2.30</u>	
	36.15	
4. Lydon, J.	3-30-85	4.00
5. Romaniello, F.	4-11-85	2.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#335 AUTHORIZES STRAIGHT TIME/OVERTIME PAY FOR POLICE OFFICERS.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following Police Officers be paid Straight Time/Overtime Pay for a period from March 1, 1985 through April 30, 1985.

1. Danowski, J.	3-2-85	4.30
	3-15-85	4.40
	4-12-85	<u>5.00</u>
		14.10
2. Kurpetski, J.	3-2-85	4.30
	4-12-85	<u>5.00</u>
		9.30

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#336 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following Police Officers be paid Overtime Pay for a period from February 27, 1985 through April 30, 1985.

1. Cheshire, D.	3-1-85	1.00
	4-1-85	<u>1.30</u>
		2.30
2. Erick, C.	4-4-85	3.30
	4-11-85	<u>3.15</u>
		6.45
3. Fagan, D.	2-27-85	1.00
	4-27-85	<u>4.00</u>
		5.00
4. Foote, F.	3-10-85	1.00
	4-14-85	<u>.40</u>
		1.40
5. Haley, R.	3-12-85	.45
	3-15-85	.45
	4-19-85	8.00
	4-27-85	<u>3.00</u>
		12.30
6. Kurpetski, J.	4-8-85	4.00
7. Loggia, J.	4-4-85	2.00
8. Lydon, J.	4-3-85	.30
	4-23-85	<u>1.00</u>
		1.30
9. Lynch, T.	3-3-85	1.30
	4-12-85	.30
	4-27-85	<u>1.30</u>
		3.30
10. Mickoliger, L.	3-27-85	1.00
	4-18-85	<u>8.00</u>
		9.00
11. Moisa, W.	4-26-85	8.00
	4-27-85	<u>.30</u>
		8.30
12. McDonald, O.	3-16-85	8.00
13. Peeker, R.	3-31-85	8.00
14. Psaltis, J.	4-19-85	1.40

RESOLUTIONS Continued

15. Romaniello, F.	3-11-85	4.00
	4-2-85	.40
	4-21-85	<u>1.00</u>
		5.40
16. Witt, W.	4-2-85	8.00
17. Woods, K.	3-14-85	8.00
	3-15-85	8.00
	4-8-85	<u>8.00</u>
		24.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#337 AUTHORIZES RECALL/COURT PAY FOR POLICE OFFICERS.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following Police Officers be paid Recall/Court Pay for a period from March, 1985 through April 30, 1985.

1. Cheshire, D.	4-14-85	4.30
2. Danowski, J.	3-4-85	6.45
3. Densieski, A.	4-4-85	4.00
4. Dorfer, T.	3-19-84	8.00
5. Dunleavy, J.	3-8-85	4.00
	3-13-85	4.00
	4-21-85	4.00
	4-26-85	4.00
	4-27-85	6.00
	4-30-85	<u>4.00</u>
		26.00
6. Erick, C.	3-4-85	2.30
	4-14-85	<u>8.00</u>
		10.30
7. Fagan, D.	3-7-85	8.00
	4-15-85	2.00
	4-25-85	<u>4.00</u>
		14.00
8. Foote, F.	3-4-85	4.30
	4-1-85	2.00
	4-12-85	<u>2.30</u>
		9.00

RESOLUTIONS Continued

9.	Green, D.	3-11-85	6.00
		3-15-85	<u>6.00</u>
			12.00
10.	Fianni, V.	3-5-85	8.00
		3-6-85	<u>8.00</u>
			16.00
11.	Haley, R.	3-27-85	4.00
		4-1-85	2.00
		4-29-85	<u>2.00</u>
			8.00
12.	Kurpetski, J.	4-10-85	4.00
13.	Loggia, J.	3-19-85	3.45
14.	Lynch, T.	3-4-85	4.30
		4-24-85	<u>2.00</u>
			6.30
15.	Mackie, F.	3-4-85	4.00
16.	Moisa, W.	4-22-85	8.00
17.	Paasch, P.	3-6-85	8.00
		3-7-85	8.00
		3-20-85	3.30
		4-4-85	<u>4.00</u>
			23.30
18.	Peeker, R.	3-4-85	2.00
19.	Psaltisk, J.	4-29-85	2.30
20.	Romaniello, F.	3-4-85	2.00
		3-5-85	3.00
		3-21-85	2.00
		3-27-85	4.00
		4-3-85	2.30
		4-15-85	4.00
		<u>4-17-85</u>	5.30
			23.00
21.	Swiatocha, J.	3-7-85	8.00
		3-8-85	8.00
		4-27-85	<u>4.00</u>
			16.00
22.	Troyan, P.	3-23-85	8.00
23.	Witt, W.	3-4-85	2.00
		4-10-85	<u>6.40</u>
			8.40

RESOLUTIONS Continued

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#338 AUTHORIZES OVERTIME PAY FOR CIVILIAN EMPLOYEES.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following civilian employees be paid Overtime Pay for a period from March 1, 1985 through April 30, 1985.

1. Halliday, D.	3-8-85	2.00
	3-11-85	2.00
	3-14-85	1.00
	3-15-85	2.00
	4-5-85	4.00
		<u>11.00</u>
2. Quinonez, C.	4-24-85	6.45
3. Ruskowski, F.	3-1-85	1.00
	3-3-85	6.00
	3-4-85	1.00
	3-5-85	1.00
	3-6-85	1.00
	3-7-85	1.00
	3-8-85	1.00
	3-11-85	1.00
	3-12-85	1.00
	3-13-85	3.00
	3-14-85	1.00
	3-15-85	1.00
	3-18-85	2.00
	3-19-85	1.00
	3-20-85	1.00
	3-21-85	1.00
	3-22-85	1.00
	3-23-85	2.00
	3-25-85	2.00
	3-29-85	2.00
4-1-85	1.00	
4-2-85	1.00	
4-3-85	1.00	
4-4-85	1.00	
4-8-85	1.00	
4-10-85	1.00	
4-11-85	1.00	
4-17-85	1.30	
4-21-85	2.00	
		<u>41.30</u>
4. Sargent, C.	3-9-85	8.00
	3-15-85	2.00
	3-22-85	2.00
	3-29-85	3.30
	4-19-85	2.00

RESOLUTIONS Continued

4. Sergeant, C.	4-25-85	4.00
	4-26-85	2.00
	4-30-85	2.30
		<u>26.00</u>
5. Sievers, D.	3-22-85	1.00
6. Terry, A.	3-1-85	1.00
	3-6-85	3.30
	3-21-85	2.30
	3-23-85	4.00
	4-1-85	1.00
	<u>12.00</u>	
7. Zlatniski, D.	4-27-85	3.30

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:40 p.m. has arrived. The Deputy Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:40 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 7, 1985 at 8:40 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Increase and Improvement of the Riverhead Water District Consisting of the Renovation of an Existing Building at Water Plant No. 1, Pulaski Street.

(See Water District Minutes)

8:40 PUBLIC HEARING CLOSED AT 8:45

Supervisor Janoski, "We have 5 minutes before the next scheduled public hearing notice. Let us continue with the resolutions."

RESOLUTIONS

#339 AUTHORIZES OVERTIME COMPENSATION IN THE ACCOUNTING DEPT.

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

RESOLVED, that the following employees of the Accounting Office be paid time and one half overtime compensation:

Vourakis, V.	22.25 hours	@\$13.9888	=	\$311.23	
Friszolowski, F.	10.50 hours	@\$11.4625	=	\$120.37	
				<u>\$431.60</u>	Total

RESOLUTIONS Continued

FURTHER RESOLVED, that the explanatory report relating to aforesaid overtime be filed in the office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#340 BUDGET ADJUSTMENT - GENERAL FUND.

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

RESOLVED, that the Supervisor be and hereby is authorizing the following Budget Adjustment:

GENERAL FUND

	<u>FROM</u>	<u>TO</u>
A3125.110 JAB Personal Services	\$ 5,000.00	
A3125.406 JAB Car Maintenance	300.00	
A7989.200 Equipment Teen Center	17,000.00	
A3510.490 Dog Warden Miscellaneous	50.00	
A3125.404 JAB Programs		\$ 5,000.00
A3125.405 JAB Miscellaneous		300.00
A7989.100 Personal Services Teen Center		8,000.00
A7989.402 Supplies-Teen Center		8,100.00
A7989.403 Travel-Teen Center		900.00
A3510.440 Dog Warden-Cleaning Supplies		50.00
TOTAL	<u>\$22,350.00</u>	<u>22,350.00</u>

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#341 AUTHORIZES SUPERVISOR TO SIGN CONTRACT FOR PROFESSIONAL SERVICES.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

WHEREAS, the Town of Riverhead has submitted a proposal to the Suffolk County Department of Planning for the establishment of a hard clam nursery in the Town of Riverhead, and

WHEREAS, the County of Suffolk has approved the proposal and will contribute \$7,000 towards its completion, and

WHEREAS, the Suffolk County Department of Planning has transmitted a contract for professional services by and between the County of Suffolk and the Town of Riverhead agreeing to the establishment of a hard clam nursery with the Town of Riverhead being the contractor.

RESOLUTIONS Continued

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead authorize the Supervisor to sign said contract which has been reviewed to form by both the Suffolk County Attorney's Office and the Town Attorney of the Town of Riverhead.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#342 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: ADDITION TO THE RIVERHEAD TOWN CODE TO BE KNOWN AS CHAPTER 75, LIQUIFIED PETROLEUM GASES.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to an addition to the Riverhead Town Code to be known as Chapter 75, Liquified Petroleum Gases.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of May, 1985, at 8:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons with regard to the addition to the Riverhead Town Code to be known as Chapter 75, "Liquified Petroleum Gases" which is proposed as follows:

LIQUIFIED PETROLEUM GASESApplication and General Provisions.

- A. Application of Article. The provisions of this Article shall apply to all uses of liquified petroleum gas and installation of all apparatus, piping and equipment pertinent to liquid petroleum gas.
- B. Compliance with standards except as otherwise prescribed. Compliance with applicable provisions of NFPA Current Standard No. 58 and NFPA Current Standard No. 54, except otherwise prescribed in this ordinance, shall constitute compliance with this Article.
- C. Deviations. Deviations from the applicable provisions of NFPA Current Standard No. 58 and NFPA Current Standard No. 54 or of the provisions of this ordinance as otherwise prescribed, when it shall have been conclusively proven to the Chief of the Bureau of Fire Prevention that such deviations meet the performance requirements of this ordinance, shall constitute compliance with this ordinance.

Definitions:

As used in this Article, the following terms shall have the meanings indicated:

RESOLUTIONS Continued

APPLIANCES -- Includes all gas-burning appliances for use with liquified petroleum gas.

APPROVED -- Acceptable to the Fire Inspector of Riverhead in conformity with standards in this Article.

CARGO TANK -- A container used to transport LP-gas over the highway as liquid cargo, either mounted on a conventional truck chassis or as an integral part of a transportation vehicle in which the container constitutes in whole or in part the stress member used as a frame essentially a permanent part of the transporting vehicle.

CONTAINER -- Any vessel, including cylinders, tanks, portable tanks and cargo tanks, used for the transporting or storing of the LP-gases.

CONTAINER APPURTENANCES -- Items connected to container openings needed to make a container a gastight entity. These include but are not limited to safety relief devices, shutoff, backflow check, excess flow check and internal valves; liquid level gauges; pressure gauges; and plugs.

CYLINDERS -- Portable containers constructed to Department of Transportation (formerly Interstate Commerce Commission) cylinder specifications or, in some cases, constructed in accordance with the American Society of Mechanical Engineers Code of a similar size and for similar service. The maximum size permitted under Department of Transportation specifications is one thousand (1,000) pound' water capacity.

DISTRIBUTING PLANT -- A facility, the primary purpose of which is the distribution of gas, and which receives LP gas in tank car, truck transport or truck lots, distributing this gas to the end user by portable container (package) deliver, by tank truck or through gas piping. Such plants have bulk storage [two thousand (2,000) gallons' water capacity or more] and usually have container filling and truck loading facilities on the premises. So-called "bulk plants" are considered as being in this category. Normally no persons other than the plant management or plant employees have access to these facilities.

DISTRIBUTING POINT -- A facility, other than a distributing plant or industrial plant, which normally receives gas by tank truck and which fills small containers or the engine fuel tanks of motor vehicles on the premises. Any such facility having LP-gas storage of one hundred (100) gallons' or more water capacity and to which persons other than the owner of the facility or his employees have access is considered to be a "distributing point". An LP-gas service station is one (1) type of "distributing point".

RESOLUTIONS Continued

LIQUIFIED PETROLEUM GAS EQUIPMENT -- Includes all apparatus, piping and equipment pertinent to the use of liquified petroleum gas.

LIQUIFIED PETROLEUM GAS (ES), LP-GAS and LPG -- Are synonymous and include any material having a vapor pressure not exceeding that allowed for commercial propane composed predominantly of the following hydrocarbons, either by themselves or as mixtures; propane, propylene, butane (normal butane or isobutane) and butylene (including isomers).

LP-GAS SYSTEM -- An assembly consisting of one (1) or more containers with a means for conveying LP-gas from the containers with a means for conveying LP-gas from the container (s) to dispensing or consuming devices (either continuously or intermittently) and which incorporates components intended to achieve control of quantity, flow, pressure or state (either liquid or vapor).

PORTABLE CONTAINER -- A container designed to be readily moved, as distinguished from containers designed for stationary installations. "Portable containers" designed for transportation, filled to their maximum filling density, include cylinders, cargo tanks and portable tanks, all three (3) of which are separately defined. Containers designed to be readily moved from one usage location to another, but substantially empty of product, are portable storage containers and are separately defined.

PORTABLE STORAGE CONTAINER -- A container similar to, but distinct from those designed and constructed for stationary installation, designed so that it can be readily moved over the highways, substantially empty of liquid, from one usage location to another. Such containers either have legs or other supports attached or are mounted on running gear, such as trailer or semitrailer chassis, with suitable supports, which may be of the fold-down type, permitting them to be placed or parked in a stable position on a reasonably firm and level surface. For large volume, limited duration product usage, such as at construction sites and normally for twelve (12) months or less, "portable storage containers" function in lieu of permanently installed stationary containers.

PORTABLE TANK (also called "skid tank") -- A container of more than one thousand (1,000) pounds' water capacity used to transport LP-gas handled as a package, that is, filled to its maximum permitted filling density. Such containers are mounted on skids or runners and have all container appurtenances protected in such a manner that they can be safely handled as a package.

QUALIFIED PERSONNEL -- Qualified persons holding a certificate of fitness issued by the Fire Inspector of the Town of Riverhead.

RESOLUTIONS ContinuedInstallation permits, plans, reports of:

A. An installation permit shall be obtained prior to installing any liquified petroleum gas system employing a container or aggregate of interconnected containers of over one hundred twenty five (125) gallons' water capacity.

B. The application for the installation permit shall be submitted to the Fire Inspector for approval prior to installation and shall be accompanied by plans as prescribed by the Bureau of Fire Prevention.

C. All underground liquified petroleum gas tanks and piping are to remain uncovered until the installation is approved by the Fire Inspector.

D. Every person, firm or corporation engaged in the business of installing liquified petroleum gas equipment shall submit written reports to the Fire Inspector no later than the 10th day of each month, setting forth the location and character of each installation made during the previous month.

E. Every installation of liquified petroleum gas used for temporary heat must be reported to the Fire Inspector by the installer at the time of installation.

Capacity, installation and maintenance of equipment.

A. Within the limits established by law restricting the bulk storage of liquified petroleum gas, the aggregate capacity of any installation shall be as follows:

1. Any installations connected or accessory to any residential building shall not exceed five hundred (500) gallon's water capacity:

2. Any installations connected or accessory to a commercial or industrial building shall not exceed two thousand (2,000) gallons' water capacity,

except that in particular installations this capacity limit may be altered at the discretion of the Fire Inspector after consideration of special features, such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed tanks, degree of private fire protection to be provided, and facilities of the local Fire Department.

B. All equipment shall be installed and maintained in conformity with the rules and regulations of the Fire Inspector of the Town of Riverhead. It shall be unlawful to install, service, handle or offer for sale, in any form, liquified petroleum gas and regulated equipment that does not conform to the rules and regulations of the Chief of the Bureau of Fire Prevention of the Town of Riverhead.

RESOLUTIONS Continued

C. No person, firm or corporation, except the owner or those authorized by the owner to do so, shall sell, fill, refill, deliver or permit to be delivered or use in any manner any liquified petroleum gas container for any gas or compound or for any other purpose whatsoever. Only containers designed for LP-gas may be filled with liquified petroleum gas. Filling of liquified petroleum gas containers with any gas or compound is prohibited.

D. It shall be unlawful to weld, repair, add to or subtract from the original container design unless done by a recognized manufacturer or a repair facility authorized by the Federal Department of Transportation.

E. Replacement of parts on containers, regulators or related equipment shall be made by qualified personnel only.

F. Cylinders used for liquified petroleum gas shall be painted white, silver or other light-reflecting color as approved by the Fire Inspector. It shall be unlawful for any supplier to refill any container that has been painted any other color. Existing containers shall comply with the painting provision within five (5) years the date of adoption of this Article.

G. The gas supplier shall have the right to refuse to fill the container that does not fully conform to all provisions of the Town of Riverhead Fire Prevention Ordinance or one that has been involved in a fire or is burned or scorched.

H. Peening of weld leaks is prohibited.

I. Tanks, cylinders or other storage vessels which previously contained gases other than liquified petroleum gas, such not be revalved and used for liquified petroleum gases.

Portable Cylinders:

A. Portable vapor withdrawal cylinders with water capacities greater than two and one-half (2½) pounds which are not or will be owned by the user or intended user are not to be filled refilled, unless the cylinder has been properly tested or re-qualified in accordance with United States Department of Transportation regulations and has attached thereto a warning label approved by the Chief of the Fire Inspector. Cylinder (s) shall not be released to the owner or his representative by the seller or refiller until it has been determined that the cylinder has not been filled beyond acceptable limits (forty two percent (42%) of its water weight capacity), is free of leaks and is safe for use or continued use.

B. Containers, except those used in liquid withdrawal service applications, may be stored or displayed in a building frequented by the public. The quantity of LP-gas shall not exceed two hundred (200) pounds.

RESOLUTIONS Continued

G. Temporary or emergency use in occupied building regulated. Liquified petroleum gas may be used in buildings or portions thereof under construction with no occupancy, provided that the following regulations are complied with:

(1) Containers in use shall be placed so as to ensure against tipping and shall be protected from physical damage.

(2) Portable heaters utilizing liquified petroleum gas must be equipped with a safety pilot device which will shut off the flow of gas should the pilot light be extinguished.

(3) Direct connection of heater to container without a pressure regulator suitable for the appliance in use is prohibited.

(4) Only hose approved for liquified petroleum gas will be permitted and cannot exceed fifteen (15) feet in length.

(5) Heaters must be placed at least six (6) feet from containers and at least ten (10) feet from combustible materials.

(6) No liquid withdrawal containers will be permitted except those containers firmly attached to industrial motorized equipment.

H. Temporary or emergency use in occupied buildings regulated. Liquified petroleum gas may be used in occupied buildings, provided that the following regulations are complied with:

(1) Containers in use shall be placed so as to ensure against tipping and shall be protected from physical damage.

(2) Portable heaters utilizing liquified petroleum gas must be equipped with a safety pilot device which will shut off the flow of gas should the pilot light be extinguished.

(3) Containers must be outside the building at an approved location.

(4) Supply line from the container must be approved copper tubing or piping with approved fittings, adequately secured to the building and protected against physical damage.

(5) An approved gas shutoff device as specified in NFPA Current Standard No. 54 must be installed at the end of copper tubing or piping inside the building when connection from this point to heater is to be approved flexible hose.

(6) No temporary use shall exceed seven (7) days, however, extension of 7 days, may be granted by the Fire Inspector upon application and proof that a system could not be made permanent or the affected system repaired without an extension.

RESOLUTIONS ContinuedI. Supervision:

Temporary heaters and equipment must be supervised by a competent person having knowledge of the utilization of liquified petroleum gas, and said person is to be in attendance at all times when heaters are in operation. Supervision is the responsibility of the person, firm or corporation using temporary heat.

J. All openings between an occupied portion and a portion under construction shall be closed with fire-rated material of at least a one-hour fire rating.

K. Excess flow check valve(s). All tanks used inside any building shall be equipped with an excess flow valve to shut off the flow of gas if a hose is severed.

Sale or Storage Permits;

A. The owner or operator of locations where liquified petroleum gas is sold, stored for rental or resale and/or transferred from one vessel into another must secure a permit to operate from the Fire Inspector of the Town of Riverhead.

B. Application for permit. Applications for permits shall be made to the Fire Inspector on forms provided and shall include the applicant's answers in full to inquiries set forth on such forms. Applications for permits shall be accompanied by such data as may be required by the Fire Inspector and fees as may be required by the Town of Riverhead.

C. Review and issuance. The Fire Inspector shall review all applications submitted, determine compliance with applicable provisions of the Code and issue permits as required. If an application for a permit is rejected by the Fire Inspector, he shall advise the applicant of the reasons for such rejection.

D. Display of permits. A copy of the permit shall be posted or otherwise readily accessible at each place of operation or carried by the permit holder, as specified by the Fire Inspector.

E. Permits shall be given full force and effect for a period of two (2) years.

Transportation, permit for and method of:

A. No person, firm or corporation shall use, or cause to be used, any motor vehicle, tank truck, tank semitrailer or tank truck trailer for the transportation of liquified petroleum gas unless, after complying with these regulations, a permit to operate a fleet of such vehicles has first been secured from the Fire Inspector of the Town of Riverhead. No permit shall be required under this section

RESOLUTIONS Continued

for any motor vehicle that is used for the transportation of liquified petroleum gas not operated or registered by an authorized dealer, in containers not larger than ten (10) gallons' water capacity each (approximately thirty four (34) pounds' propane capacity) or when used in permanently installed containers on the vehicles as motor fuel. This section shall not apply to any motor vehicle, tank truck, tank semitrailer or tank truck trailer traveling through the Town of Riverhead and making no deliveries within the Town.

B. The permit shall be given full force and effect for a period of three (3) years.

C. All liquified petroleum gas containers shall be transported in an upright position and properly secured.

D. The transportation of liquified petroleum gas cylinders either empty or full, is prohibited in the trunk of any passenger vehicle.

E. Cylinders larger than ten (10) gallons' water capacity or an aggregate in excess of twenty-five (25) gallon's water capacity shall not be transported in cars, vans or any type of enclosed vehicle or in the enclosed area of any vehicle.

F. The parking and garaging of tank vehicles used for the transportation of liquified petroleum gases shall be in accordance with S18-213, this ordinance.

Certificate of Fitness for certain activities:

A. A certificate of fitness issued by the Fire Inspector shall be required of any person.

1. Filling containers at locations where liquified petroleum gas is sold and or transferred from one vessel into another.

2. Transferring liquified gas from one vessel into another.

3. Filling containers permanently located and installed outdoors equipped with appurtenances for filling by a cargo vehicle at consumer sites.

B. Application.

All applications for a certificate of fitness shall be filed with the Fire Inspector on forms provided by the Fire Inspector and accompanied by the applicable fee.

C. Proof of qualifications. Every persons applying for a certificate of fitness shall furnish satisfactory proof to the Fire Inspector that he is familiar with materials, formulas, tools, techniques, standards, laws, ordinances, recognized good practices, safety precautions and manufacturer's recommendations pertaining to the particular system, materials

RESOLUTIONS Continued

devices or operations he will be involved with and for which the certificate of fitness is issued. He shall further prove that he is physically competent to perform any and all actions necessary or incidental to the operation for which the certificate of fitness is issued.

D. Investigation and examination.

The Fire Inspector shall investigate every new application for a certificate of fitness. The investigation shall include a written examination regarding the use, makeup and handling of liquified petroleum gas, and such examination shall include a practical test. When the Fire Inspector determines that the applicant conforms to all the requirements of this ordinance, he shall issue the certificate of fitness.

E. The certificate of fitness shall be given full force and effect for a period of three (3) years.

F. Refusal of certificate of fitness. When the Fire Inspector determines that a candidate has failed an examination for a certificate of fitness, he shall refuse to issue the certificate of fitness. Any applicant may not apply again for the certificate of fitness within a ten-day period following the examination.

G. Transferability. A certificate of fitness shall not be transferable.

H. Renewal of certificate of fitness. Applications for renewal of a certificate of fitness shall be filed in the same manner as an application for an original certificate. Each Such application shall be accompanied by applicable fees. The granting of a renewal of a certificate of fitness shall be accomplished in the same manner as for an original certificate of fitness, except that any person continuously engaged in any activity for which a certificate of fitness is required will not, upon renewal, be required to take a written examination.

I. Change of address. Each person holding a certificate of fitness shall notify the Fire Inspector in writing of any change in his business, residential or other notification address within ten (10) days after such change. Failure on the part of a person to give such notification shall constitute grounds for revocation of said certificate of fitness.

J. Contents of certificate of fitness. A certificate of fitness issued by the Fire Inspector shall be in the form of an identification card. Said cards shall contain the following information to be valid:

1. The purpose for which the certificate of fitness has been issued.
2. The date of certificate of fitness issuance and the date of expiration.

RESOLUTIONS Continued

3. Other information as may be necessary to properly identify the person to whom the certificate of fitness is issued.
4. The signature of the person to whom the certificate of fitness is issued.
5. The name and signature of the Fire Inspector who issued the certificate of fitness or the Fire Inspector's name and countersignature of his designated representatives.
6. Printed thereon, in bold type, the following:

"THIS CERTIFICATE DOES NOT EXCLUSIVELY RECOMMEND THE BEARER"

K. Requirement to display certificate of fitness. Any person to whom a certificate of fitness has been granted in conformance with this ordinance shall, upon request, produce and show proper identification and his, certificate of fitness to anyone for whom he seeks to render his service or to the Fire Inspector.

L. A certificate of fitness may be revoked by the Fire Inspector, following a hearing, if the holder fails to comply with provisions of this ordinance.

1. Reporting of Incidents:

Any incident involving liquified petroleum gas, including but not limited to leaks, fires, explosions or any other accidental discharge into the atmosphere in excess of eight and five-tenths (8.5) cubic feet (one (1) pound propane must be reported to the Fire Inspector by the responsible party or his representative. The initial report may be made by telephone and followed by a written report. Under no circumstances shall a report be filed later than twenty four (24) hours after the incident.

2. Liability for Damages:

This Article shall not be construed to hold the Town of Riverhead, its Officers or employees responsible for any damages to persons or property by reason of the inspection or reinspect as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

3. Penalties for Offenses:

Any person, firm or corporation violating any provision of this Article or failing to comply therewith, or violating or failing to comply with any orders for regulation made thereunder, shall, upon conviction, be guilty of a violation punishable by a fine not exceeding two thousand dollars (\$2,000) or by imprisonment for fifteen (15) days, or both for each and every such violation. The imposition of the penalty for any violations of this Article shall not excuse the violation or permit it to continue, and each day that the prohibited conditions are maintained shall constitute a separate offense.

RESOLUTIONS Continued4. When Effective:

This ordinance shall take effect ten (10) days after the date of its adoption.

\*Underscore indicates addition

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#343 ACCEPTS DRAFT ENVIRONMENTAL IMPACT STATEMENT, AND AUTHORIZES TOWN ATTORNEY TO PROCEED WITH SEQRA PROCESS, RE: KIMBROOKE ENTERPRISES, INC. (SEAWATCH LANDING).

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

WHEREAS, the Town Board has been designated Lead Agency with regard to the application of Kimbrooke Enterprises, Inc. (Seawatch Landing), and

WHEREAS, the applicant has submitted a Draft Environmental Impact Statement for review by the Riverhead Town Board and various other agencies, and

WHEREAS, a Notice of Completion has been prepared with regard to the Draft Environmental Impact Statement,

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby accept the Draft Environmental Impact Statement submitted by Kimbrooke Enterprises, Inc. (Seawatch Landing), and be it further

RESOLVED, that the Town Attorney be and is hereby directed to continue processing the application of Kimbrooke Enterprises, Inc. (Seawatch Landing) pursuant to State Environmental Quality Review Act rules and regulations.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:50 p.m. has arrived. The Deputy Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:50 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 7, 1985 at 8:50 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Proposed Addition to Section 101-3 of Vehicles and Traffic of the Town Code Re: "Stop and Yield Intersections".

CORRESPONDENCE:

1. From Lt. Droskoski, 4/29/85  
Recommendations that all recommended signs should be stop signs with 2 exceptions:

RESOLUTIONS Continued

1. Yield Sign on Doctors Path and Middle Road
2. No Sign on Shirley and Oakwood Drive.

Supervisor Janoski, "Mr. Town Attorney."

Richard Ehlers, "The highway superintendent in conjunction with the police department, reviewed stop and yield sign locations throughout the town, find that many stop signs are in fact placed but are not in the Town Code. In order to get this in order, the hearing this evening is to put those stop and yield intersections into the Town Code. There will probably be many more to follow."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone who wishes to address the Town Board on the matter of stop and yield signs? Bill."

Bill Roberts, "On Edwards Avenue there are 3 intersections that appear there; Meadow Drive, Silverbeech Land and Landing Lane. Meadow Drive West, that's correct but there's never been a stop sign there since I can remember and I've been there for about 20 years. Also, Linda Lane is shown intersection from the west. I believe that that should read from the east rather than from the west."

Supervisor Janoski, "Thank you Bill. Yes sir."

Bob Skinner, "On this notice you have listed to have a yield sign placed at the corners of Herrod Point Road and both Berry Lane and Cherry Lane. The corners now currently have stop signs. As I understand it, the (Town Attorney) this is to make whatever sign is there to appear on the books. According to this, you want to change them or powers to be want to change them to yield signs. I agree with the police department correspondence that says the signs should be stop signs. The visibility at that intersection (and my driveway is 48 feet from the intersection of Herrod Point Road and Herrick Lane) when you come onto Herrod Point Road, is not conducive to a yield sign. You have people who are attempting to scale the grade of Herrod Point Road to get to the main road which is North Wading River Road. And although the speed limit is supposed to be 30 miles per hour, many people, to get up that hill with a little car in fourth gear, are doing considerably more than that. I can't envision having a yield sign placed where a stop sign already is. There are a lot of people who treat that stop sign as a yield sign. The corner of Herrod Point Road and Berry Lane is a school bus stop. If the people are treating a stop sign as a yield sign right now, what are they going to treat a yield sign as when it is placed? Furthermore, if you have a yield sign, therefore you're automatically assuming that there's going to be no traffic problem coming. In this case, if you're travelling in a westerly direction, you have no concern for traffic that's coming north. Theoretically, you're making a right-hand turn. And while the majority of that traffic does make a right-hand turn because there's no outlet to the subdivision, the people who are on the west side of that road who have driveways, all less than 200 feet from there. If you're not looking and you look to your left to see if anything is coming and there's not, you just come right up there. We stand a chance of backing out of our drive-

PUBLIC HEARING ContinuedBob Skinner, Continued

ways and having somebody not paying attention and plowing right into us. So with all that in mind, I would like to appeal to the Town Board to leave the signs on Herrod Point Road and the 2 intersections of Berry Lane and Cherry Lane as they are. As stop signs. And if there not on the books, put them on the books as such and don't change them to a yield sign. Thank you."

Supervisor Janoski, "Thank you. Does anyone else wish to address the Board? Yes."

John Conroy, Riverhead, "I know that we're talking Wading River stop signs. And recently if you recall and I'd like to bring it to you people because you probably have the ability to get a change made. On Route 58 at the intersection of Mill Road, Route 58 and Pulaski Street has recently been put a stop (sign) light. There is also a stop sign there at the entrance going across into Pulaski. However, with the stop light, we have now created a hazard with the full stop sign. And you may not believe this. I have witnessed 4 near misses recently within the past 2 weeks. The problem is; these people coming from the west along 58. They see a green light and they assume the green light brings them onto Pulaski and they ignore the stop sign. Now what... There is a pedestal light governing traffic coming down from the north side on Mill Road. Otherwise what you have there are 3 lights governing traffic from the north. The pedestal light (in my opinion) should be where that stop sign is. Evidently to me, it has been put in the wrong place. I am not an engineer. I don't know anything about it. But from what I have been talking with people in the area, they feel the pedestal light (which is also a stop (sign) light should be put where the present stop sign is. And then the people would acknowledge the fact that it's there. I realize this is a state problem but (it says county problem) you may be able to alleviate the situation. Thank you."

Supervisor Janoski, "Thank you John. One of the things that exist there is that the traffic control light does in fact allow you to make a turn onto Pulaski Street. The problem is that very shortly after you have an intersection with Mill and that is what the stop sign is for. That intersection. But we will pass on that idea to the County Department of Public Works. Bill."

Bill Roberts, "That stop sign is placed a very short distance from where traffic existing from 58 will go onto Peconic. There may be only room for one car there. All of a sudden traffic along 58 sees somebody applying their brakes. That car is going to go onto Peconic. Woe be if there's 2 cars that want to go through because that second car will be sticking onto 58. Possibly that part of 58 where it branches off on towards Peconic should be identified with a turn lane signal in the roadbed. There's another problem there in that cars existing on 58 coming to that full stop sign but the cars on Mill Road going north have blocked the opening across 58. So the car trying to go from 58 onto Peconic can't which again causes a back up of traffic onto 58."

PUBLIC HEARING Continued

Councilman Boschetti, "Bill. Excuse me. When you say Peconic, do you mean Pulaski Street?"

Bill Roberts, "Sorry. Pulaski. So if there are cars blocking the opening for cars to get onto Pulaski, then the ones trying to get through are trailing onto 58. Again, a hazardous condition."

Supervisor Janoski, "Thank you. Steve."

Steve Haizlip, "I want to recognize Mr. "Conway" and Mr. Roberts on the issue that they spoke. It is true. Now, if you go up there with a green light and you go ahead and make a right, you're violating that stop sign and a policeman can come along and say; don't you see it as stop? Now, but the light should be green. The sign says stop. Now, another thing. On Pulaski Street..."

Supervisor Janoski, "That's not exactly the way it works."

Steve Haizlip, "Well hey. You want to be technical. I know the ticket situation is...."

Supervisor Janoski, "Yes I do want to be technical."

Steve Haizlip, "The ticket situation is..."

Councilman Prusinowski, "Steve wait a minute. Wait a minute one second. Forget about the ticket. I'm up there every single day. The purpose of the stop sign is to save lives. Let's take the converse. Before that stop sign was there and before they reconstructed that intersection, it was a situation that could not be allowed to exist. Ok? It was to improve the safety of the intersection, the reason that stop sign was put there. Now, putting the light over there, (as John has said) is a good idea. Because I know myself. You're coming through at night which is the real problem, sometimes you don't see that stop sign. But I disagree with you. The purpose of the stop sign is to save lives. I am there all the time. All the time on Route 58. Probably what has to happen is that the engineers have to look at the entire situation there at that intersection and maybe some redesigning of that intersection is in order. That's probably what we are going to have to talk to Greg about and the Department of Public Works. Because there might be an improvement in the overall intersection. It's a situation. We have Mill Road and you have Pulaski Street. You have Route 58. You have Mill Road. But what you have is a problem there after Riverhead Datsun. You have a wide area where people get confused because there's so much area there where cars can stack. And people coming up north on Mill Road are confused because they come up to that light and see the stop sign there and they don't know if they should pull up to the sign or what. So maybe the engineer should look at the entire thing. But I disagree with that. That stop sign is there to save lives and to prevent accidents. And if somebody has to get a ticket, then they have to go back and learn how to drive a car. Because when you take a driving test or you learn how to drive a car, a stop sign you have to stop. Because I know before the stop sign, it was a situation that could not be allowed to exist."

PUBLIC HEARING Continued

Steve Haizlip, "Well, there's a point I want you to understand."

Councilman Prusinowski, "I agree with you."

Supervisor Janoski, "Thank you Steve. I am going to recess this public hearing on stop signs and yield signs..."

8:50 PUBLIC HEARING RECESSED AT 9:01

Supervisor Janoski, "...and note that for the record, that the hour of 9:02 p.m. has arrived and the Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 9:00 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 7, 1985 at 9:00 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Special Permit Application of Robert Hefter and Others for an Expansion of Their Non-Conforming Office Use at the Intersection of Elton Avenue and Northville Turnpike.

## CORRESPONDENCE:

1. Riverhead Planning Board, 5/6/85

Recommending that the special permit of Robert Hefter be approved.

Supervisor Janoski, "Thank you Mrs. Deputy Town Clerk. Is there anyone present representing the applicant?"

Marsha Hefter, "Good evening gentlemen. My name is Marsha Hefter. I'm here representing the owners of the property, Robert Hefter and Stanley Hefter. We are here before the Board to request a special permit granting an extension of a pre-existing use for a property known as 608 Northville Turnpike. This property is located in the Residence C zoning district and has been so for accounting offices since prior to the replacement of Residence C zoning classification on this property. The premises which adjoins 608 Northville Turnpike are known as 308 Elton Avenue. What the owners proposed to do are to merge these 2 parcels of property and to extend and improve their existing office facility by enlarging it onto the adjoining piece of property. In connection with this application we have appeared before the Zoning Board of Appeals to request certain buffer variances and parking variances which have been granted. We have also appeared before the Planning Board in order to seek its recommendation and we have received its recommendation. A copy of which I believe has been forwarded to the Town Board recommending that our application for a special permit extending this pre-existing use be granted. Mr. Denys is here (who is the architect of the proposed extension) to answer questions which either the Board or anyone in the audience might have. Bob Hefter is also here. Perhaps if anyone has any questions that could be posed to him, he's available too."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you. Is there anyone present who wishes to address the Board on the matter of this application? Does any member of the Town Board have any question? That being the case, (it is wonderful to have an attorney in the family) I declare the hearing closed."

9:00 PUBLIC HEARING CLOSED AT 9:05

Supervisor Janoski, "Let me see where we are at here. Let us re-open the previous hearing on stop, standing and yield signs and I will recognize Mr. Kasperovich who has his hand up."

8:50 PUBLIC HEARING RE-OPENED AT 9:05

William Kasperovich, "On a point of water if I may since nobody did close the public hearing of 8 p.m, I would assume that it is still open."

Supervisor Janoski, "It is in recess as I understand it."

William Kasperovich, "Ok. Then on the stop and yield signs. I did my bit on speed limits in the township and on some part to traffic control. And I feel.... I for one, (personally) do not approve of yield signs. That's my personal opinion. For one, there is.... It is very difficult to enforce. And I would appreciate if you would ask our chief of police (Palmer) to make a comment on this because he will have to be enforcing these yield signs. I noticed that some places in the township have already replaced (when I say we, I mean the county and state included) stop signs with yield signs. And if we can't enforce it or it will be very difficult for us to enforce it, we would be better off looking towards stop signs which a police officer could be more practical and realistic as to what he wants to call a full stop. Be we have many varying conditions at intersections which for the best interest towards safety, bringing the car to a stop in a location that has the best visibility. You stop the car where it has the best visibility. With a yield sign, you do not influence the car to come to the point of best visibility. And so to me, the yield sign has many drawbacks plus the fact that I believe it's difficult to enforce. And the stop sign not only enable to control where the car stops, it also makes a practical point of what is a full stop. And so, a review of where we are considering yield signs and review where we have yield signs, to replace them with stop signs, should be looked at very serious. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board on the matter of stop signs and yield signs? That being the case, I declare the hearing closed."

8:50 PUBLIC HEARING CLOSED AT 9:09

Supervisor Janoski, "Let's do a resolution."

RESOLUTIONS

#344 ADOPTS LOCAL LAW #2-1985, "A.L.E.R.T. TEST".

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

WHEREAS, a public hearing was held on the 2nd day of April, 1985, wherein all persons wishing to be heard were heard regarding the addition to Chapter A114 of the Police Rules and Regulations of the Riverhead Town Code, A.L.E.R.T. Test.

NOW, THEREFORE, BE IT

RESOLVED, that the following be and hereby adopted and shall be known as Local Law #2-1985, "A.L.E.R.T. Test":

ARTICLE XVI  
A.L.E.R.T. Test

An "A.L.E.R.T." will be used by members of this Department as authorized by these rules and regulations.

A. The "A.L.E.R.T." will be utilized in accordance with Section 1193A of the Vehicle and Traffic Law. All personnel will familiarize themselves with this section of the law.

B. The "A.L.E.R.T." will be operated only by personnel who have successfully completed the required training session and only in accordance with the manufacturer's instructions.

C. Whenever an "A.L.E.R.T." test is requested or administered, a Breath Test Report must be submitted.

D. If the "A.L.E.R.T." test is refused, a Uniform Traffic summons (UTS) citing Section 1193A will be issued and indicated on the Breath Test Report.

E. If the basis for an "A.L.E.R.T." test is a Vehicle and Traffic Law violation, UTS may or may not be issued. However, in all cases the violation will be documented on the Breath Test Report.

F. If the basis of the "A.L.E.R.T." test is a motor vehicle accident, the CC# on the Breath Test Report will suffice, and be it further

RESOLVED, that this Local Law shall take effect after filing with the Secretary of State, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 9:11 has arrived. The Deputy Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 9:10 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 7, 1985 at 9:10 p.m. at Riverhead Town Hall to hear all interested persons regarding. The Establishment of a Proposed Extension to the Riverhead Water District to be Known as Extension No. 26, Fresh Pond Landing.

PUBLIC HEARING ContinuedCORRESPONDENCE

1. Donald and Joan Ashworth, 5/1/85-property owners on Edwards Avenue in favor of Extension No. 26.

(See Water District Minutes)

9:10 PUBLIC HEARING AND 9:15 PUBLIC HEARING WERE HELD SIMULTANEOUSLY. BOTH BEING WATER EXTENSIONS, SEE WATER MINUTES.

9:10 PUBLIC HEARING AND 9:15 PUBLIC HEARING WERE RECESSED AT 9:24 AND THE 9:20 PUBLIC HEARING WAS CALLED.

PUBLIC HEARING 9:20 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 7, 1985 at 9:20 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Establishment of Proposed Extension No. 27 to the Riverhead Water District, South Aquebogue.

(See Water District Minutes)

PUBLIC HEARING 9:25 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, May 7, 1985 at 9:25 p.m. at Riverhead Town Hall to hear all interested persons regarding The Increase and Improvement of the Facilities of the Riverhead Water District at a Maximum Estimated Cost of \$115,000.

(See Water District Minutes)

ALL WATER DISTRICT PUBLIC HEARINGS WERE CLOSED AT 9:55  
8:00 PUBLIC HEARING RE-OPENED AT 9:55

Supervisor Janoski, "We are going to put off the break and re-open the hearing which we recessed concerning the 8 o'clock hearing, repealing of sections 95-7 and 95-8 and Adopting sections 95-7 and 95-8 to the Town Code. Does anyone wish to address the Board on that matter? Mr. Kasperovich."

William Kasperovich, "This is true that Thomas Jefferson didn't know we would have meetings like this because in those days it was common practice to call for satisfaction for conduct so displayed by the members of the Town Board. Now, I contend that you gentlemen discriminated against a number of veterans in this township at the time of the change from ration to full assessment. Now you're trying to make some legal coverage and you're not talking about the years that went by that the men that were discriminated against would not be in any way recompensated or even apologized to. But you have left a number of

PUBLIC HEARING ContinuedWilliam Kasperovich Continued

of veterans hanging high and dry. I being one of them. And I submitted my exemption, I submitted it before the close of the tax roll and I was denied. When I put in my grievance, I was also denied. Now a case came onto the books from upstate that our legal man sitting there told us about. And this brings to light a situation that indicates that you gentlemen were wrong. Now if you want to go back in time and correct your discrimination of the veterans (I being one of them) that have taken the short end, fine. Even to the extent of one dollar. But just to show that right is right and right will prevail. But now.... No wonder you don't understand what I'm talking about. You don't pay any attention."

Supervisor Janoski, "I'm trying not to some times."

William Kasperovich, "Any comments from the audience are our of order. I'm trying to do the best I can with whatever the good lord gave me and ability. And I'm not going to be discouraged by anything you gentlemen or the audience say. Because the veterans paid their price and a few poultry pennies that they're given in recognition is small enough."

Supervisor Janoski, "Bill could you tell the Board why you were denied?"

William Kasperovich, "Why I was denied. At the same time the Board will tell me why we had to have full assessment for the same reason. I submitted my.... I didn't want to submit it until I was age 65. I mean this was a bitter pill for me to swallow. At while I was still capable physically to submit for an exemption. But seeing the way you people were acting, I did submit and I did see how you acted. And without any shamefulness or any side glances, you discriminated against the people that weren't after the almighty buck."

Supervisor Janoski, "Why were you denied? On what grounds?"

William Kasperovich, "That there was a date that I didn't come in before a particular date."

Supervisor Janoski, "You filed too late for the exemption?"

William Kasperovich, "But the tax roll was not completed. The tax roll was not closed. And as long as the tax roll was open, I felt I was entitled to apply no matter what the dates were. And when I put in the grievance, I was also denied. Not on the basis that I came in late but that I wasn't entitled to it because you already had full assessment. And now on the basis of a precedent in some law case upstate, you're coming through and trying to white wash all of this."

Supervisor Janoski, "Who denied your grievance Bill?"

William Kasperovich, "I don't remember the gentleman's name. He sat on the podium there and I talked to them after filing papers."

PUBLIC HEARING Continued

Supervisor Janoski, "So it was not the Town Board that discriminated."

William Kasperovich, "It was their appointed people. And when I asked you, I don't know who I talked to of you 5 gentlemen. I talked to several of you that; Hey, what the h--- is this? He said; well, make a law case out of it. Well alright. Somebody did make a law case of it and showed that you did discriminate. And now you're trying to white wash this and say you didn't. Now if you feel that the veteran isn't entitled to..."

Supervisor Janoski, "I guess you're right."

William Kasperovich, "I guess I just have to learn not to be a gentlemen because I'm not talking to 5 gentlemen. Just a few of them. Now you have a public hearing. You want to know how the public feels about it...."

TAPE ENDED

Supervisor Janoski, "Are you for or against it?"

William Kasperovich, "Only if you (what's the word) go back and recognize (before that June 1st date) everybody equally."

Supervisor Janoski, "June 1st of what year."

William Kasperovich, "I don't remember what year. But you go back to the point that the veteran was discriminated against and from that point on you bring everybody the same. I don't want anything that my fellow veteran isn't entitled or isn't getting. But if you want to go back to the point and come to date, fine. If you don't want to come up to that date, don't try to make it look like you're doing something legal. What you're doing is you're white washing your own mistake."

Supervisor Janoski, "That's your opinion Bill. Mr. Chairman of the Board of Assessors, would you step up to the microphone and briefly tell us what he is saying is legal."

Joe McLoughlin, "I'm not particularly familiar with the gentleman's case but it appears to me that he failed to file prior to taxable status date of that year which is June 1st."

Supervisor Janoski, "We don't know that."

Joe McLoughlin, "It was probably 80."

Supervisor Janoski, "Does anyone have the authority to grant the exemption after taxable status date?"

Joe McLoughlin, "No. No. Not the Board of Review."

Supervisor Janoski, "Would it be breaking of the law if such an action were taken?"

PUBLIC HEARING Continued

Joe McLoughlin, "You certainly would."

Supervisor Janoski, "Can we reimburse any individual any exemption that he missed by failure to file?"

Joe McLoughlin, "No."

Supervisor Janoski, "Would that also be illegal?"

Joe McLoughlin, "Yes it would."

Supervisor Janoski, "Thank you Mr. Chairman of the Assessors. Is there anyone else who wishes to be heard? Mr. Town Attorney."

Richard Ehlers, "I think it was my introduction that caused the confusion here. The state court case that went to the court of appeals, went on the issue of whether or not towns (there are 2 classifications of towns) that went to full value, voluntary towns and court order towns. And the case was ambiguous in its decision to the voluntary towns. So that we have to, if we want to maintain the veteran exemptions. If the town on the ratio increase, if the Town Board does not adopt this, the state board of equalization has told us that the veterans that were the subject of Bill Robert's comments, would lose their appropriate increase. So when in fact what Mr. Kasperovich has done is he has turned this around. What the Board is doing is saving for these people what they had achieved in 1979. If they don't do something now, it's the opinion of the board of equalization and assessment review in Albany that they will lose that appropriate increase. So it's not an attempt to white wash anything. It's an attempt (in light of this court decision) to be sure that what the Board granted to the veterans in 1979 was not lost by a technicality of a court decision."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone else present who wishes to address the Board on the matter of adopting sections 95-7 and 95-8? That being the case, I declare the hearing closed."

8:00 PUBLIC HEARING CLOSED AT 10:05

Supervisor Janoski, "Let us continue with the resolutions."

RESOLUTIONS

#345 APPROVES AMENDED SITE PLAN OF VALMONT HOMES.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

WHEREAS, by resolution #204 dated March 12 1985, this Town Board did approve the site plan and elevation as submitted by Valmont Homes for a building permit for an office building to be located at Roanoke Avenue and Franklin Avenue, Riverhead, New York, and

RESOLUTIONS Continued

WHEREAS, an amended site plan dated 5/6/85 has been submitted on behalf of Valmont Homes,

WHEREAS, amendments made to the site plan show a relocation of the drainage pools of the parking area of the proposed office building to be located at Roanoke Avenue and Franklin Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the amended site plan submitted on behalf of Valmont Homes showing a change in the drainage pool layout of the proposed office building to be located at Roanoke Avenue and Franklin Avenue, Riverhead, New York, dated May 6, 1985, as prepared by Donack Associates be and is hereby approved, and

BE IT FURTHER RESOLVED, that all provisions provided in the site plan approval resolution of March 12, 1985 remain in effect, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Valmont Homes and the Riverhead Building Department.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#346 APPROVES SITE PLAN OF HUGO SANDOLO.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, a site plan and elevations were submitted by Hugo Sandolo for a building permit for an Auto Repair Shop to be located at West Main Street in Riverhead, New York, prepared by Donack Associates, land surveyors and consulting engineers dated May 21, 1984 and dated October, 1984.

WHEREAS, this Town Board has reviewed the site plan and elevations submitted as prepared by Donack Associates, land surveyors and consulting engineers dated May 21, 1984 and dated October, 1984.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Hugo Sandolo for a building permit for the addition of Auto Repair Shop located at West Main Street in Riverhead, New York, as prepared by Donack Associates, land surveyors and consulting engineers dated May 21, 1984 and dated October, 1984, be and is hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, executed by representatives of River Center Associates shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.

RESOLUTIONS Continued

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

4. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

5. Trash receptacles of a decorative design shall be maintained at the premises.

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

8. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones.

9. Subject to Suffolk County curbcut approval if necessary.

10. Subject to New York State Department of Transportation curbcut approval if necessary.

11. That additional landscaping will be along the west and south perimeter of the parcel as amended on the site plan dated May 21, 1984.

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Hugo Sandolo and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the \_\_\_ day of \_\_\_\_\_, 1985, by Hugo Sandolo, residing at \_\_\_\_\_ Declarant.

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in Schedule A annexed hereto as provided by the Declarant, and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel,

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

RESOLUTIONS Continued

That Declarant, for the purpose of carrying out the intentions above expressed do hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors, and assigns to wit:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

4. Trash receptacles of a decorative design shall be maintained at the premises.

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

7. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones, and be it further

8. Subject to Suffolk County curbcut approval, if necessary.

9. Subject to New York State Department of Transportation curbcut approval if necessary.

10. That additional landscaping will be along the west and south perimeter of the parcel as amended on the site plan dated May 21, 1984.

IN WITNESS WHEREOF, the Declarant has hereunto set his hand and seal the day and year above written.

\_\_\_\_\_  
HUGO SANDOLO

STATE OF NEW YORK )

ss.:

COUNTY OF SUFFOLK )

RESOLUTIONS Continued

On this \_\_\_\_ day of \_\_\_\_\_ 1985, before me personally came HUGO SANDOLO, owner of certain real property located at West Main Street in Riverhead, New York, the subject property of the declaration and covenant herein; that he did read the above declaration and covenant and understands its contents; that he did swear to me that they executed same.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#347 APPROVES SITE PLAN OF BAGSHAW REALTY.

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

WHEREAS, a site plan and elevations were submitted by Bagshaw Realty for a building permit for the addition of office building to be located at 437 East Main Street in Riverhead, New York, prepared by Donald A. Denis, A.I.A., P.C. dated April, 1, 1985.

NOW, THEREFORE, BE IT RESOLVED, that the site plan and elevations submitted by Bagshaw Realty for a building permit for the addition of office buildings located at 437 East Main Street in Riverhead, New York, as prepared by Donald A. Denis, A.I.A., P.C., dated April 1, 1985, be and is hereby approved subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, executed by representatives of River Center Associates shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

4. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

5. Trash receptacles of a decorative design shall be maintained at the premises.

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

RESOLUTIONS Continued

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

8. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones.

9. Subject to Suffolk County curbcut approval if necessary.

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Bagshaw Realty and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the \_\_\_\_\_ day of \_\_\_\_\_, 1985, by Bagshaw Realty a corporation formed under the State of \_\_\_\_\_ with offices at \_\_\_\_\_ Declarant.

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in Schedule A annexed hereto as provided by the Declarant, and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel,

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed do hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors, and assigns, to wit:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

RESOLUTIONS Continued

4. Trash receptacles of a decorative design shall be maintained at the premises.

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

7. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones, and be it further

8. Subject to Suffolk County curbcut approval, if necessary.

IN WITNESS WHEREOF, the Declarant has hereunto set his hand and seal the day and year above written.

BAGSHAW REALTY

BY: \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_ 1985, before me personally came \_\_\_\_\_ of Bagshaw Realty, a corporation formed under the laws of the State of \_\_\_\_\_, owner of certain real property located at 437 East Main Street in Riverhead, New York, the subject property of the declaration and covenant herein; that he did read the above declaration and covenant and understands its contents; that he did swear to me that they executed same.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#348 BUDGET ADJUSTMENT - WATER DISTRICT.

(See Water Minutes)

#349 APPROVES SITE PLAN OF HESS REALTY CORP. FOR A UTILITY BUILDING TO BE LOCATED AT ROUTE 58, RIVERHEAD, N.Y.

\*\* Councilman Boschetti, "This resolution has a modification from the floor so I'll read that modification."

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLUTIONS Continued

WHEREAS, a site plan was submitted by Hess Realty Corp. for a building permit for a utility to be located at thier site on Route 58, Riverhead, New York, and

WHEREAS, Hess Realty Corp. did apply to the Zoning Board of Appeals for a variance to Chapter 108, Section 108-35 of the Code of the Town of Riverhead, requesting permission to erect a utility building with a side yard width of five (5) feet instead of the required twenty-five (25) feet; and for a variance to Section 108-60, requesting permission to provide no additional parking, paving or drainage, and

WHEREAS, said requests for variances were granted by the Zoning Board of Appeals dated April 25, 1985, and

WHEREAS, this Town Board has reviewed the site plan as prepared by Metsky-Zuckerman, Architects and Planners, dated 12/1/83 and elevations dated 2/21/85.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Hess Realty Corp. for a building permit for a utility building to be located at their site on Route 58, Riverhead, New York, as prepared by Metsky-Zuckerman, Architects and Planners, dated 12/1/83 and elevations dated 2/21/85 be and is hereby approved subject to the execution of the attached Declaration and Covenant by Hess Realty Corp, and

\*\* BE IT FURTHER RESOLVED, that the color scheme of said utility building shall be white with green trim to coordinate with the existing facility at that site.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to Charles Cuddy, Esq., attorney for Hess Realty Corp., and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the \_\_\_\_ day of \_\_\_\_\_, 1985.

DECLARANT, Amerada Hess Corporation, with offices at 1 Hess Plaza, Woodbridge, New Jersey, hereby re-affirms the covenant filed with the Suffolk County Clerk on June 25, 1984, and

ADDITIONALLY COVENANTS, that the premises located at Route 58, Riverhead, New York, shall be at all times maintained in conformity with the previous filed site plan dated December 1, 1983.

IN WITNESS WHEREOF, the Declarant has hereunto set its hand and seal the day and year above written.

AMERADA HESS CORPORATION

BY: \_\_\_\_\_

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#350 AUTHORIZES LEAVE OF ABSENCE OF HOME AIDE.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

\*\* Paragraph added from the floor (see Previous page)

RESOLUTIONS Continued

WHEREAS, due to medical reasons, Sophie Steward did submit a letter of request for a leave of absence from her position as Home Aide.

NOW, THEREFORE, BE IT

RESOLVED, that a six-month leave of absence be and is hereby granted to Sophie Stewart from her position of Home Aide effective April 18, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#351 APPOINTS DRIVER TO THE "MEALS ON WHEELS" PROGRAM.

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

WHEREAS, a vacancy presently exists in the position of Driver with the "Meals on Wheels" Program, and

WHEREAS, said vacancy was duly advertised and applications were accepted, and

WHEREAS, all applicants were thereafter interviewed.

NOW, THEREFORE, BE IT

RESOLVED, that Dorothy Pealzer be and is hereby appointed to the position of Driver with the "Meals on Wheels" Program at the hourly rate of compensation of \$4.50 retroactive to April 29, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#352 AUTHORIZING THE SUPERVISOR TO CREATE SOLID WASTE COMMITTEE.

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

WHEREAS, the Solid Waste Committee has completed its investigation and research on various aspects of municipal waste generation in the Town of Riverhead, and

WHEREAS, a number of solid waste management alternatives were examined during its research, and

WHEREAS, both the Solid Waste Committee and their consultant (Environmental Resource Management) have issued their reports to this Town Board and those reports were carefully reviewed in their entirety.

NOW, THEREFORE, BE IT

RESOLVED, that this Board agrees with the submitted reports of the Solid Waste Committee and its consulting engineers that a joint resource recovery facility for Riverhead and Southampton Towns would appear to be, from all indications, the preferable method of solid waste management for both Towns and be it further

RESOLVED, that this Board recognizes the need for a workable waste management scheme to be developed in the near future to insure timely compliance with the recently reinstated Long Island Landfill Law which necessitates the closing of all Zone 3 landfills by 1990 and be it further

RESOLUTIONS Continued

RESOLVED, that this Board hereby directs the Supervisor to continue and amplify his efforts in communicating with the Southampton Town Board for the purposes of establishing a bi-town resource recovery committee which will immediately research the feasibility of such a project and be it further

RESOLVED, that the Supervisor be and is hereby authorized and requested to implement forthwith the following recommendations of the Solid Waste Committee:

1. To continue our present landfill operations until another method of refuse management is in full execution and available to the Town on a reasonable basis.
2. That a new permanent standing committee be created to oversee the implementation of chosen solid waste management plans and day to day operation of same.
3. That a new Town Committee be created from the present members of the solid waste committee and sanitary committee.
4. That both the sanitary committee and solid waste committee be discontinued.
5. That Riverhead should take a leadership role in its attempt to form, along with other east end Towns, an overall plan which is comprehensive, coordinated and cooperative in its nature as a viable approach towards solid waste management.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#353 AMENDS RESOLUTION #278 DATED APRIL 16, 1985.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

WHEREAS, by resolution #278 as approved 4/16/85, this Town Board did approve a six month leave of absence for Joseph Bilek from his position of Sewer Treatment Plant Operator, and

WHEREAS, due to a miscalculation of vacation days, said resolution inadvertently indicated the effective date of said leave of absence for May 8, 1985, and

WHEREAS, the effective date for said leave absence should be May 10, 1985.

NOW, THEREFORE, BE IT

RESOLVED, that resolution #278 be and is hereby amended to indicate an effective date for the six month leave of absence of Joseph Bilek to be May 10, 1985, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joseph Bilek, Clement Petraszewski and the Accounting Office.

The vote, Boschetti, yes, Artale yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#354 CALLS UPON COUNTY TO CONTINUE VECTOR CONTROL SERVICES.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, the County of Suffolk has undertaken the responsibility for mosquito prevention through its Office of the Vector Control, and

WHEREAS, the Town has been advised that the County of Suffolk intends to cease Vector Control functions on the north fork of Long Island, and

WHEREAS, this Board opposed any reduction in the services provided by the Suffolk County Department of Vector Control.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board calls upon the County Executive and Legislature to fully fund the Office of Vector Control so that all residents of Suffolk County may live in a safe and sanitary environment free from mosquitos, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Suffolk County Executive Peter Cohalan, the County Legislature and Dr. David Harris.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#355 TERMINATES SERVICES OF CONRAD DABROWSKI AS A SPECIAL POLICE OFFICER.

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

WHEREAS, by resolution #318 dated April 23, 1985, Conrad Dabrowski was appointed to the position of Special Police Officer, and

WHEREAS, since that appointment Conrad Dabrowski has informed the Police Department administration of his inability to serve as a Special Police Officer.

NOW, THEREFORE, BE IT

RESOLVED, that Stephen Palmer be appointed to the position of Special Police Officer effective May 8, 1985 to serve for the month of May, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#356 APPOINTS SUMMER INTERNS.

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

WHEREAS, it is beneficial to the Town to hire summer interns to complete necessary projects of the Town Board.

RESOLUTIONS Continued

NOW, THEREFORE, BE IT  
RESOLVED, that the following individuals be and are hereby  
appointed as summer interns to serve at the pleasure of the Town  
Board during the period of May 20, 1985 through August 31, 1985,  
and

BE IT FURTHER RESOLVED, that the following individuals  
shall be paid at the hourly rate of compensation of \$5.00 per  
hour, due to their experience:

JANET LATHAM  
SHARON STARK  
CATHERINE TEGINS

BE IT FURTHER RESOLVED, that the following individuals  
shall be paid at the hourly rate of compensation of \$4.50 per  
hour:

GARY POLASKI  
KATHLEEN QUINAN  
DONNA TROTTO

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#357 CONCLUDES PROVISIONAL APPOINTMENT IN THE POLICE DEPT.

Councilman Boschetti offered the following resolution  
which was seconded by Councilman Artale.

RESOLVED, that Joe L. Moore, a provisional civilian em-  
ployee of the Police Department, be and is hereby terminated  
within his probationary period, such termination effective  
May 8, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#358 APPOINTS PART-TIME GATE ATTENDANT TO THE SANITATION DEPT.

Councilman Artale offered the following resolution which  
was seconded by Councilman Boschetti.

RESOLVED, that Joe L. Moore be and is hereby appointed to  
the position of part-time gate attendant at the sanitary land-  
fill at the hourly rate of compensation of \$4.50 effective May  
8, 1985.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes,  
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#359 CALLS UPON COUNTY LEGISLATURE TO DREDGE NAVIGABLE WATERWAYS IN RIVERHEAD.

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

WHEREAS, the County of Suffolk has assumed the responsibility for dredging the waterways of Suffolk County, and

WHEREAS, the Department of Planning of the County of Suffolk has adopted new criteria for the determination of which projects should be undertaken, and

WHEREAS, these regulations conflict with the overall policy of the County Legislature most recently demonstrated by their acquisition of a dredge to keep the waterways of Suffolk open, and

WHEREAS, it is in the best interest that these waterways be kept open for navigation, and

WHEREAS, the economy of the East End in large part depends on these natural attributes, therefore, underscoring our contention that these actions are in the public interest.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead calls upon the County Legislature to undertake the dredging of projects in the Town of Riverhead including but not limited to Miamogue Lagoon, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to the Clerk of the County Legislature, Suffolk County Executive, A. Barton Cass; Commissioner, Suffolk County Department of Public Works, and John R. Guldi, Principal Engineer Division of Waterways, County of Suffolk Department of Public Works.

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Boschetti, "I would just like to point out that in the first round with this of the Town Board, we really didn't have sufficient time to investigate all the ramifications."

#360 RECOGNITION OF VIETNAM VETERANS.

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

WHEREAS, it is both fitting and proper that the Town of Riverhead recognize those who have made sacrifices in the defense of our Nation, and

WHEREAS, May 6th and 7th have been designated as Vietnam Veterans Days in the United States.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead wishes to join our fellow citizens throughout the country in honoring those who served this Nation during the Vietnam era, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead, on behalf of the people of the Town of Riverhead, do express their everlasting gratitude to those men and women who bravely and unselfishly heeded the call to arms of their country during the Vietnam conflict.

5/7/85

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RESOLUTIONS Continued

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted by acclamation.

Supervisor Janoski, "Without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 10:20 p.m.

IJP:nm

Irene J. Pendzick  
Town Clerk