

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, February 1, 1983 at 7:30 P.M.

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

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 the Town Board Meetings held on December 7, 1982, January 18, 1983, and the Special Town Board Meeting held on January 24, 1983, and the Community Development Agency Meeting held on December 30, 1982, are dispensed without objection and be approved as submitted.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

BILLS

Bills submitted on abstract dated February 1, 1983 as follows:

Discretionary	\$12,046.24
Capital Projects	\$23,600.48

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.

Discretionary	\$12,046.24
Capital Projects	\$23,600.48

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "I would also like to offer the congratulations and the Town Board, to Deputy Tax Receiver, Dorothy Jermusyk, on becoming a grandmother of a baby girl."

Councilman Artale: "Congratulations Dottie, and your husband, too."

Supervisor Janoski: "The departments heads, by the way, are with us and they would be available should anyone have any question of them. May I have reports Mrs. Pendzick."

OPEN BID REPORT - ONE (1) NEW 1983 STATION WAGON

After being duly advertised the following bids for One (1) New 1983 Station Wagon were opened by the Town Clerk on Monday, January 31, 1983 at 11:00 A.M.

GARSTEN MOTORS, INC.
1375 Old Country Road
Riverhead, New York 11901

1. MAKE AND MODEL BID:

1983 Plymouth Reliant Station Wagon PH45

Exception - Std. Wheel Covers - no such thing
Std. Equipment is HUB Cap -

2. NET DELIVERED PRICE:

WORDS: Seventy Nine Ninety Five

NUMBERS: \$7995

OPEN BID REPORT - ONE (1) NEW 1983 STATION WAGON

3. ANTICIPATED DELIVERY DATE:

4-6 Weeks

FILED.

RIVERHEAD DODGE, INC.
642 West Main Street
Riverhead, New York 11901

1. MAKE AND MODEL BID:

1983 Dodge Aries Wagon

2. NET DELIVERED PRICE:

WORDS: Eight Thousand and thirteen dollars 57/xxNUMBERS: \$8013.57

3. ANTICIPATED DELIVERY DATE:

30 to 45 days

4. IT IS AGREED THAT THE TOWN OF RIVERHEAD RESERVES THE OPTION
TO ORDER AS MANY MORE THE VEHICLE BID AT THE PRICE BID FOR
THE PERIOD OF SIX MONTHS FROM THE BID AWARD.

**** Hand written in after this - This is acceptable for the balance of the model year 1983 for as long as a vehicle can be ordered from the factory and the vehicle can be built.

FILED.

REPORTS

Peconic River Study - sponsored & funded by the Conservation Boards of the Towns of Riverhead, Brookhaven & Southampton. Filed.

Building Department - for the month of January, 1983. Filed.

County Treasurer - report of payments to the Town during 1982. Filed.

Riverhead Fire District - Fiscal report for 1982. Filed.

Tax Receiver - report of collection as of January 20 & January 31, 1983. Filed.

Recreation Department - Annual report for 1982. Filed.

Conservation Advisory Council - minutes of January 20, 1983 meeting. Filed.

Conservation Advisory Council - 1982 Annual Report. Filed.

Irene J. Pendzick: "And that concludes reports."

Supervisor Janoski: "Thank you Mrs. Pendzick. Applications - Petitions."

APPLICATIONS - PETITIONS

Special Permit - Judy Young, to convert a single family residence to a two-family residence at Main Road, Aquebogue. Filed.

Tidal Wetlands permit - Irving Hulse, construction of single family residence on property located at Beach Road & Harbor Road, Aquebogue. Filed.

Special permit - Dr. S. Ghobrial, to construct and use a medical office on property located at Main Road & Broad Avenue, Aquebogue. Filed.

Special permit - Riverhead Raceway to hold Suffolk County Fair. Filed.

Irene J. Pendzick: "And that concludes applications."

Supervisor Janoski: "The time has not yet arrived for the first scheduled public hearing, but we will move onto the correspondence."

CORRESPONDENCE

Louis McLean, 01/18/83 - recommending that low bidder re: Middle Road Drainage project be awarded contract. Filed.

Brookhaven Town - notice of public hearing re: amendment to Town Code, Chapter 85-19 and Section 85-15. Filed.

Suffolk County Dept. of Planning, 01/20/83 - proposed amendment to Town Code, Section 108-21A(10) is matter for local determination. Filed.

H2M, 01/20/83 - re; lead solder joints Filed.

Henrietta Acampora, 01/24/83 - copy of statements & resolution of Brookhaven Town re: recommendations of Suffolk County Tax Act Panel. Filed.

Environmental Review Board, 01/27/83 - that application of Vera Celic is a Type II action. Filed.

East End Arts & Humanities - requesting that repairs to building be done. Filed.

Irene J. Pendzick: "That concludes correspondence."

Supervisor Janoski: "Thank you Mrs. Pendzick."

UNFINISHED BUSINESS

Riverhead Airpark - special permit for general aviation airport.

Joseph & Linda Sullivan - special permit for expansion of existing park.

Thurm's Mobile Park - special permit for expansion of existing park.

Supervisor Janoski: "Under unfinished business, we have the special permit for a general aviation airport from Riverhead Airpark, that is before the Town Board and under consideration at the present time.

From Joseph and Linda Sullivan, a special permit for expansion of an existing mobile park, that is before the Town Board also, and under consideration.

Thurm's Mobile Park, special permit for expansion of existing park that is subject of resolution number 69 this evening.

There are some nine minutes remaining before the first scheduled public hearing. I would open the Town Meeting to anyone who wishes to be heard at this time. Bill Nohejl."

Bill Nohejl, Wading River; "In reference to the open bid for the 1983 automobile, did you get a commitment for future purchases? You did. At the same price?"

Supervisor Janoski: "Yes."

Bill Nohejl: "What was the automobile going to be used for? I didn't ask the last time."

Supervisor Janoski: "This automobile is to replace a 19 — it's a Ford Monarch."

Bill Nohejl: "Yeah, what is it going to be, I mean which department?"

Supervisor Janoski: "It's a — it's a car that's in the general pool. That quite honestly, the car that is there now has been adjudged to be a very hazardous and the Town cannot accept liability of keeping it on the road. But there may be some need in the future, which is what we talked about the last week — the last Town Board Meeting to purchase an additional vehicle. But that would have to be done at a resolution in a Town Board Meeting. And further more, I believe there's going to be a motion to table that particular resolution this evening and hold off just a little bit on it."

Bill Nohejl: "All right. I happen to — there's a publication called the Leader, I believe it is. I see Gatz has the Town of Riverhead listed in there as owing them money for the drainage job on Parker Avenue. Is there any problems?"

PERSONAL APPEARANCES - continued

Supervisor Janoski: "No. I think what would be referred to is the money that we hold back as far as the — it has to do with the asphalt being put in place and the possibility of settlement was really agreed to in that we would not make a full — a complete payment until a period of time has gone by because we are in our winter season . . ."

Bill Nohejl: "It's a wise move."

Supervisor Janoski: "Yes."

Bill Nohejl: "It's a wise move cause it's going to settle over a period of time."

Supervisor Janoski: "So that will guarantee that he does come back when the winter is over and if there is some settlement that it will be repaved."

Bill Nohejl: "But that's the only thing that's involved?"

Supervisor Janoski: "Yes."

Bill Nohejl: "Now, I've been a critic of the fire zone and I'll be the first to congratulate you."

Supervisor Janoski: "Did you get a ticket?"

Bill Nohejl: "No. But it's working about 95% in Wading River and every place else, I think it's doing a very good job."

Supervisor Janoski: "Thank you Bill. Does anyone else wish to be heard at this time?"

No one else wished to be heard at this time.

Supervisor Janoski: "Then we will move onto the resolutions."

RESOLUTIONS

#69 APPROVES SPECIAL PERMIT APPLICATION OF B. ARTHUR THURM TO EXPAND THURM'S MOBILE HOME ESTATES

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

WHEREAS, by application dated October 13, 1982, B. Arthur Thurm, sole owner and proprietor of an existing mobile home park known as Thurm's Mobile Home Estates on the west side of Fresh Pond Avenue at Fresh Pond, Riverhead, New York, made application for a special permit to expand Thurm's Mobile Home Estates onto adjacent property, and

WHEREAS, this matter was submitted to the Planning Board for their review and recommendation, which recommendation dated December 3, 1982, has been received by this Board, and

WHEREAS, such recommendation approves such expansion, and

WHEREAS, by letter dated November 5, 1982, from the Environmental Quality Review Board, said board recommended that the action be a Type I action without a significant impact on the environment, which recommendation this Board adopts, and

WHEREAS, a public hearing was held on the 4th day of January, 1983, and all those persons wishing to be heard were heard,

NOW, THEREFORE, THIS BOARD FINDS:

THAT the application is for 128 units to be clustered on 32.14 acres of a total 64.348 acre site;

THAT the applicant has maintained an attractive, clean, and well landscaped residential community for senior citizens at Thurm's Mobile Home Estates:

THAT Thurm's Mobile Home Estates is a pre-existing, non-conforming use which may be expanded upon application for a special permit to the Town Board;

THAT the use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood;

THAT the hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the town;

THAT the health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use;

THAT such use will be in harmony with and promote the general purposes and intent of Chapter 108 of the Riverhead Town Code;

RESOLUTIONS - continued

THAT the applicant has submitted a detailed site plan designating the location of each proposed mobile home, streets, utilities, and appurtenances,

NOW, THEREFORE, be it

RESOLVED, that the application of B. Arthur Thurm dated October 13, 1982, for a special permit to construction 128 mobile home units on 64.348 acres be approved subject to the following conditions:

THAT the location of the units, streets, utilities, and appurtenances shown on the site plan dated September 22, 1982, be maintained at all times;

THAT no change in the designation or layout be made without approval by formal resolution of the Town Board;

THAT no dwelling units of less than 600 square feet be maintained on the property covered by the special permit;

THAT the proposed open space comprising approximately 31.879 acres be dedicated as such by the filing of the appropriate covenants and restrictions with the County Clerk in a form and manner as approved by the Town Attorney;

THAT any centralized water supply system to be utilized by the applicant shall be engineered and designed by a competent licensed engineer;

THAT the design and specifications for such system shall be submitted to the Town Board for review by an engineer of its choosing to determine whether such system would be compatible with services provided by the Riverhead Water District, should connection with the Riverhead Water District be necessary;

THAT the expansion provided by this special permit shall be built in phases whereby in any one calendar year the number of units built shall not exceed 20;

THAT sewage disposal and water shall be approved by the Suffolk County Department of Health;

THAT the operation and maintenance of Thurm's Mobile Home Estates shall comply with all provisions of the Riverhead Town Code now in effect and as it may from time to time be amended;

THAT this special permit is subject to any and all restrictions and/or limitations as outlined in Chapter 108 of the Riverhead Town Code.

RESOLUTIONS - continued

THAT two (2) parking spaces be provided on each mobile home site.

The vote, Boschetti: "Because of my association in which Mr. Thurm operates, to avoid the appearance of a conflict of interest, I Abstain."

Artale, Yes, Prusinowsk, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#70 AUTHORIZES USE OF STREET FOR POLISH TOWN STREET FAIR & FESTIVAL

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

WHEREAS, the members of the Polish Town Civic Association wish to hold an annual "Street Fair & Festival" in the area of Pulaski Street, and

WHEREAS, this Town Board encourages civic participation of the residents of the Township, and

WHEREAS, the Police Department and Fire Department will be advised by letter of the plans and arrangements of the "Street Fair & Festival", and

WHEREAS, obstructions will not be permitted in the street for the passage of emergency vehicles, if necessary,

NOW, THEREFORE, be it

RESOLVED,, that pursuant to Section 6403 of the Town Law, this Town Board grants permission to the Polish Town Civic Association to conduct the "Polish Town Street Fair & Festival" and that Pulaski Street be closed to vehicular traffic from Marcy Avenue to Osborn Avenue; and the length of Osborn Avenue from the High School Parking lot south to Lincoln Street; and Lincoln Street from Osborn Avenue to Griffing Avenue; during the hours of 10:00 A.M. to 6:00 P.M. on Saturday, August 20, 1983, and the hours of 12:00 to 6:00 P.M. on Sunday, August 21, 1983; for the purpose of a community "Street Fair", and on condition that a certificate of insurance in the amount of \$1,000,000 (one million) dollars be filed with the Town Clerk, and be it

FURTHER RESOLVED, that permission is hereby granted to hold said "Polka Dance Festival" on the aforementioned dates at the corner of Lincoln Street and Osborn Avenue, on condition that a certificate of insurance in the amount of \$1,000,000 (one million) dollars be filed with the Town Clerk.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

The Town Attorney is now Present at the Town Board Meeting.

Supervisor Janoski: "Let the record show that the hour of 7:46 P.M. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:45 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:45 P.M. on February 1, 1983, to hear all interested persons regarding the deletion of Section 108-21A(10) of the Riverhead Town Code.

The affidavits were ordered to be placed on file.

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

Richard Ehlers, Town Attorney: "The Riverhead Town Code provides zoning ordinances with the Town of Riverhead. In that zoning ordinance is Section 108-21A(10) which provides a permitted use in the Agricultural A District within the Town. The current definition of Section which relates to that permitted use states, membership club non-profit. That is the subject of a possible deletion. That's what the hearing is for tonight. The suggestion for the deletion from the Town Attorney's office is that it may be ambiguously interpreted and improperly interpreted and that would not be in the interest of the community."

Supervisor Janoski: "Thank you Mr. Town Attorney. Is there anyone who wishes to address the Town Board on this matter? Step up to the microphone, please state your name and address."

"Mr. Supervisor and gentlemen, my name is V. Anthony Maggipinto. I'm an attorney at law and I'm associated with and of counsel to Tooker and Smith, who are counsel, legal counsel to the Riverhead Pistol and Rifle Club. I've had — I've asked this opportunity to present to you a request, a simple request relating to the matter before you. The proposal relates to a section which has been in effect for a number of years, and addresses itself particularly to membership clubs, non-profit. The Riverhead Rifle and Pistol Club is such a club.

The reason for our appearing before you is because we'd like to request of the Town Board the opportunity to purchase a bit more fully and what is undeniably an integral part of the legislative process. This public hearing no doubt is going to have a great deal to do with not only the establishment or reflection of the Town's position relative to this section, but also relating specifically to the clients interest. For this reason, it is particularly appropriate for them to participate in the public hearing.

PUBLIC HEARING - continuedV. Anthony Maggipinto continues:

Now last fall, there was a hearing before the Town Zoning Board of Appeals relating to an application by the club. That hearing resulted in a decision which has now been appealed pursuant to Article 78 of the Civil Practice Law and Rules. During that hearing, there were a number of items indicated on the record. In fact, there was a record recorded and that apparently was in the form of audio tapes, as presumably current practice. The reflection that we have, our copies of audio tapes are undecipherable. The audio tapes which presumably will be made available pursuant to the Article 78 proceeding will be in larger measure, helpful or at least available to the Town, to its citizens, to the club in helping to resolve the questions before it. Therefore, we consider it essential that those transcripts be made available in anticipation of any decision-making process.

The request we have is simply this, that we have the opportunity to participate fully in the legislative process. One means of doing that, is to obtain those transcripts to review them, to make pertinent comments for the Town Board to have the opportunity to review them in concert with our decision, in a legislative give and take, as it were. And so for that reason, our request is at this time, very simple, that the Board continue the public hearing, maintain it in its open forum as it is now, appending the receipt of those transcripts in order to give us the opportunity to participate fully in the legislative process. Thank you very much."

Supervisor Janoski: "Thank you. Is there anyone else present who wishes to address the Town Board on the matter before it? I will declare a short recess."

At this time, Supervisor Janoski recessed the public hearing.

Supervisor Janoski resumed the public hearing at 7:55 P.M.

No one else wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 7:55 P.M.

After the public hearing resumed from the recess, the tape recorder was not put back on until resolution #77.

Supervisor Janoski recessed the meeting to hold the 7:55 P.M. public hearing.

PUBLIC HEARING - 7:55 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:55 P.M. on February 1, 1983, to hear all interested person regarding the special permit application of Drs. Ferdinand and Maria Escano for a change of zone from Residence C to Business PB for professional offices at 982 Roanoke Avenue, Riverhead.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Planning Board, 01/07/83 - recommending that application be approved with the following restrictions:

1. the use of the premises be for professional offices of medical doctors exclusively.
2. the northern driveway be eliminated.

Filed.

Charles McPeak, Attorney; stated both applicants are Doctors, the premises are now zoned Residence C. Request is to change zoning to Business PB.

No one else wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:00 P.M.

RESOLUTIONS

#71 AUTHORIZES TIME AND ONE-HALF FOR ACCOUNTING EMPLOYEES

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

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

Lorraine Miller	3.0 hours at	\$11.1777	=	\$ 33.53
Janice Carney	4.5 hours at	\$12.3543	=	\$ 55.59

RESOLUTIONS - continued

RESOLVED, that an explanatory report shall be filed with the Town Clerk detailing said overtime.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#72 APPOINTS HOME AIDE

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

WHEREAS, due to the resignation of BERTHA HOFFER from her position as Home Aide, a vacancy now exists,

NOW, THEREFORE, be it

RESOLVED, that SOPHIE STEWART be and is hereby appointed to the position of Home Aide effective January 31, 1983 at the hourly rate of \$3.75.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#73 AUTHORIZES TIME AND ONE-HALF OVERTIME FOR SANITATION EMPLOYEES

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

RESOLVED, that the following employees of the Sanitation Department be paid time and one-half overtime compensation.

Thaddeus Krukoski-----53.50 hrs. @ \$13.7527--\$735.77

Walter O'Kula-----21.00 hrs. @ \$10.6352--\$223.34

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, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#74 AUTHORIZES OVERTIME - HIGHWAY DEPARTMENT

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

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for the period January 11th through January 23, 1983 for a total of 137 hours in the amount of ONE THOUSAND FIVE HUNDRED EIGHTY NINE and 20/100 (\$1,589.20) DOLLARS, 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, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#75 SETS \$5.00 CHARGE FOR CERTIFICATE OF MARRIAGE IN
ADDITION TO \$5.00 MARRIAGE LICENSE FEE

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

WHEREAS, Section 14-a of the Domestic Relations Law provides that a Town is entitled to a fee not exceeding \$5.00 for a certificate of marriage,

NOW, THEREFORE, be it

RESOLVED, that the Riverhead Town Clerk shall charge a fee of \$5.00 for each certificate of marriage in addition to the \$5.00 marriage license fee both to be collected at the time of application for the license, to take effect immediately.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#76 AUTHORIZES THE SOLICITATION FOR BIDS FOR ONE (1)
FIFTEEN PASSENGER VAN

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

WHEREAS, it is necessary for the Town of Riverhead to replace a van currently used for the Nutrition Program, and

WHEREAS, the County of Suffolk through the Office for The Aging has agreed to fund the purchase of a new 1983 15 passenger van,

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of one (1) fifteen passenger van, and be it

FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids on Monday, February 14, 1983 at 11 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York and to make a report of said bids to the Town Board at the next meeting of the Town Board following the opening of the bids.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#78 AWARDS BID FOR ONE (1) 1983 AUTOMOBILE WITH OPTION
TO PURCHASE ADDITIONAL VEHICLES, IF
NECESSARY

Councilman Prusinowski made a motion to table Resolution #78 which was seconded by Councilman Lombardi.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#79 AUTHORIZES ARCHITECTURAL/ENGINEERING WORK FOR THE
PRODUCTION OF CONTRACT DOCUMENTS FOR IMPROVEMENTS
AT IRON PIER BEACH, TOWN OF RIVERHEAD

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

WHEREAS, Greenman and Pedersen, Inc., consulting engineers, has prepared a master plan for improvements to the Town beach known as Iron Pier Beach, including renovation of the boat ramp, parking lot, bathroom facilities, and concession stand, and

WHEREAS, a request for engineering proposals has been submitted to various firms, and

WHEREAS, Sidney B. Bowne and Son, consulting engineer, has submitted the lowest bid for the engineering work,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into an agreement with Sidney B. Bowne and Son for engineering services for improvements to Iron Pier Beach, Town of Riverhead, not to exceed \$15,600 as per engineers proposal.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#80 OPPOSES ANY COUNTY LEGISLATION THAT WILL USURP AND REMOVE
FROM THE JURISDICTION OF THE TOWNS ZONING AND LAND
USE CONTROLS

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

WHEREAS, the Town of Riverhead has long recognized the importance of protecting Long Island's groundwater supply, and

WHEREAS, according to the General Municipal Law of the State of New York, Towns are the only jurisdiction empowered to set and enforce zoning regulations and laws,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Riverhead wishes to go on record as opposing any County legislation, such as the proposed resolution of the County Legislature entitled "A Local Law Establishing A Suffolk County Pine Barrens Watershed Preserve", that will usurp and remove from the jurisdiction of the Towns zoning and land use controls, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Suffolk County Executive and the Clerk of the Suffolk County Legislature.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and 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 Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 8:05 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall on February 1st at 8:05 P.M. to hear all interested persons regarding the special permit application of George, Gary & Wayne Faltin to operate an indoor tennis court in the northern of two buildings located at the intersection of Doctors Path and Middle Road, Riverhead.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Planning Board, 01/07/83 - recommending that application be approved. Filed.

Supervisor Janoski: "Thank you Mrs. Pendzick. Is there anyone present representing the applicant? Yes Sir, would you step up to the microphone."

"Good evening, I'm George."

Supervisor Janoski: "You can adjust that up higher if it's a little uncomfortable for you."

George Faltin, myself and my two sons. . ."

Supervisor Janoski: "Your address — your address for the record."

George Faltin, "Laurel Hollow Road, Syosset."

Supervisor Janoski: "Okay, now."

George Faltin: "Okay, we've acquired the town buildings about six months ago and we'd like to request special permission to operate a indoor tennis court in the northern of the two buildings. As you know, we're in the wall covering and we warehouse wall papers in the one building. The old building

PUBLIC HEARING - continuedGeorge Faltin continues:

which is the UPS building is ideally situated and laid out for an indoor tennis court and we would, since it's zoned business already, we would like to have it legally made into a indoor tennis court. We intend to slowly start improving the property and make it an asset to the community rather than just two old buildings which they are presently."

Supervisor Janoski: "Is the tennis court to be for public use or private use?"

George Faltin: "Well the tennis court will be as a business so that would, we intend since it's only a single court, we would prefer to have membership of some sort or another for each time slot being allocated. And naturally, there will be some open time available. But basically, with a single court we, our hope is that we can occupy it all twelve hours perhaps of the day."

Supervisor Janoski: "Thank you."

George Faltin: "Thank you."

Supervisor Janoski: "Does anyone else wish to address the Town Board on this matter? That being the case, I declare the hearing closed."

No one else wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:08 P.M.

Supervisor Janoski: "That's all we got to do tonight, folks. I would, once again, open the meeting to anyone who wishes to be heard at this time? Mr. Kasperovich."

William Kasperovich, 15th Street, Wading River; "Gentlemen, I'll start by telling you what I believe is a premise that I look for where I live and also where other people look in the same area. Whenever you charge for a permit or for a license or for a franchise or whatever, from this charge I look for some benefit to come to the resident, now matter how small or minuscule, that some good should come to the people of the Township.

PERSONAL APPEARANCES - continuedWilliam Kasperovich continued:

Now with the premise in mind, I compiled three graphs and presented them to you gentlemen back in the end of December that covered the history of the Scavenger Waste permits from July, 1982, to the end of 1982. Where we have an average of \$936 per month intake, where we have 68 units per month averaging, where we have something like 90 odd thousand gallons per month. The manner of issuing permits and type of permits and how they are collected at the Town Dump is a matter of record at the Clerk's Office. And so far, I feel that enough direction hasn't been taken for the good of the people in the Township.

Now I compile this to include the end of the calendar year and I come before you now because I feel that if anything is to be done, it should come into being the first of April. And since — that means only February and March. I think time wise, it's appropriate that with these permits we accumulate specific information. We accumulated specific locations. We accumulate specific names of people that own the property, such that when a cesspool district becomes a real functioning thing there will be enough history in the Town Hall to become effective and this to be effective must encompass as much time as is realistic to look ahead with. And so I bring this to your attention. I feel there's a need and there is enough time to implement such a thing without added cost to the functioning of the Town and to the foreseeable good to the people in the Township. That's the short and tall of it."

Supervisor Janoski: "Thank you Mr. Kasperovich. Is — yes Sir."

Ed Kronin, President of the Wading River Civic Association; "Gentlemen, I'd like to, on behalf of our members, I've been asked to publicly thank you for some of the efforts you've extended in terms of assisting our area. You've been very helpful over the years on a number of issues and very responsive to a number of items that we brought to your attention. We do appreciate that.

I also would like to take the opportunity to remind you that we have a problem, another problem with the pesticide temik in our water. We have a situation where we have contamination of a lot of the areas drinking wells and we'd like to publicly ask of the Board, keep in mind our problem and in the event that any funds come available that could be used for drinking water, pure water research or for the development of facilities to alleviate that problem, that you keep us in mind.

The other thing I'd like to call to your attention is that we have Congressman Carney coming to a meeting of the Civic Association to discuss the pure order Bill he has before Congress and he's going to present his Bill, explain it, and I'm sure would like to hear from you gentlemen and other people in the room regarding their feelings on the need for pure water in those areas. His Bill specifically impacts the Pine Barrens

PERSONAL APPEARANCES - continuedEd Kronin continues

area to our south and so it's an extremely important for us. As the water flows from those southern areas north past our wells and currents its been carrying the temik and pesticides that way. That meeting is on February 11th at 8:00 p.m. at the Wading River Elementary School. We would very much appreciate it, if you would attend, if your schedules permit it and if anybody else in the room would like to find out what's happening on the national level with regard to pure water. We ask they attend, too. Thank you."

Supervisor Janoski: "Thank you. Ed, as you are probably aware, the Town Board is right now accepting proposals for the Wading River areas, as far as the providing of water. And we have been in discussion and contact with the Congressman, the Bill which was introduced last year along with Senator Moynihan. And a number of ideas are going forward in the Town and more will develop in the very near future. So that is a problem that the Town Board is aware of and one that it is working on at the present time."

Ed Kronin from the audience: "Just to reiterate, we're very pleased with the response of the Town Board on some of these issues. And our feeling is that we have the Town working on these problems, anticipating problems, so the East End is to be facing all along here. And the Federal Government working on another angle (a few words were inaudible) we feel that with all that input, the pressure (the rest of his statement was inaudible because he was speaking from the audience)."

Supervisor Janoski: "Thank you Ed. I saw a hand in the back there. Yes Ma'am."

Marjorie Acevido: "I've just moved to Wading River. I live at 272 Dogwood Drive. We bought our house in November and something has arisen that I've been told was brought to the Town Board's attention and I'm here tonight to ask that you keep up making sure that these people adhere to their variances down at the end of my block was a business under the name of Frank's Auto Body and I believe they had come before this Board in the summer at some time for a variance regarding certain restrictions they had to adhere to in order to operate their business. These are the restrictions just so I can referesh your memory a little bit and tell you everything."

PERSONAL APPEARANCES - continued

Supervisor Janoski: "Ma'am, if I could, perhaps we could all save some time. They got the variance from the Zoning Board of Appeals, not this Board. And just this past week, I have directed that the Building Department inspect the operation there-to to make sure that they are complying with the provisions of the approval of the Town Board."

Marjorie Acevido: "Fine. However, I would also like to know if someone had told me that there was supposed to be an inspection done by the Environmental Control Department. Whether that comes under your jurisdiction, or whether you're supposed to make sure that that was done there was concern in the neighborhood rightfully so, of the person dumping paints or different types of stuff that they use. I'm sure it's of a poisonous nature into the ground. And I was wondering if these inspections were done?"

Supervisor Janoski: "I don't know, but it would be a short matter to find out from the DEC if inspections have been done."

Marjorie Acevido: "Because I'm sure they have a lot of excess waste and I am very . . ."

Supervisor Janoski: "Are they pouring paints and thinners?"

Marjorie Acevido: "Well I have not seen that. I am to a point now where if I have to bring in eight by ten pictures, I will because my other concern is that there is property right next to the auto body shop that is owned by the Church. The Assembly of God Church across the street. Now one of the people that attend that Church as told me that they are renting this property to Mr. Manino. Now I'm under the impression that a Church just can't do something like this. Number one, I believe the area would not be zoned for this and there has been trucks there on occasion. This past weekend there was a big tractor trailer truck in there and broken down and what ever and I'm concerned about it. I'm afraid that — someone also told me that they were in the process of perhaps selling the property because the Church had wanted to expand and they would be able to expand with the additional money. Now I'm concerned that if they do get this property sold to them, that means they're just twenty feet closer to me as far as I'm concerned and I really object to that. I'm very concerned that the — you know area keeps up its standards. And I came from Ridge and I had a situation like this on my corner and I can tell you it was horrible to have to turn that corner every day and see something like that. And I'm hoping that you will do something to rectify this matter."

PERSONAL APPEARANCES - continued

Supervisor Janoski: "They are operating under a special permit granted by the Town Board. If the report of the Building Department indicates that they are not living up to the restrictions placed upon them, the Town Board will take immediate action which will consist of calling a hearing for the purpose of repealing their special permit."

Marjorie Acevido: "Okay. Now I have another problem, also. Incidentally, I have to tell you that I had gone before the Wading River Civic Association with this and they had said that they would also get in touch with the owner of Frank's Auto Body and advise him that they were concerned with the situation also.

Now the other problem is that living on Dogwood Drive, I'm sure if any of you have ever gone down that road, you'll notice that the speed limit 30 miles an hour. However, a lot of people feel that the speed limit is 50 and 60 miles an hour. And I've called the Riverhead Town Police several times and asked them to please send somebody out. Between the hours of seven and nine if you want to take your life in your hands, you have a very good chance of getting killed. I have children that go out to the bus and I've had occasion right in front of my house. There's a water line that is run across the street and there's a bump there where the cars would be coming down going south. So the cars come down on — where they should — on the other side of the street where the car generally are going north. And I mean they come down at 60 miles an hour, 50 and 60 miles an hour. Now they've sent a police car out once and I've gotten to know several of the sergeants numbers. No one will give me a name, very well. I'm upset about it. I'm afraid that one of these days, it's going to be one of my children because they have to walk to a late bus, an early bus, rather, at that hour of the morning. And it's not fair. Everybody uses it as a thoroughfare to avoid the light on 25A. So if there's anything you know that you can do, I would greatly appreciate it because I'm very concerned about it. And they tell me, the neighbors tell me on the block that wait until the summertime comes. So . . ."

Supervisor Janoski: "Thank you."

Marjorie Acevido: "Thank you."

Supervisor Janoski: "Is there anyone else who wishes to address the Town Board? Mr. Haizlip."

PERSONAL APPEARANCES - continued

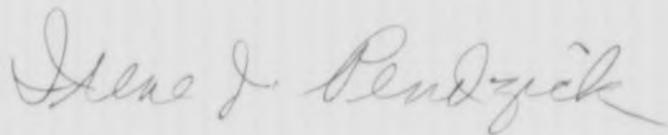
Steve Haizlip, Calverton; "Mr. Janoski and the other Board Members at your last meeting you brought up the subject about the fee for towing cars away when they're abandoned. I would like to know at this time when you get disabled on a road or any motorist gets disabled on a road, what precautions can you take to say that you're not abandoning your car. I've always found it that you always belong to the should have club. You should have done this, you should have done that. I would like to try to find out now if I'm going home and I have trouble and I have to leave the car. What classifies and what steps should I take it's not abandoned?"

Supervisor Janoski: "One of the nice things about a small Town, Steve, is that they call in the license plate number, find out what the story is. If it happens to be, indeed, a real abandoned vehicle, it is picked up, towed to the impound area and the other goes into effect."

Steve Haizlip: "Good, I'm glad that we're not in a gestapo area like New York City. Thank you."

Supervisor Janoski: "Is there anyone else present who wishes to address the Town Board? That being the case and without objection, adjourned."

There being no further business on motion and vote,
the meeting adjourned at 8:25 P.M.



Irene J. Pendzick, Town Clerk

IJP/vlv