

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Wednesday, February 22, 1984, at 7:30 p.m.

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

Also Present: Richard Ehlers, Town Attorney

Absent: Victor Prusinowski, Councilman

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

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

RESOLVED, that the Minutes of the Regular Town Board Meeting held on February 7, 1984 are dispensed without objection, and be approved.

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

The resolution was thereupon declared duly adopted.

BILLS

Bills submitted on abstract dated February 22, 1984 as follows:

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

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

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "Let the record show that the heads of the departments of Town Government are present this evening should anyone have any questions of them. Reports, Mrs. Deputy."

REPORTS

Conservation Advisory Council, Dated 1/26/84.	Filed.
Recreation Department for the month of January, 1984.	Filed.
Tax Receivers Collections Dated 2/10/84 and 2/21/84.	Filed.
Jamesport Fire District for year ended 12/31/83.	Filed.
Police Department for month of January 1984.	Filed.
Vail-Leavitt Music Hall third quarter report ended 12/83.	Filed.
Open Bid Report-Water, Riverside Transmission Mains. (See Water Minutes)	Filed.
Open Bid Report-1984 Station Wagon-Nutrition Program.	Filed.
Open Bid Report-4-Wheel Drive Pick-Up Truck-Recreation.	Filed.
Open Bid Report-"Mini Van" Type Vehicle-Nutrition Program.	Filed.
Open Bid Report-1984 4-Door Sedan-Police Department.	Filed.

OPEN BID REPORT-1984 STATION WAGON

Three Bids Submitted.
Bid Date: Wednesday, February 22, 1984-11:00 a.m.

#1 NAME:	<u>RIVERHEAD DODGE, INC.</u>
ADDRESS:	<u>642 W. MAIN STREET, RIVERHEAD</u>
TYPE OF VEHICLE:	<u>1984 DODGE ARIES</u>
TOTAL BID:	<u>\$9095.00</u>
#2 NAME:	<u>GARSTEN MOTORS, INC.</u>
ADDRESS:	<u>1375 OLD COUNTRY ROAD, RIVERHEAD</u>
TYPE OF VEHICLE:	<u>1984 PLYMOUTH RELIANT</u>
TOTAL BID:	<u>\$9157.79</u>

REPORTS Continued

#3 NAME: KINNEY CHEVROLET-OLDS
 ADDRESS: EAST MAIN STREET, RIVERHEAD,
 TYPE OF VEHICLE: 1984 CHEVROLET CELEBRITY 1AW35
 TOTAL BID: \$8784.00

OPEN BID REPORT-4-WHEEL DRIVE PICK-UP TRUCK

Bid Date: Wednesday, February 22, 1984-11:20 a.m.
 Three Bids were Submitted.

#1 NAME: DYER MOTORS
 ADDRESS: 500 COUNTY ROAD 104, RIVERHEAD
 TYPE OF VEHICLE: GMC TK10903 E63
 TOTAL BID: \$11,583.00

#2 NAME: RIVERHEAD DODGE, INC.
 ADDRESS: 642 W. MAIN STREET, RIVERHEAD
 TYPE OF VEHICLE: 1984 DODGE W150 PICK-UP
 TOTAL BID: \$11,133.00

#3 NAME: KINNEY CHEVROLET-OLDS
 ADDRESS: EAST MAIN STREET, RIVERHEAD
 TYPE OF VEHICLE: 1984 CHEVY #CK10903
 TOTAL BID: \$10,785.00

OPEN BID REPORT-"MINI VAN" TYPE OF VEHICLE

Bid Date: Wednesday, February 22, 1984-11:10 a.m.
 Two Bids Submitted.

#1 NAME: GARSTEN MOTORS, INC.
 ADDRESS: 1375 OLD COUNTRY ROAD, RIVERHEAD
 TYPE OF VEHICLE: 1984 PLYMOUTH VOYAGER
 TOTAL BID: \$761+ \$30 for Min. Req. Larger Tire
 TOTAL BID: \$9,573.00 Excluding Specifications #8

REPORTS Continued

#2 NAME: RIVERHEAD DOGE, INC.
 ADDRESS: 642 W. MAIN STREET, RIVERHEAD
 TYPE OF VEHICLE: 1984 DODGE CARAVAN
 TOTAL BID: \$9151.00 Excluding Specification #8
 TOTAL BID: \$9912.00 Including Specification #8

OPEN BID REPORT-4-DOOR SEDAN

Bid Date: Wednesday, February 22, 1984-11:30 p.m.
 Three Bids Submitted.

#1 NAME: GARSTEN MOTORS, INC.
 ADDRESS: 1375 OLD COUNTRY ROAD, RIVERHEAD
 TYPE OF VEHICLE: 1984 CHRYSLER 5th. AVENUE
 TOTAL BID: \$15,610 Exception to Item #6 w/o overdrive

#2 NAME: RIVERHEAD MOTORS, INC.
 ADDRESS: COUNTY ROAD 58, RIVERHEAD
 TYPE OF VEHICLE: 1984 MERCURY GRAND MARQUIS
 TOTAL BID: \$13,461.00

#3 NAME: KINNEY CHEVROLET-OLDS
 ADDRESS: EAST MAIN STREET, RIVERHEAD
 TYPE OF VEHICLE: 1984 OLDSMOBILE 98 REGENCY 4-DOOR SEDAN
 TOTAL BID: \$15,183.96

Supervisor Janoski, "Thank you Mrs. Hansen. Applications."

APPLICATIONS

Site Plan-Carole Kemperman, Addition to Cross Roads Restaurant.

Filed.

Supervisor Janoski, "The appointed hour for the first public hearing has not yet arrived. We will move on to Correspondence."

CORRESPONDENCE

Town of Brookhaven, Amendment to Chapter 85, 2/6/84 and 2/9/84.	Filed.
Long Island Dietetic Assoc., 2/10/84 RE: National Nutrition Time.	Filed.
Landmarks Preservation Comm. 11/14/83 RE: Ella Hallock House.	Filed.
Henry Saxtein,- 2/14/84 RE: Withdrawing Special Permit Application of Tadeusz Zalewski.	Filed.
Paul Marquardt, 2/10/84 RE: White Spruce Acres Road Take Over.	Filed.
John R. Bagshaw, 2/15/84 In opposition to Sargents Race-track	Filed.
Richard Suprina, Riverhead Central School District, 2/9/84 In opposition to Sargents BMX Racetrack.	Filed.
Central Suffolk Hospital, 1/20/84, In opposition to Sargents BMX Racetrack.	Filed.
Gilda Avran Heimink, 1/20/84, In opposition to Sargents Racetrack.	Filed.
Town of Southampton, Public Hearings RE: Chapter 69 and Building Permits.	Filed.
Dorothy B. Draper, 2/17/84, Requesting postponment of decision of zone change by 25 East Realty Company.	Filed.
Dolly Corrigan, 2/20/84 RE: Street Lights on Linda Lane West.	Filed.

Supervisor Janoski, "Thank you Mrs. Hansen."

UNFINISHED BUSINESS

25 East Realty Co. (Kinney)-Change of Zone to expand existing use. "That is going to be the subject of a public hearing this evening."

Riverhead Raceway-Special Events Permit for Suffolk County Fair. "The Town Board is attempting to have a meeting with the operators before we take any action."

UNFINISHED BUSINESS Continued

Sargents Recreational Center-Special Permit for BMX Racetrack. "That is the subject of a public hearing this evening."

Douglas & Carol Sowinski-Change of Zone to extend business zone. "That is the subject of a public hearing this evening."

Peconic Welding-Special Permit to store compressed gases at West Main Street. "That is pending the Town Board action."

Southland Corp.(7-11)-Site Plan for storage building on Route 58. "We are attempting a change in the site plan on that one."

Old River Road Recreational Park, Inc.-Change of Zone Application for a Recreational use District in Manorville. "That is presently before the Planning Board."

A. Lawrence Galasso-Site Plan for Boat & Car Storage Building. "The Town Board has yet to act on that."

Wes Trailer Sales-Special Permit to use facilities as emergency parking during repairs. "That is before the Planning Board."

Supervisor Janoski, "There are 4 minutes remaining before the first scheduled public hearing. I would recognize anyone wishing to be heard at this time. Bill."

Bill Nohejl, Wading River, "In reference to the correspondence about White Spruce Acres. I definitely do not agree that the Town should take over these roads because of the bondage with the builder. The builder is responsible. I feel that the Town is not responsible for that. I noticed (I wasn't here at the last meeting) on the Colgate Design for the Wading River was not on Unfinished Business any more. Has that been rejected or what?"

Supervisor Janoski, "Yes. In essence, it has. It hasn't been rejected. They have withdrawn the site plan. They are going to redesign the building."

Bill Nohejl, "Resubmit another?"

Supervisor Janoski, "Yes."

Bill Nohejl, "Thank you."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "There are some 3 minutes remaining before the first scheduled public hearing. I would recognize anyone who wishes to address the Town Board. I guess we'll just relax for 3 minutes."

Dick Benedict, Fanning Blvd., "I have one for Mr. Lombardi I think. What do we plan on doing this year so we don't have a repeat of last year's clamming in Riverhead Town waters? It's getting close to March. Are we going to do anything with the State so that our waters are cleared this year?"

Councilman Lombardi, "We're working on it."

Dick Benedict, "Before it gets too late?"

Councilman Lombardi, "We've got to get in touch with the County like we did the last few years and try to get a conditioned area and that will have to be done pretty soon. Plus, last year they just cut everything right out."

Dick Benedict, "They told us it was too late."

Supervisor Janoski, "Councilman Boschetti wants to add a little something."

Councilman Boschetti, "We have contacted the County and we are working on getting that conditional area set up. There's a couple of problems with that however. The D.E.C. has a laboratory which we will not be able to share in to use for determining the condition of the water samplings that would be obtained and the samplings raise another problem. The D.E.C. will not collect samplings either. So we have 2 problems. Locating a laboratory that will analyze the samplings and collecting samplings and we are trying to overcome that problem right now."

Councilman Lombardi, "We might have to hire our own person."

Dick Benedict, "To take samples?"

Councilman Lombardi, "Right. That's another thing we have to look at."

Supervisor Janoski, "Thank you Dick. Let the record show that the hour of 7:45 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 Wednesday, February 22, 1984 at 7:45 p.m. at Riverhead Town Hall to hear all interested persons regarding: Change of Zone Application of Douglas and Carol Sowinski, Main Road, Aquebogue.

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you Mrs. Hansen. Is there anyone present representing the applicant? Please step forward and identify yourself."

Pete Danowski, 1380 Roanoke Avenue, "I know you're taking great pleasure in this. I am Pete Danowski. 1380 Roanoke Avenue, Riverhead, New York. I represent the Sowinskis."

Supervisor Janoski, "Why don't you raise that up so you don't have to stoop."

Pete Danowski, "I represent Douglas and Carol Sowinski and I also represent them as Contract Vendees. Meaning that they have entered into a contract to purchase a parcel of property next to Homeside Florist in Aquebogue. The applicant is here because he wishes to eventually put up a beverage business at that location. He has now before you (after been to the Town Planning Board) an application to extend the current Business "B" District eastward to Route 105. The applicant would ask for alternative consideration. We would have no objection if the extension of the District stopped at his proposed property line or if it extended to County Road 105. I would say that with regard to this application, when we appeared before the Planning Board, Mr. Olsen of Homeside Florist was present and he was surprised to find out (when investigating this application, he found out) for the first time that his property wasn't zoned business. He, in fact, said that some time before (a number of years ago) he was in the business zone and he was kind of shocked that without his knowledge, all of a sudden the property was not zoned business. On the other side of the proposed property, we have Martin Kart, known as Timmy Kary to me. He said similarly, that he thought his property was zoned business as well and both of those people were present at the Planning Board meeting and they have no objection to the application of the Sowinskis. I would also indicate that we have offered to sit down with both of those neighbors to take into consideration any suggestions they might have with regard to the application. So the application here is to have the property rezoned so that it is declared business property."

Supervisor Janoski, "Thank you Pete. Is there anyone present who has any question or comment on the application? Steve."

Steve Haizlip, Calverton, "Mr. Janoski, I'm sorry. I did not hear what the business was going to be."

Pete Danowski, "Again, the Sowinskis, as some people in this room who know, own a beverage business. It's located on Osborn Avenue. We're talking about transferring the business to the location in Aquebogue."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you Steve. Is there anyone else present who has any question or comment on the application? That being the case, I declare the hearing closed. Thank you Mr. Danowski."

RESOLUTIONS#132 AUTHORIZES OVERTIME COMPENSATION - WATER DISTRICT.

See Water Minutes.

#133 AUTHORIZES OVERTIME - HIGHWAY DEPARTMENT.

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

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for a total of 89¼ hours in the amount of \$1,116.48, in accordance with personal services abstract submitted and filed in the office of the Town Clerk.

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

The resolution was thereupon declared duly adopted.

#134 ADVANCES EMPLOYEE OF HIGHWAY DEPARTMENT.

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

WHEREAS, it is the recommendation of Highway Superintendent Charles Bloss that the following individual be advanced from his present position of laborer to the position of Automotive Equipment Operator, and

WHEREAS, Article 13, Section 2 of the 1983-84 CSEA Contract provides that "...the assignment and/or promotions of employees by grade, step or grade, step or classification, ...are subject to Town Board discretion", and

NOW, THEREFORE, BE IT

RESOLVED, that Michael Beni be and is hereby appointed to the position of Automotive Equipment Operator at the annual salary of \$15,147.07 as set forth in Group 6, Step 1 of the 1984 CSEA Salary Schedule, effective February 20, 1984.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued#135 AUTHORIZES TIME AND ONE HALF OVERTIME FOR RECREATION DEPARTMENT EMPLOYEE.

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

RESOLVED, that the following Recreation Department employee be compensated at time and one half overtime.

(1983) Barbara Scudder-----11.0 hours @11.0733---\$121.80
 (1984) Barbara Scudder-----12.5 hours @11.9685---\$149.60

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

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

The resolution was thereupon declared duly adopted.

#136 APPOINTS POLICE OFFICER TO RIVERHEAD POLICE DEPARTMENT.

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

WHEREAS, Robert Haley has requested a transfer from his present position of Police Officer with the Incorporated Village of Westhampton Beach to the position of Police Officer with the Town of Riverhead Police Department, and

WHEREAS, this Town Board and members of the Police Department have interviewed Mr. Haley and recommend his appointment to the Riverhead Police Department, and

WHEREAS, the Suffolk County Department of Civil Service and the Board of Trustees of the Incorporated Village of Westhampton Beach have also approved Robert Haley's request for transfer.

NOW, THEREFORE, BE IT

RESOLVED, that Robert Haley be and is hereby appointed to the position of Police Officer with the Town of Riverhead Police Department effective March 4, 1984 at an annual salary of \$25,159.44 as set forth in the Salary Schedule of the 1983/1984 PBA Contract.

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

The resolution was thereupon declared duly adopted.

#137 TRANSFER OF FUNDS.

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

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following:

RESOLUTIONS Continued

	<u>FROM</u>	<u>TO</u>
A3120.217 Police Office Furniture	\$ 300.00	
A1990.400 Contingency Account	2,700.00	
A3120.216 Police Typewriters		\$ 300.00
A3125.400 JAB Travel		2,700.00

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

The resolution was thereupon declared duly adopted.

#138 SETTLES SUIT OF DAVID WERNER.

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

WHEREAS, suit has been brought by David Werner alleging injuries from a defective road condition on March 24, 1981, and

WHEREAS, at that time the Town of Riverhead's insurance policy provided a \$25,000 self-insured retention which also obligates the Town to defend at its expense any suits brought in addition to the \$25,000 self-insured retention, and

WHEREAS, it is the opinion of Behringer, Burke, Clifford, Danowski, Hurley & Sullivan, Esq., attorneys retained to represent the Town and defend the claim that a settlement or verdict may be awarded well in excess of the Town's \$25,000 self-insured retention, and

WHEREAS, the primary insurance carrier has offered to settle its claim with the Town for \$25,000 and assume all defense costs which it is felt will minimize the Town's ultimate exposure,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized to settle the self-insured retention claim and litigation cost claim with Carillon Managers in the amount of \$25,000 on receipt of suitable documentation from Carillon Managers International.

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "Let the record show that the hour of 7:55 p.m. has arrived. The Deputy Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Wednesday, February 22, 1984 at 7:55 p.m. at Riverhead Town Hall to hear all interested persons regarding: Change of Zone Application of 25 East Realty Company. (Kinney Chevrolet-Olds)

PUBLIC HEARING ContinuedCORRESPONDENCE

1. Dorothy B. Draper, 2/17/84 requesting postponement of decision regarding zone change.

Supervisor Janoski, "Is there anyone present representing the applicant?"

Pete Danowski, "For this applicant as well. These matters have been calendered together and probably they should be in the sense that Kinney Chevrolet is located directly across from the property previously discussed at the previous hearing with regard to the Sowinskis. Kinney Chevrolet, as many people know, has been in existence for some period of time. Prior to Kinney being there, Jack O'Keefe was there. Crabtree O'Keefe existed. They exist as a non-conforming use. The business is allowed, is in zone business. They have had an opportunity to review their particular piece of property and they are looking forward to expanding and improving the facility. Expanding, not by going out front, but actually working off the back portion of the property and the outside facade and creating more room for jobs and a better and efficient operation. In order to do that, they would have to come before various agencies every time they wanted to make any move whatsoever. Therefore, they are asking again for the Business "B" District, which ends just a short distance to the west, to be extended to include their property or to go to County Road 105. I have not heard again, at the Planning Board meeting any opposition to this application. I've had the opportunity to see a copy of Mrs. Draper's letter and I appreciate her comments therein where she indicates she does not oppose the application of Kinney concerning their property. But she wants some time to consider what effect it would have upon her property. So I certainly have no objection to you for not reaching a decision on this matter tonight and I certainly will be in contact with Mrs. Draper to answer any questions she might have. Beyond that, it's again, a question of extending the District eastward toward County Road 105 or to County Road 105. I would also mention that the neighboring property owner, Mr. Lerner, has been in contact through his attorney and it's my information that he supports this application as well."

Supervisor Janoski, "Thank you Mr. Danowski. Is there anyone present who has any question or comment on this application?"

Robert Tooker, "My name is Robert Tooker. I am a member of the firm of Tooker & Smith, with offices at 1380 Roanoke. Mr. Danowski is correct here on behalf of Mr. Lerner, who is the owner of the property between Kinney Chevrolet and County Road 105 and is also his neighbor on the north. Mr. Lerner joins in Mr. Danowski's request that that application be granted in order to expand the business "B" zoning use district."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on this issue? That being the case, I declare the hearing closed. Let's do one resolution."

RESOLUTIONS

#139 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT OF SALE, TOM AND BETTY LANGHORNE.

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

WHEREAS, the Town of Riverhead, through the Community Development Office, desires to purchase property located on Horton Avenue, Riverhead, New York, from Tom and Betty Langhorne in continuation of the Osborn/Horton Avenue rehabilitation project, and

WHEREAS, Mr. and Mrs. Langhorne have agreed to sell their premises to the Town of Riverhead for \$20,000,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute the subject contract of sale wherein said sale is subject to a permissive referendum, and be it further

RESOLVED, that the Town Clerk is authorized to publish and post this resolution giving notice that at a regular meeting held on the 22nd day of February, 1984, the Town Board of the Town of Riverhead duly adopted a resolution which is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "Let the record show that the hour of, wait a minute, 8:05. Let's keep right on going."

RESOLUTIONS

#140 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF COMPLETION OF DEIS, PECONIC RIVER YACHT BASIN, INC.

Councilman Lombardi 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 Notice of Completion of the Draft Environmental Impact Statement of Peconic River Yacht Basin, Inc.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued#141 RESOLUTION OPPOSING COUNTY SALES TAX LEVIES FOR SOUTHWEST SEWER DISTRICT.

See Sewer Minutes.

#142 RESOLUTION OPPOSING NEGATIVE DECLARATION OF DEPARTMENT OF ENVIRONMENTAL CONSERVATION, RE: MASS BURNING GUIDELINES.

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

WHEREAS, Chapter 199 of the Laws of 1983 of the State of New York (Long Island Landfill Law) amended the Environmental Conservation Law to require, among other things, the cessation of landfilling by the Town of Riverhead and other municipalities in Suffolk County by 1990, and

WHEREAS, the practical effect of this law is that the Town of Riverhead, either in conjunction with a sister Town, or on her own, will be forced to construct a mass burn or similar facility costing several millions of dollars to comply with the State mandate by 1990, and

WHEREAS, there is no State funding proposed to ameliorate the economic impact upon the citizens of the Town of Riverhead, and

WHEREAS, environmentalists have most recently defeated the efforts of the multi-town facility to be built and placed into operation based on air quality objections, and

WHEREAS, the Department of Environmental Conservation has made a determination that there is no significant impact upon the environment caused by the regulation imposed by their office which will require the construction of mass burning facilities on the east end, and

WHEREAS, this determination appears to be in direct conflict with the experience given in the multi-town case,

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board makes the following findings:

That the determination of non-significance by the Department of Environmental Conservation for its regulations which will require the construction of mass burning facilities in Suffolk County, and particularly in Riverhead, is most definitely an action which will have a significant impact on the environment;

That the Town Board respectfully requests that the Department of Environmental Conservation reverse its determination and cause the preparation of an Environmental Impact Statement which would adequately address the environmental consequences of landfills as they are currently being operated, or as they may be modified through technological advances as compared to the State requirement that mass burning facilities be in operation by 1990;

That absent the preparation of Environmental Impact Statement, all the municipalities of Suffolk County will be forced to prepare individual impact statements to justify the State mandate, and be it further

RESOLUTIONS Continued

RESOLVED, that a certified copy of this resolution shall be forwarded to Governor Mario Cuomo; Senator Kenneth LaValle; Assemblyman John Behan; Assemblyman Joseph Sawicki; Hank Williams, Commissioner of DEC; Harold Berger, Regional Director of DEC; and all of the Supervisors, Mayors, and Board members of all of the Towns and Villages on the East End of Long Island.

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "Let the record show that the hour of 8:05 p.m. has arrived. The Deputy Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Wednesday, February 22, 1984 at 8:05 p.m. at Riverhead Town Hall to hear all interested persons regarding: Special Permit Application of Paul Sargent for a BMX Race Track on Route 58, Riverhead.

CORRESPONDENCE

1. Central Suffolk Hospital, 1/26/84, in opposition to the proposed BMX Race Track.
2. Gilda & Chris Heimink, 1/20/84, in opposition to the proposed BMX Race Track.
3. Riverhead Central School District, 2/9/84, in opposition to the proposed BMX Race Track.
4. John R. Bagshaw, in opposition to the proposed BMX Race Track.
5. Ruth Y. Warner, 2/20/84, in opposition to the proposed BMX Race Track.
6. Petition signed by 18 surrounding businesses of the proposed BMX Race Track in favor of the special permit.

Supervisor Janoski, "Thank you Mrs. Hansen. Is there anyone present representing the applicant? Yes sir."

PUBLIC HEARING Continued

Paul Sargent, "My name is Paul Sargent. I am the applicant for this proposed race track. I'm here to ask that this special permit be accepted. I would rather not be the first one up here. But seeing that I am, the four letters of opposition that the Town has, I believe from the Hospital, John Bagshaw, the School (The fourth party which I don't know who it is) in front of you. I would give you a copy of 13 local businesses in direct contact with the race track. These 13 businesses, if I list them all, are; starting with the first one to the East of me; Mr. Tom Yasso's plaza next to me; which consists of Beverage Hut, WindowRama, Pill Box, Video Arcade. I went to the East a little bit further to the Harrow's Shopping Center. I talked to Harrow's. I talking to Pancake Cottage. I talked to Carvel. I talked to Radio Shack. I also talked to ShowTime Stereo, 7-11 across the street. To the north of me I talked to Anderson farms. To the west of me, I talked to Bittersweet. I talked to Tommasini. All of these people signed a petition in favor of this BMX race track. I talked to 13 people (14 people) and 13 people of the businesses I talked to and I didn't talk to everyone. But people I did contact or did talk to, I got (one) no denies out of any of them. Everyone of them signed this thing. Now, I didn't read the copy. I probably should have got a copy of the letter from the Hospital and John Bagshaw. I don't know exactly what their opposition was. I understand by word of the grapevine that the Hospital was concerned about noise. Mr. Smith, who represents the so called shopping center, that's supposed to border me to the East, has pointed out that he is in opposition to it. I believe the Hospital and him both are in opposition because of the noise factor. We're at this time, or can be at any time, we have the equipment. We have the facilities. If noise is the problem, then we can set this so called race track up. We can set up a noise, DBA decibal reading. We can measure the sound. I am sure that if the Town or these people are concerned with the noise that this place will generate, that if we set up the noise reading, we can prove that these vehicles are not as noisy as these people seem to think they are. I am in full belief that 12 vehicles on this track, (motorized vehicles on this track, not BMX bicycles) I am sure 12 boys on this track with BMX bicycles you couldn't hear them out in the road, let alone down the street. The motorized vehicles at the Hospital, the Nursing Home, in the building with the doors closed, you'd never hear them run. Same way at the Hospital. Outside the Hospital if you look for them, I believe you could hear them run. We are working under a... The race track would run under a set of rules that's laid out by AATVA. Now, this concerns only motorized vehicles on this race track. The AATVA is the American All Terrain Vehicle Association. I'll make a quote from the AATVA and this is the rule book that we have to work under on this so called track.

PUBLIC HEARING ContinuedPaul Sargent, Continued

This rule book is quite lengthy. I believe it has 45 pages in it. This is a charter that we run under and insurance and everything else. I'll make a couple of quotes out of this book under noise and this is a direct quote. "On ATC or altering vehicles, exhaust systems must be securely attached together to the frame. The discharge at the end of the exhaust system must extend beyond the rear wheel. Machine entrants in all meets must have a muffler silencer which do not emit sound in excess of 105 DBA measured at .5 meters in accordance with SADJ 1287. Which means that basically, these machines can not emit more than 90 DBA at 50 feet. Any major highway in the State of New York gives out 90 DBA at 50 feet. The noise is not going to be a problem. The property in question is securely tucked in behind the existing business that is there. The property can basically do no more with it than what it's doing right now, which is nothing. Nobody wants the property. The property is behind the road access on 58. Business doesn't want it. You need exposure. Everything on this piece of property can be worked on. Noise like I said, dust. I think if it's put in there, put in there right, you won't even know it's there. It's pretty east to sit back and complain about todays kids. I'm not saying this is all for the kids because these kids it isn't. But it's easier to complain about these kids than it is to come out and do something about it. This will give these kids some place to go. Some place to race these BMX bicycles. Some place to race these 3-wheelers. They won't be running through your neighbors lawns, across the lawn. Not saying they won't be, but this will be a facility where they can use these other than on property where they're not wanted or a place where they don't belong. Public beaches so an and so forth. It gives them a reason to use this. Thank you."

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

Jacob Harding, Riverhead, "Members of the Town Board."

Supervisor Janoski, "Jack. I have a little bit of a problem. There is 2 minutes before the next public hearing."

Jacob Harding, "Go ahead and call it."

Supervisor Janoski, "Why don't you start. Then I'm going to have to ask you to stop at 8:15 or thereabouts so I can call the other one. Or would you rather just, You want to wait?"

Jacob Harding, "Yes."

PUBLIC HEARING, Continued

Supervisor Janoski, "Does Anyone want to use up the minute or so remaining to question or comment? Do I see a hand back there?"

Mark Stotsky, Riverhead, "I have been a resident of Riverhead for 15 years. For the past 2 years I have been in competitive 3-wheel racing and I think if Paul Sargent gets this track, I think it would be a way to vent our competitiveness in kids. You give us ball-parks, football parks, baseball parks. I think this recreation park would also help us as a way to vent our competitiveness and that's about it."

Supervisor Janoski, "Thank you. Let the record show that the hour of 8:15 p.m. has arrived. The Deputy Town Clerk will please read a notice of public hearing."

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 Wednesday, February 22, 1984 at 8:15 p.m. at Riverhead Town Hall, to hear all interested persons regarding: Special Permit Application of Gerald N. Blasbalg to construct single family dwellings on Old River Road, Manorville.

Supervisor Janoski, "Thank you. I'm going to recess that public hearing and continue with the public hearing on Paul Sargent's special permit for a BMX race track. Mr. Harding."

Jacob Harding, "My name is Jacob Harding. I have been asked to appear here on behalf of many of my friends and neighbors. However, I want to state that I appear here for attorney for no one. I appear for myself and opinions and the ones expressed are my own. I reside at 128 Hallock Street. This address is about 200 feet east of Roanoke Avenue. I appear as a property owner and resident living in Roanoke Heights, who can possibly be effected by the establishment of the proposed race track. I believe in zoning and a fair and sensible master plan. Using these tools properly, gives a community a good chance for orderly development with vision. Otherwise, you'll have chaos. You'll have neighbor against neighbor. Property owner against property owner. Let's get back to zoning for a moment. There are 3 main classifications in a suburban area. 1. Business or commercial. 2. Industrial. 3. Residential. The idea of good planning is to keep them apart. We have here a possible clash or conflict between commercial and residential use. Let me present my residential side. Many years ago the Roanoke Heights Development Corporation started a residential development.

PUBLIC HEARING Continued.Jacob Harding, Continued

Frank Smith is a good friend of mine and did a fine job. He handled many of the sales, most of them in fact. Like many of the people here tonight, I bought a lot and built a home in the aforesaid development. My brother did too and he lives closer to this than I do. Why did we do so? Why did we settle in this area? Let me state some of the reasons. It was a good area in which to live. There were many restrictions and covenants that pleased us. No chickens, no cows, no horses, no pigs, no businesses. Many of the streets east and west of Roanoke Avenue were made dead end streets. That was a wonderful feature of the development. It certainly contributed to privacy and the pleasure of living. Zoning continued this type of residential use. Now let's take the dead end streets west of Roanoke Avenue. Ackerly, Hallock, Merritts Pond Road and so forth. Yes, traffic of vehicles is cut off but now comes the threat of traffic and sound, of noise, of pollution of air. Encroachment that is none to pleasing. An encroachment which is in conflict with our established residential use. We were there first. In order to get a closer look, I'm here also to gather information. For instance, what would be the exact location of the track? What would be the size of the track? Will there be structures of any kind at the track? Will there be grandstands? How big? Will there be lights? Will there be restrooms? Will they be wood or will they be brick? Will there be public address systems? Will there be day or night races? Where will the access roads be located? Where will parking areas be located for spectators? How will it affect the density of traffic? A business owner is entitled to reasonable use their property. However, I do not believe he is entitled to extend that use to the detriment of residential owners who are trying to enjoy their happy homes. It is not good planning. Sure, you say there could be restrictions. But who will enforce them? For instance, we were told tonight about rule books of rules and regulations. Who will enforce them? There are conditions and restrictions in many cases now with our zoning. They are not being enforced. What you do is open a can of worms. At the present time, the density of traffic on Roanoke Avenue and Route 58 has affected us terribly in Roanoke Heights. We were there first but we are already victims of their nearby commercial uses and inappropriate traffic regulations. Your job is to try to help solve this traffic situation that's coming. What's going to happen? What's it going to be like with a Hospital extension and then the proposed Waldbaums shopping market? You've got a big problem. It is not a pleasing matter for me to oppose a fellow property owner but if it hits where I live, and I was there first, I will miss out if I don't speak up for myself and for my neighbors. We make a little difference. It won't make a property owner much richer if he gets the track. It won't make him any poorer if he doesn't get it. It means an awful lot to us. It's

PUBLIC HEARING ContinuedJacob Harding, Continued

getting a little tough in the Heights. I sit in the back yard in the evening and the glowing lights shine in my eyes from a shopping area. When I finally squeeze onto Roanoke Avenue and go north, I must pass a trash laden piece of property on my left. This is while I'm trying to get into the traffic circle to go east or west. I'm pointing out much more serious problems that you gentlemen have than the one present tonight. I ask you to study this very very carefully. It was stated that the cycles will not make any noise. I buy that. I really do. I'll buy that. But now may I make an analogy? I, more or less, perhaps less, am a follower of a breed. There are cases when I was summoned by friends seeking relaxation of course, visited Saratoga or Aqueduct. The horses don't make any noise. They don't make any noise at all. But the spectators sure do and the announcers do and the calls to the starting lines do and I do if I have a \$5 bet on the horse that is heading for the finish line neck and neck. Any maybe you do too. Thank you very much for your courtesy. It's been a pleasure and as they say in the trade, have a good day."

Supervisor Janoski, "Thank you Jack. Is there anyone else present who wishes to address the Board on the matter of this special permit application? Mr. Brown."

Jonathan Brown, Attorney, "Good evening Supervisor Janoski, members of the Board. My appearance, for the record is Jonathan Brown from the law firm Tooker & Smith. Appearing tonight as a surrogate for Allen Smith, Attorney for the applicant Barry Feldman. Barry Feldman owns the property adjacent to this use which is to be a Waldbaums shopping center. You have previously been provided with copies of the opponents brief and if I could highlight just a few things from that brief for you tonight, in light of what we have already heard. The DBA standards for residential neighborhoods is 55 DBA. At 55 DBA, sleep interference occurs and that's a.... These 3-wheel 4-wheel ATV (the applicant has just stated) produce 90 DBA. In our calculations, (which are included in your brief) we had granted them 76 DBA which is well below their 90 DBA standard. At 76 DBA there is a radius of 1800 feet which extends from their race track. Included within that radius of 1800 feet where the noise level will be above that 55 DBA limit, which is an unacceptable noise level are the following uses: Central Suffolk Hospital, Riverhead Nursing Home, a portion of Roanoke Heights, Riverhead High School, Junior and Senior and that's 76 DBA. At 90 DBA, that zone extends even further. 76 DBA as well as the stated limit for these type vehicles, according to section 386 of the vehicle and traffic law. Further more, beyond the noise issue, there is a safety issue. There are points in this use where if an injury does occur that a Hospital (an ambulance rather) would

PUBLIC HEARING ContinuedJonathan Brown, Continued

be in closer access to the injured person than 400 feet. The site plan requirements are inadequate here. There is no provision for parking. This is a Business "C" District. It calls for 50 feet rear yard and 25 feet side yard. None are provided here in this use. This proposed use is inconsistent both with the master plan of 1973 in the Town of Riverhead and the proposed plan for the Route 58 corridor, which I understand is currently pending before this Board. Thank you."

Supervisor Janoski, "Thank you Mr. Brown. Is there anyone else present who wishes to address the Board on this special permit application?"

David Nostrom, Riverhead, "I come here to speak in favor of Paul Sargent's plans to build a BMX track. Only because it benefits the children and the children in this community are what you should be thinking about in your talking about your master plan for this Town. Because there is nothing for them here or other children to come. I am thinking about the kids now. You're talking about big businesses, money, the buildings, the shopping plazas. We have had shopping plazas before. We have had various shopping markets in the area for years and at one time, we had 3 or 4 of them and what happened? They went out of business because there wasn't enough people to support them. I think that to oppose something like this is really to do an injustice to the children in the community and the young teenagers who will benefit by this BMX track and ATV track. I know about ATVs. I have been driving them for 5 years and I have 3 of my own. My neighbors do not complain about the noise. As a matter of fact, I've been asked by neighbors to take them for rides on them or to show them how to use them. Several of my neighbors have already purchased them. So I think it would be wise to give this really serious thought before you condemn it. The gentleman over here spoke about structures on the site and everything else. I think if you would have taken the time to see Mr. Sargent and ask him, I think he could have found out a lot of his answers before he came here tonight. That's about all I have to say at this time. Thank you very much for your time."

Supervisor Janoski, "Thank you."

Colin Campbell, Riverhead, "Good evening gentlemen. My name is Colin Campbell. I'm a Riverhead resident. I have been deeply involved and deeply committed to working with young people and for young people ever since I've lived in Riverhead and I don't think I take a back seat in that area to anybody. I'm fully in favor of providing all the recreational facilities that we can. In fact, in my capacity with the Riverhead Community Awareness Program, we are now

PUBLIC HEARING ContinuedColin Campbell, Continued

working on what will be a very substantial (I hope) youth project. I certainly have nothing against a motorcycle race track in a proper location and I think that the difficulty here is; not one of whether we are willing to provide facilities for young people so much as how much as to how has to pay how much. In that particular location, as has been stated previously, there are a number of residences too, private residences within a few 100 yards. My own included. It has been stated in the past that the testing of motorcycles on Sargent's current track, which extends around the field that he owns, is not a nuisance to anybody. I have to differ with that. We certainly hear the bikes. I haven't complained because I feel the man is in business and he's got a right to have some place to test a bike. But we certainly do hear them and they are run now in ones and twos. And in the winter, when I'm out shopping, I certainly hear the snow mobiles when there's snow which doesn't seem to happen much any more, but there you are. I checked with a couple of motorcycle shops out of Town. Kind of pretending to be an interested buyer, asking about ATV races. They all said that the first modification made to ATV vehicles (and these are motorcycle shops themselves. Easthampton, Rocky Point, couple of others) was to put on a pipe. That is a straight pipe without a muffler. They make a lot of noise. Another problem that we're going to run into over there is; where one bike may develop 50, 75, 90 DBA, 8 or 10 or 12 running at the same time, are going to create a considerable noise nuisance for the residents living in the area. A third problem we have to consider is dust. I have attended a couple of races of this type and the dust is, you know. It really raises dust. That's going to blow generally with prevailing winds back over the entire Roanoke Heights, Ackerly, Hallock. That whole area is going to be a problem. I certainly feel that one of the difficulties here is; that if any kind of a track is allowed in there at this point, once it is there, regulation of it will be almost impossible. If it does prove to be a problem, well it's too late to do anything. I would like to offer this; in my own capacity in the Town as a citizen, in my capacity with the Community Awareness Program, if these people here who are interested in developing a BMX race track or a motocross track or an ATV track, I'm sure that several of us in the Community Awareness Program would be more than willing to try and help and support them in finding a reasonable location. But the present location or the proposed located behind Sargent's, I think would create many more problems than it would solve. Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you Colin. Is there anyone else present who wishes to address the Board on this matter of this application? Are you coming up here? Please state your name and address."

Jeffery Selino, Roanoke Avenue, "My name is Jeffery Selino and I'm speaking in favor of the track. I live at 1212 Roanoke Avenue which is right across the street from Mr. Campbell. What he said about the dust and Mr. Paul Sargent will be providing wells to water down the track which will eliminate the dust. Most of the places..... Well, I ride a 2-wheel motorcross vehicle. He said that he's complaining about the motorcross vehicles but the track is only for 3 and 4-wheel vehicles which most of them are 4-stroke engines which is much low in sound. The trikes, the 3-wheel vehicles all must (under law) have a muffler on it which contains most of the sound."

Supervisor Janoski, "Thank you. You did very well. Steve."

Steve Haizlip, "First the fellow mentions about dust. Dust is a safety factor because you can't see and you got no visibility. Now he's going to water it down. Are we going to go sliding?"

Supervisor Janoski, "Thank you Steve. Is there anyone else present who wishes to address the Board on the matter of the special permit of a BMX race track?"

Debra Nostrom, "My name is Debra Nostrom. I live in Mattituck. People are afraid of regulations that they aren't going to be enforced. At several races there have been several problems but the authorities at the races have controlled these things. One man, his bike the peg, (you aren't allowed to drive with a straight peg. You have to have a vending) broke off. He was disqualified immediately. So no injury was done to him or anyone else. The noise is very quiet. It's not quite but it's not as loud as everyone thinks it is. My neighbors have 3-wheelers and you can barely hear them as they're coming down the road by my house. Sometimes it's not, they're not going fast. They are quiet and if they're going fast, it's quite still. It's not as loud as everyone thinks it's going to be. I am in favor of this BMX race track. I have 2 brothers and sisters who also ride and I have friends who, if they didn't have these things, they would probably be into trouble. Causing rowdy scenes. But they can use this as a proper way to vent their everything, their enthusiasm. They need this and I think the teenagers of this Town and other Towns need it to vent their....."

Supervisor Janoski, "Youth."

PUBLIC HEARING Continued

Debra Nostrom, "I don't know what to say but I think it's what we need. I think it's what everyone needs. Because everybody is always saying these juveniles, they're nothing but delinquents. If we have something there for them to do, it will help a lot."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on this special permit?"

Mark Stotsky, Riverhead, "Good evening to the Board. My name is Mark Stotsky and I reside in Riverhead. My son has raced for the last past 2 years in these tri-motos and these 3-wheelers. I recommend to the Board that if they're questioning the noise, that perhaps we put 10 machines out there. Put a man at the Hospital. Maybe put a man down on Roanoke Heights. Put another one at the Nursing Home. Let's try this idea first before we come in here so negative that we don't even want to look at this proposal. We're doing this for the youth of our community. They're the next people that are going to sit where you are. If we want good people up there, if we want competitive people, if we want people with an edge, I feel we should give this track a fair shot. If it doesn't work, we tried. But I think we should still look at all the aspects and not just shoot this thing down right here tonight because you gentlemen don't know. If you don't know, let's go out and investigate and see how much noise it makes. Let's see how much dust they raise. We can't have any more traffic problems than we have on Route 58 now. It's not well and it's not going to get any better and we're talking about maybe a 3 or 4 hour Saturday afternoon. Maybe we're talking 3 or 4 hours Sunday afternoon. I don't see where we're running into night problems where we're going to interfere with the school systems. I don't see any problems as far as that. But I think we should give this a fair shot and a good shake before we condemn it. Thank you."

Supervisor Janoski, "Thank you. Mr. Sargent, could you step up to the microphone and outline for the Board, as well as the members of the audience, what you're projected use of the track is. Your hours of operation, days of the week, day or night and tell us a little about the track. Because really, you address the noise concern and don't really tell us anything about the operation."

Paul Sargent, "Ok. I'll try to meet this the best I can. Mr. Harding, I believe, was very good. He brought out a lot of good points. First of all, I'll try to answer him as best possible. The track that we're proposing to build is possibly about 2 acres. It is totally fenced off with a cyclone fence, a 6 foot cyclone fence. The fence is supposed to keep between spectators and the race people themselves. The track, the proposed track, is about

PUBLIC HEARING ContinuedPaul Sargent, Continued

40 feet wide. Total trip around it is about 1800 feet. The site plan that we drew up was simply a track on a piece of paper. It did not show any parking. It did not show any buildings. Didn't show any grandstands. Didn't show any simply because of the fact that this thing is in the planning stages and we didn't plan on any permanent structures. As far as a building, a portable building of something under 100 square feet to house speakers would be no permanent buildings. None at all would be built on this property. The grandstands would be built or put in. The type that could be taken out. What I am basically trying to say here; there would be no permanent structures on this property at all. Sanitary facilities would be there. These portable sanitary buildings that are brought in. The plain rule book that I showed you in the earlier part, is a book that states very clearly that these have to be there or should be. I don't think it states they have to be but they will be there. We will also plan on having 2 ambulances at every event. One to go, if need be, to the Hospital, one would still be there if one is gone. The track would not operate without an ambulance at the facility. The ½ mile oval or the course to be laid for the BMX or 3-wheelers or 4-wheelers would have an irrigation system built into it. Now, we're not going to have dust and no we're not going to slide one bit. What we're going to do is, if we have a meet, (and we're talking meets basically from my own point of view) what I want to do, or when we want to race, would be preferably on a Sunday afternoon. Starting at 11 o'clock in the morning and it being done by 4:30 or 5 o'clock. There will be no motors starting before 11 o'clock in the morning. Basically, 2 hours of racing to 2½ hours of racing. The irrigation we have is now, like I said, 3,4,5 hours before the race is to be run simply to keep the dust down. We don't want a lot of noise. We don't want a lot of dust. We don't want a lot of rowdy people. We want a well run facility. We need spectators as well as we need participants. If there is dust in people's faces, don't give them a place to go to the bathroom, you don't give them the grandstands to sit at, they don't come. Without the spectators, I'm sure you won't have that many racers. Kids like to go out in front of people and show off. So therefore, the more people you get in the stands, the better off they are. The better off you are. You have to have good clean facility to put them in."

Supervisor Janoski, "What about the days of the week? Would there be a race on a Monday? Would there be a race on a Tuesday? Will there be night races?"

PUBLIC HEARING Continued

Paul Sargent, "There will be no lights. There will be no night time races. I would have to say I don't plan on running the BMX as much as I would like to. I'm going to have to have...."

Supervisor Janoski, "Would you tell us what a BMX is?"

Paul Sargent, "BMX is a 20 inch boys or girls peddle bicycle. It has knobby tires on it. Some of them have rear suspension. Some of them are solid. These kids get out on these 20 inch bicycles and they go. I am understanding now, right now, that the kids got all the action before on BMX bicycles. But now, the parents are getting into it. My bicycle people are here now and they're making a 24 inch BMX bicycle which is the same thing the little kids have but it's for big kids. Of course, I am a big kid too. 38 going on 12 myself but that is beside the point. The adults get involved in this too. The ATVs...."

Supervisor Janoski, "It's not motorized?"

Paul Sargent, "Not motorized. I'll have to answer another question up here. The gentleman that went to the different types of motorcycle shops and found out that (he went to Easthampton and a few other stores) in the first place, the first thing we do is; we take off the mufflers and we put straight pipes on them. Number one: the U.S. Forrestry, that governs off-road riding, states that any kind of public land, you can't run a motorcycle on it without having the Forrestry approved spark arrestors. That vehicles can not run on public land without a muffler on it. Without a silencer muffler on it. According to the rule book, that I pointed out earlier, you can not run a race bike with an engine without a muffler without a silencer on it and these things are set up so that these certain bikes with these pipes can only emit an X amount of DBA."

Supervisor Janoski, "Paul, besides the BMX, what kind of vehicles are you planning, were you planning to have racing at the facility and please describe if they are motorized or not motorized."

Paul Sargent, "Ok. The first vehicle I described was a BMX vehicle. The second vehicle is what we call All Terrain cycle. It's like a tricycle. It's motorized. The particular brands that I sell, (there is 7 models) out of seven, 6 of these models are 4-cycle engines. These 4-cycle engines are the same engines you run in your automobiles, except they are cooled. The 7th vehicle is a high performance vehicle in the line is a 2-cycle engine, 250 cc displacement. They're all 3-wheelers. The person riding them knows what they are doing. If you put section cups on the tires, they'll climb the walls. The other vehicle is the same particular vehicle except it has 4 wheels on it and not 3. There will be no motorcross motorcycles at all."

PUBLIC HEARING Continued

Supervisor Janoski, Do you guys have any questions or clarifications about what we're talking about?"

Councilman Boschetti, "I'm still interested in knowing what days of the week that it will take place."

Paul Sargent, "I'm looking (strictly from my point of view) taking as a motorized vehicles, strictly Sunday, 11-5. I don't like to destroy any residential property around us and basically I am looking for one day a week."

Lady in Audience, "Well, that's when we sit in our yard."

Supervisor Janoski, "You're out of order Ma'am. Anytime you want to take the microphone. Are you saying categorically, that there will never be a machine on that track on a Monday, Tuesday, Wednesday, Thursday, Friday, Saturday?"

Paul Sargent, "No sir. Not unless it stipulates. If the Town says to me; it's to be Sunday from 11-5, then that's when it will be used. The noise that's out there right now and right now I'm not even trying to be careful with it. I use it as a test facility for everything that I run that is not road legal. What we test right now, it's got license plates on it and it goes down the road. What goes out back on that test track during the week, yes I'll admit there is some noisy stuff that goes out there but I have no control over this stuff that we test. It comes in without a muffler on it. Still the gentleman says to get it fixed. We still have to test it."

Supervisor Janoski, "Well that's not the issue before us right now. What I want and what I called you back up which is very irregular, is to get some clarification what it is we're talking about. I would ask once again if any member of the Board has any question."

Paul Sargent, "I'd just like to point more thing out that was brought out, parking. We made no facility for parking. At this time, I don't have any facilities, big facilities for parking but we're working on it. I can't lease or secure space to put in parking if I don't have a permit. If I have a permit, then there is a very good possibility for the stipulation that I don't got parking. One goes with the other. I'm sure that we can get the parking that the Town would ask for if we were issued a permit. Thank you very much."

Supervisor Janoski, "Wait a minute."

Councilman Artale, "I do have one question Paul. You were talking about grandstands that you would like to put in over there. What are you talking about as far as capacity of crowds?"

PUBLIC HEARING Continued

Paul Sargent, "Well, what I would like to see...."

Councilman Artale, "Some sort of a general figure."

Paul Sargent, "I'd like to say we could get 500 people on a Sunday but I'd have to say realistically, I couldn't really give you an honest answer. I'm hoping that we would get 100, 150 people. We can run only on a 40 foot track. We can only run, each vehicle has to have 56 inches. I figure we can run 9½ vehicles at one time unless we widen the starting shoots out of the things. You can get 9 people 10 in a race. 5 people to a racer, I would say 150 people. I really don't know. I had hoped it would be 500 people. But then again, I really don't know until this thing gets in. We go to Rocky Point where they race up there. There's a lot of parents."

Councilman Artale, "We're talking about spectators."

Paul Sargent, "Spectators, I would say the races I've been to on Long Island, where the dirt blows in your face, you can't see the racers for only 50 feet out of a mile and a quarter and a bathroom and no place to sit down, you might have 150 spectators there."

Councilman Artale, "Thank you."

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

Angelo Trotto, "My name is Angelo Trotto. I live on Duryea Street. We hear they are residents of Riverhead, but where in Riverhead? They're not in Roanoke Heights. We have one there from Mattituck. On Sunday afternoon from 11-4:30, 11-5, this is the time I'm home from work. I want to putter around my yard. I want to sit out in the yard. You know, just read the paper, something like that. This is going to go on from 11 to 4:30 on a Sunday. What are we working for? What are we living over in this quite community for? Now, he's got no parking facilities. Now we got to grant him the permit so he can park. Now, once he's got the permit, where does he park? Where's he going to put the parking lot? On his property? Evidently he doesn't have the space for it."

TAPE MALFUNCTIONED AND THE ENDING REMARKS AND THE BEGINNING REMARKS WERE NOT RECORDED.

Glory Campbell, ".....School Staff will be cleaning it up for the rest of the week. The neighbors who live there, it's all going to blow. The prevailing winds are going to have it in the woods and all through Roanoke Heights as things are left. I feel it's a very detrimental situation and I also agree with the gentlemen who just spoke as far as the noise factor. Many of us there experience Friday night at Riverhead

PUBLIC HEARING ContinuedGlory Campbell, Continued

raceway which fortunately is only a few months of the year. But, I live there with babies and I listen to the Riverhead raceway and I hope I can get them to sleep at night. I don't have babies any more, but other people in the neighborhood do and I just feel that you're opening the door wide open before we know what we're letting in. I'd like you to give it a lot of thought. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on the matter of this special permit application? Yes sir."

Tom D'Angelo, Easthampton, "I am an Easthampton Town resident. I own the motorcycle shop in Easthampton. Couple of things I'd like to say. 1. It's a very safe sport if it's supervised and run the way I think Mr. Sargent would run it. It's not as noisy as most people would think. Most of the motorcycles are quiet. If it's supervised and requirements are made for mufflers, mufflers have to be put on for people to run them. They do have a Brookhaven race track. No muffler, you don't race. I'd have to congratulate, well hand it to Mr. Sargent for having the wherewithal to try to get something like this going. We try to do this... For having the wherewithal to organize it or run it. It's a tremendous burden for someone to do it and I think that something..... Everybody likes to have fun. It's a heck of a lot of fun. In some people's eyes it's a nuisance. But you know, so are football games and tennis courts and baseball courts and even the beaches and they don't make any noise. I just think it's a good idea and it should be considered. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else? That being the case I declare the hearing closed and we are going to take a smoke break."

HEARING CLOSED AND MEETING RECESSED AT 8:55 p.m.
MEETING RECONVENED AT 9:10 p.m.

Supervisor Janoski, "I will open the public hearing for an application for a special permit. Mr. Blasbalg are you representing yourself."

Mr. Blasbalg, Manorville, From audience, Inaudible.

Supervisor Janoski, "This is very often the case."

Mr. Blasbalg, "Mr. Supervisor, members of the Town Board. When zoning regulations were first established in the community, they generally divided the various....."

PUBLIC HEARING Continued

Supervisor Janoski, "Just a minute Mr. Blasbalg. Will someone in the back close that rear door?"

Mr. Blasbalg, "When zoning regulations were first established in the community they generally divided the various categories of residential, business, agricultural, and industrial zones in reasonable locations which were advantageous to the public welfare. On occasion, however, the boundaries of the small parcel may lie in the path of a demarcation line. In such a manner, to cause great difficulties for someone who may own the land prior to the imposition of any zoning. The division line may splice through the middle of the lot creating 2 zoning categories. Neither of which can be utilized. This piece is an unintentional penalty upon the owner. I believe that the parcel which is the subject of this application, a special permit, suffers this burden. Do you gentlemen have the surveys before you?"

Town Board, "No we don't."

Mr. Blasbalg, "When you look at the surveys, (I believe you'll have them) notice the angle of the division line. Please note also that the only access to the entire parcel is 200 feet frontage on Old River Road to the northwest corner. It is not River Road but Old River Road. The zoning lines specifically split the property into 2 awkward portions of approximate equal area. Old River Road is a narrow, one-lane country road which would have to serve as the access of the Industrial zone and the Agricultural "A" zone at that one corner. It is clearly inadequate to support any large vehicles necessary for Industrial uses and probably would break down the shore line. As for the Agricultural "A" portion, the same entrance for the residences through the Industrial area would create a traffic problem for the private driveways to each home and probably would require constant repair of potholes. I do not believe that the application for a special permit to build one residence on each approximate 2½ acre lots, creates an anomaly to the surrounding area. It is bordered upon the north by the Golf Course and on the east by a woodland also owned by Swan Lake Golf Corporation. The area on the south which fronts on River Road, contains private residences. None of them is essentially a rural community and any dwellings built on this property would tend to create mini estates which could only enhance the surroundings of both the golf activities and of the adjacent homeowners lying on River Road to the south and the west. I hope you will agree with that assessment of the situation and grant the special permit. Thank you."

Supervisor Janoski, "Thank you. Is there anyone present who wishes to question or add comment? Yes sir."

PUBLIC HEARING Continued

Ray Kreiger, Manorville, "I live on Oakwood Drive in Manorville which is right around the corner from him. I'm not here to act as the last person on the block or deny anybody any kind of profits as far as an investment on a piece of property. I just like to offer a little suggestion here. I reviewed the application the other day real fast and noticed that what they did was set up (probably arbitrarily) 4 lots. Just recently my wife and I and some of our neighbors were negotiating a deal with Dr. Keller on the subdivision that he had done where he added on to our properties. On the application I noticed that there is some kind of later committment from some people on buying these lots and it appeared to me that 3 of the 4 lots already has someone interested in them. The fourth signature was Mr. Tuccio's who a Real Estate agent and I really can't say that you can use his name as an official buyer. He's probably just signing it. He will represent the people as far as selling it at a future time. I would like to say that 2½ acres is a fine sized lot. You can't ask for a nicer size lot in that surroundings. Seeings how there is only 3 people interested in buying right now, if a good faith effort was made on the part of the seller, so to offer these 3 people a new design where maybe there's only 3 lots instead of 4. Or offer the people who's property joins this, a chance maybe to add on to their pieces and then the remaining be broken into 3 lots. This way, I feel that we'd only get 3 houses in the area and the area is very rural. The water quality in the area is actually unbelievably good. We should probably be bottling it and selling it. That's what the County Health Department said. It's better than what you buy on the shelf in the Department stores and Grocery stores."

Supervisor Janoski, "I think Mr. Tuccio is doing that."

Ray Kreiger, "You know it's very.... We should be very careful with that area. Who knows. I think, (what is it) the Town Water Department owns property over there. You may need that some day. There's no use in over-building and contaminating that area right now. I'm not here to say..... If a good faith effort was put out, and they can do anything, I'm not saying stop the 4 lots. That is perfectly fine with me. I'm just trying to offer some kind of alternative right now. I don't want him to think I'm saying don't do it. You can't do it. It's not fair or anything. I'm just trying to say maybe if he could offer some alternative, we could wind up with him getting his price and us winding up with only 3 homes back there instead of 4. That's all. Thank you very much."

Supervisor Janoski, "Thank you. Yes Sherri."

PUBLIC HEARING Continued

Sharon Wendelken, 101 Linda Lane West, Riverhead, "I'm here tonight because Ed Tuccio isn't available tonight. He's in Aspen with Vic."

Supervisor Janoski, "Are they coming back?"

Sharon Wendelken, "I don't know. I talked to him this morning. He sounded pretty good. Ed is one of the purchasers, along with 3 other people. They are purchasing the property jointly and as speculation, they intend to put up either small mini estates or resell the property. But Ed is one of the purchasers. They envision, on 2½ acres, they can put very nice houses and get a very nice price for them. That's just for the record."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on the matter of this special permit?"

TAPE MALFUNCTIONED, FIRST FEW REMARKS OF MR. BLASBALG WERE INAUDIBLE.

Mr. Blasbalg, ".....At no time thereafter, shall there be any further subdivision of or modification of the set 4 parcels as therein described and as approved by the Planning Board of the Town of Riverhead."

Supervisor Janoski, "What's the current zoning of that property Mr. Blasbalg?"

Mr. Blasbalg, "Pardon."

Supervisor Janoski, "What's the current zoning of that property."

Mr. Blasbalg, "Half of it is Agricultural "A" and the other half is Industrial zone "A". Thank you."

Supervisor Janoski, "There's part of the record that you didn't state (that I recall) what the zonings are. Just that they were split."

Mr. Blasbalg, "Ok."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board? That being the case, I declare the hearing closed. Let's finish the resolutions."

RESOLUTIONS#143 AWARDS BID FOR TWO "MINI VAN" TYPE VEHICLE.

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

WHEREAS, the Town Clerk was authorized to publish and post an advertisement for bids for a "mini van" type vehicle, and

WHEREAS, on the 22nd day of February, 1984, all bids received were opened and read aloud, and

WHEREAS, two (2) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the bid for two (2) "mini van" type vehicles for the use of the Nutrition Program and Shared Services to Riverhead Dodge, Inc., at a total bid price of \$9,912.00 per vehicle, including specification #8, the lowest responsible bidder, and be it further

RESOLVED, that payment for said vehicles shall be made through funding of Suffolk County for the Town of Riverhead Nutrition Program and through Federal Revenue Sharing funds, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to the lowest bidder above named.

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

The resolution was thereupon declared duly adopted.

#144 AWARDS BID FOR 4-WHEEL DRIVE PICK-UP TRUCK - RECREATION DEPARTMENT.

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

WHEREAS, the Town Clerk was authorized to publish and post an advertisement for bids for one (1) four-wheel drive pick-up truck for the use of the Recreation Department, and

WHEREAS, on the 22nd day of February, 1984, all bids received were opened and read aloud, and

WHEREAS, three (3) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the bid for one (1) four-wheel drive pick-up truck to Kinney Chevrolet Olds, the lowest responsible bidder, at a total bid price of \$10,785.00, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to the lowest bidder above named.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued#145 AUTHORIZES OVERTIME COMPENSATION.

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

RESOLVED, that the following employees be paid time and one half overtime compensation.

Paul Bokee-----10.5 hours at 10.8816 = \$114.26

Charles Brown-----3.0 hours at 12.1172 = \$ 36.35

Dominick Pantaleo---11.5 hours at 10.8816 = \$125.14

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

The resolution was thereupon declared duly adopted.

#146 AUTHORIZES COMPLETION OF GRANT APPLICATION AND EXECUTION OF APPLICATION BY THE SUPERVISOR.

Councilman Lombardi offered the following resolution Boschetti motioned it TABLED which Councilman Artale seconded.

WHEREAS, an application is being prepared to Suffolk County to provide funding for a Riverhead youth center in the amount of \$50,000 which shall consist of \$25,000 of County money to be matched by \$25,000 of Town money, and

WHEREAS, representatives of the Riverhead community supporting the construction of a Riverhead Youth Center have provided this Board with information which demonstrates the value of this project to the citizens of the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized to execute the grant application and cause such budget amendments to the Town of Riverhead Budget as may be necessary.

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

The resolution was thereupon duly declared TABLED.

#147 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: PROPOSED LEASE OF TOWN PROPERTY TO PECONIC RIVER YACHT BASIN, INC.

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 a proposed lease of Town property located on East Main Street, Riverhead, New York, to Peconic River Yacht Basin, Inc.

RESOLUTIONS ContinuedPUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 6th day of March, 1984, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to a proposed lease of dock space at the Peconic River Parking Lot being approximately that portion of property south of the sidewalk on the south side of the parking lot, Riverhead, New York, to Peconic River Yacht Basin, Inc.

Dated: February 22, 1984

BY ORDER OF THE RIVERHEAD TOWN BOARD
IRENE J. PENDZICK, TOWN CLERK

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

The resolution was thereupon declared duly adopted.

#148 REJECTS BIDS FOR ONE FOUR-DOOR SEDAN.

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

WHEREAS, the Town Clerk was authorized to publish and post an advertisement for bids for one (1) four-door sedan for the use of the Police Department, and

WHEREAS, on the 22nd day of February, 1984, all bids received were opened and read aloud, and

WHEREAS, the bid specifications specifically state "...the Town Board reserved the right and responsibility to reject any or all bids..."

NOW, THEREFORE, BE IT

RESOLVED, that the bids received on February 22, 1984 for one (1) four-door sedan for use by the Riverhead Police Department be and are hereby rejected, and

BE IT FURTHER RESOLVED, the Town Clerk shall forward a certified copy of this resolution to all bidders.

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

The resolution was thereupon declared duly adopted.

#149 AUTHORIZED THE SOLICITATION FOR BIDS FOR ONE FOUR-DOOR SEDAN.

Councilman Lombardi offered the following resolution to be TABLED which was seconded by Councilman Boschetti.

WHEREAS, by resolution #148 this Town Board did reject all bids received on February 22, 1984 for one (1) four-door sedan for use by the Riverhead Police Department.

RESOLUTIONS Continued

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is authorized to re-advertise for sealed bids for the purchase of one 1984 4-door sedan for use by the Riverhead Police Department, and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids on Monday, March 8, 1984 at 11:00 a.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, and to make a report of said bids to the Town Board at the next meeting following the opening of the bids.

NOTICE TO BIDDERS

Sealed bids for the purchase of one (1) 1984 4-door sedan for use by the Riverhead Police Department will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue Riverhead, New York until 11:00 a.m. on Monday, March 12, 1984.

Instructions for bidders, specifications and bid forms may be obtained at the Town Clerk's Office at the Town Hall, Monday through Friday, between the hours of 8:30 a.m. and 4:30.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet bearing the designation "Exceptions To The Specifications" and attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formalities if it believes such action to be in the best interest of the Town.

All bids will be submitted in a sealed envelope bearing the designation "4-DOOR SEDAN".

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

The resolution was thereupon declared duly TABLED.

Supervisor Janoski, "I will once again open the meeting to anyone who wishes to be heard on any subject. Steve."

Steve Haizlip, "Mr. Janoski and other Board members. Inaudible....like the words a mile long. I don't know what it means in legal terms. But I think it has something to do with, unless you use it, you don't pay for it. Inaudible. Now it involves our taxes for something that they have there. I commend you on the resolution. I've been watching the paper since about January 10. This appears to withhold the taxes for Suffolk County and the Town of Brookhaven. Like when you take something that don't belong to you. Extortionists. Now I'm surprised that Mr. Willmott didn't pick up on that....Inaudible....what's going on. What's going to happen. Inaudible."

PERSONAL APPEARANCES Continued

TAPE MALFUNCTIONED AND THE LAST MINUTES OF THE MEETING WAS INAUDIBLE. THEREFORE THE FOLLOWING WILL NOT BE VERBATUM.

Councilman Artale, "Inaudible."

Steve Haizlip, "Thank you Mr. Artale. It's a good play."

Councilman Artale, "Save the best for last."

William Kasperovich, "Well thank you. You made my day, what's left of it." Asks the Supervisor to please find time to meet with John Ziemacki, who he has spoken to regarding a problem. Also thanks the Board for resolutions #141 and #142. Also would like the Town Board to include important topics and subjects on the Agenda under Unfinished Business such as the Wading River Water Study.

Steve Haizlip, Advises Councilman Prusinowski to read documents in the Town Clerk's Office regarding Grumman getting cheap power.

Henry Pfeifer, Will the bill to free restrictions on Cable T.V. affect the Town of Riverhead?

Supervisor Janoski, Mr. Ehlers.

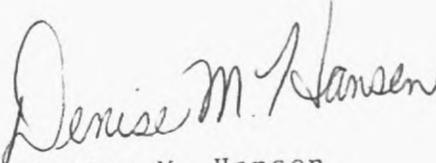
Richard Ehlers, No.

Henry Pfeifer, Thank you.

Supervisor Janoski, Does anyone else wish to be heard at this time on any subject or matter? Without objection adjourned.

There being no further business on motion or vote, the meeting adjourned at 9:40 p.m.

DMH:nm


Denise M. Hansen
Dep. Town Clerk