

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, October 18, 1983 at 7:30 p.m.

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

Also Present: Richard Ehlers, Town Attorney

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

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

BE IT RESOLVED, that the minutes of the Town Board meeting held on September 20, 1983 are dispensed and without objection be approved.

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

The resolution was thereupon declared duly adopted.

#### BILLS

Bills submitted on abstract dated October 18, 1983 as follows:

General Town	\$ 27,267.42
Ambulance	144.25
Highway 1,3,4	50,551.14
Street Lighting	15,485.64
Seniors Helping Seniors	286.74

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.

General Town	\$ 27,267.42
Ambulance	144.25
Highway 1,3,4,	50,551.14
Street Lighting	15,485.64
Seniors Helping Seniors	286.74

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski, "The heads of the departments of Town Government would be available to answer any questions you have of them. I see there are no reports Mrs. Pendzick, so I guess we'll move on to applications."

#### APPLICATIONS

Site Plan: Spencer T. Fisher, Inc. for warehouse on corner of Mill Road and Route 58, Riverhead, N.Y. Filed.

Irene J. Pendzick, "That concludes applications."

Supervisor Janoski, "Thank you. The scheduled public hearing, the time has not yet arrived, so we will move on to correspondence."

#### CORRESPONDENCE

Planning Board, 10/12/83-recommending that application of Peconic Welding & Medical Supply be approved. Filed.

Environmental Quality Review Board, 10/6/83-recommendation that applications of R & E Williams & Musjce/Nunnaro are Type II actions. Filed.

Planning Board, 10/11/83-recommendation that applications for minor sub-divisions of Payne, Mohring, Pour, Fleischman & DeFriest be approved, and that sub-division of Schmidt be amended. Filed.

Suffolk County Dept. of Planning, 10/12/83-re: Southold's Local Law #11-1983. Filed.

Southold Town-notice of adoption of Local Laws #10-1983 and 11-1983. Filed.

CORRESPONDENCE Continued

Public Service Commission-order granting gas franchise to LILCO. Filed.

Jody Adams, 9/3/83-copy of letter to J. Wehrenberg re: jail facilities. Filed.

Weber & Pohl, 10/13/83-copy of permit application sent to N.Y.S.D.E.C. Filed.

Young & Young, 10/17/83-re: completion of water main at Trout Brook Lane.

Irene J. Pendzick, "That concluded correspondence."

Supervisor Janoski, "Thank you Mrs. Pendzick."

UNFINISHED BUSINESS

John Pelis-site plan application for business on Route 25, Calverton. "That will be the subject of a resolution this evening. Filed.

Colgate Design Co.-site plan application for post office building in Wading River. "That is before the Zoning Board of Appeals." Filed.

Joseph Pufahl-special permit for non-nuisance industry on Route 58. "That is before the Planning Board." Filed.

Supervisor Janoski, "I would recognize anyone at this time wishing to be heard."

Steve Pientek, "I represent the Ock-a-Bok Community Association and our members have been bothering me as to what is happening with that drain that was to be repaired.....?"

Irene J. Pendzick, "Sir, can I have your name and address?"

Steve Pientek, 28 Willow Street, Aquebogue, "They've been bothering us pertaining as to what is happening with that drain on Peconic Bay Boulevard. Their worries are that is going to be forgotten. That the fall rains are here. The freeze is coming. The snow is coming. The spring rains will be here. The thaws will be here and they will be in the same predicament that we have been in the past few years. I'll be honest and truthful with you. They don't wish to accept it for another season."

Councilman Prusinowski, "Ok. It's not going to be extended to another season. The Town Board has authorized the money. The preliminary report is finished. I spoke to Mr. Sioss, of H2M, last night specifically. He told me that the working proposal,

PERSONAL APPEARANCES ContinuedCouncilman Prusinowski Continued

not the proposal. The working specifications for the project are almost completed. It will be ready to be submitted to the Town Attorney so we can go out to bid. The only thing that we're working on now. We have a little delay and that is we must get permission from the New York State Department of Environmental Conservation for part of the project. I understand that we have Legislature Blass on behalf of Vector Control who will also be a third partner in this project. Because part of the problem there is, a mosquito control. They will be giving us some assistance as far as the materials and I spoke to Legislature Blass last night and he will be working with H2M and the D.E.C. to get this project moving along. The main concern is, the money is there. We want the job done. I understand, because I drive by there every day. When it rains the problem comes right back up again. The problem has to be solved. There's no problem as will it be done. The question is; how fast can we get it accomplished?"

Steve Pientek, "We're also worrying about the health situation come early spring with the bugs and everything."

Councilman Prusinowski, "Well, what H2M says is; as far as the technical part of it, the drawing up of plans and specifications that go out for bid, that will be done in the next two weeks. The problem we have to do is get the approval and they are also working conjunctively, at the same time with the D.E.C. to get the necessary file and the permits on behalf of the Town of Riverhead, to apply to get the approval to get the project going and Legislature Blass was informed last night with Mr. Siooss of H2M and they'll be working together to get the Vector Control. I know John works with the Vector Control and they're involved in it."

Steve Pientek, "Thank you sir."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address, Bill."

William Kasperovich, Wading River, "My name is William is William Kasperovich. I live in Wading River. Two points, gentlemen. One: your proposed resolution #627 making a change order to Contract #2 does not show any quantity, unit prices, or total figures. In my lifetime, in the construction industry, this is a kind of a no no. Now, when it gets in the form of a resolution, whether it's a \$500 item or it's a \$5,000. It's just not right to leave it dangling like that. I bring this to your attention please. My second item. It's getting to be the old hat. I keep looking for and asking for the reports from H2M on the water study in Wading River. The specified time allowed to prepare the report has almost doubled and I still can't hear any paper being crinkled for the report. Now, I don't think the conditions have changed to warrant the concern and the need for such a report. You gentlemen

PERSONAL APPEARANCES ContinuedWilliam Kasperovich Continued

advised me where we stand on the westly end of the Township with regard to contaminated water."

Councilman Prusinowski, "Bill, this afternoon, Sam McLendon stopped by the Town Hall to meet with Mr. Hanley and Mr. Scheiner. I believe specifically with Mr. Hanley and I think they're finalizing that particular report because I asked them about it among other things. Mainly the Water District. He brought it up himself. He said I'm here today to finalize that report, and I believe it's going to be submitted to the Town Board shortly. I just happen to see him today. That's why I'm answering the question directly."

William Kasperovich, "Alright, thank you. I do think that this thing should not be pushed aside by the contaminations. Contaminated water reports in that area have been 3 and 4 times severe as the Reeves Park people. It's very good to see you people active in getting that problem resolved for Reeves Park. I think it certainly showed the coordinated effort that can be done with five gentlemen, having seen a purpose in mind. I do feel that we in Wading River have a much more serious problem. But we are not tied together with lengths of pipe as the Reeves Park people are. We are some what fragmented. However, the problem is considerably more serious and is still there. So I will pursue following it. Thank you."

Supervisor Janoski, Thank you Bill. Does anyone else wish to address the Town Board on any subject? Steve."

Steve Haizlip, Calverton, Mr. Janoski and other Board members. There's one thing that bothers me. This gentleman here spoke about fixing that road. Then you said that the D.E.C. I mean Mr. Janoski. The D.E.C. has to get involved. We have got an existing road bed there. It's been there for years. So we're doing work on it so how are they going to get involved?"

Councilman Prusinowski, "Steve, the reason that they have to be involved was because the road drains into a marsh area which drains into the Peconic Bay Boulevard and by the State Law they are involved. Originally the drains went right from Peconic Bay Boulevard through some of the property owners right into Peconic Bay Boulevard. That was the Vector Control. They had a breather pipe they call it. The proposed engineering is them building a slight retention pond and the overflow going into the creek which goes into the Bay and there are some precautions that have to be taken. The D.E.C. wants to make sure like the traps we're doing in Wading River, that collect the sand and the salt so it doesn't contaminate the marsh land. That's their concern specifically brought up by the engineers."

PERSONAL APPEARANCES Continued

Steve Haizlip, "Thank you."

Supervisor Janoski, "Does anyone else wish to address the Town Board? Then let us do a resolution or two. Yes?"

Ronald Steele, "My name is Ronald Steele. I live at 22 Baiting Hollow Lane. First of all I'd like to ask the Board; what is a type 6 labor camp? You laugh Mr. Janoski. Maybe you'd like to have one in your back yard."

Supervisor Janoski, "I'm laughing because the subject came up this afternoon. What is a type 6 labor camp? Nobody knows what that is or what a type 5 was. We do know that we're calling tonight a public hearing on regulations for what is to be called labor camps. We are now going to call them Agricultural Worker Housing. I think you know very well what they are."

Ronald Steele, "Oh, I know because I work in the County Jail. I've been there 15 years. I've dealt with migrant labor for 15 years. I know what they are. What I want to know is how big is the extension or the expansion that they want to build?"

Supervisor Janoski, "There is a public hearing scheduled on that this evening and I'm sure any questions you want answered will be answered at that time."

Ronald Steele, "Thank you."

Supervisor Janoski, "There is yet two minutes before the first scheduled public hearing. Is there anyone else who wishes to address the Town Board? Then let us do a resolution."

RESOLUTIONS

#618 AUTHORIZES OVERTIME COMPENSATION - WATER DISTRICT  
Water Minutes

Irene J. Pendzick, "Another one?"

Supervisor Janoski, "One more."

#619 AUTHORIZES GARY PENDZICK TO ATTEND GRADE D DISTRIBUTION  
SYSTEMS OPERATORS COURSE  
Water Minutes

Supervisor Janoski, "Let the record show that the hour of 7:45 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

Irene J. Pendzick, "Mr. Supervisor, we have two public hearings for 7:45. I'll read the first and then the second."

PUBLIC HEARINGPUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday October 18, 1983 at 7:45 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The special permit application of Austin Warner for the construction of an addition to a Type 6 Labor Camp located at Baiting Hollow, New York.

Supervisor Janoski, "Once again let the record show that the hour of 7:45 has arrived. The Town Clerk will read the..... I would have really want to do it the other way around. I'd like to recess the Senior Citizen one."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, October 18, 1983 at 7:45 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The adoption of a sliding scale Senior Citizen Tax Exemption as provided for by Chapter 228 of the laws of 1983 of the State of New York.

Supervisor Janoski, "I'm going to recess the public hearing on the Senior Citizen Tax Exemption and open the public hearing on the Austin Warner Type 6 Labor Camp. You are representing the applicant?"

SUPERVISOR JANOSKI RECESSED THE 7:45 PUBLIC HEARING REGARDING THE SENIOR CITIZEN TAX EXEMPTION AT 7:46.

SUPERVISOR JANOSKI OPENED THE 7:45 PUBLIC HEARING REGARDING THE AUSTIN WARNER TYPE 6 LABOR CAMP.

Anthony Tohill, Attorney, I am Anthony Tohill, Mr. Supervisor and members of the Town Board. I'm an Attorney. My office is at 6 East Main Street, Riverhead. I represent Austin Warner, Jr. This is an application to expand an existing Agricultural Worker Facility, located on the north side of Sound Avenue, in Baiting Hollow, directly across the street from the old Warner Potato Chip building and directly next door to the residence owned and now occupied by Mrs. Warner, Austin Warner's widow. This Warner family has operated a potato farm and now the tree nursery there for many years. The building we're talking about consists of 896 square feet. Less than 900 square feet. It's been there and it's been continuously used in it's present use and it's produce use since 1952. It currently houses four people. It is currently a non-conforming and therefore an exempt use. It was currently approved by the

PUBLIC HEARING ContinuedAnthony Tohill, Continued

Suffolk County Health Department for occupancy of nine. Therefore it is being used at less than half its permitted occupancy, under County law. The owner's choice was to expand to a use of 10 men. To increase the size by 700 square feet. Raise it to 1596 or just shy of 1600 square feet. In that respect it will be similar to the Moore Facility that was built over in Wading River last year or two years ago, which was 1700 square feet and similar to the other facility of Mr. Schmidt on Roanoke Avenue Riverhead, from a few years ago. The facility uses the same crew virtually year in and year out. There are 14 people working on the farm. They're there from March 1, until on or about December 15. Except for the members of the Warner family, almost everyone is a seasonal worker with most of them coming from outside the State of New York and reside in this facility or in the Town of Riverhead. The problem of finding housing for these people in the Town of Riverhead has increased in recent years and necessitates to add the space. The plans have already been submitted to the Planning Board. A hearing was held last month. There is not a resolution yet, I understand, from the Planning Board. But it is my understanding from speaking to Dr. Semal that the Planning Board will act favorably in its resolution to the Town Board as long as a separate bathroom is added to the plans that I submitted to this Board. The separate bathroom, as I indicated in a letter to the Board, would be added in a room immediately adjacent to the existing room so as to reduce the amount of new plumbing. The plan would consist of a separate bathroom with a separate sink, toilet, and shower. It would not be the same room. We will follow any other suggestions of the Planning Board as they are made, as long as they're reasonable. We will be able, in large part, to comply with the proposal with Agricultural Worker Housing Local Law if and when it is adopted. There are some respects in which our application, by reason of the non-conformity, that will be different. Generally to the advantage of the people that would live there. For example, in the proposed new law, you provide a separate bedroom for each three persons. We use a separate bedroom for each one person. Except in one instance, where there will be a doubling up in one bedroom. The bedrooms will not be 200 square feet. They'll be 100 square 120 square feet in the old bedrooms. Generally we can comply with all the requirements with respect to the proposed local law. One thing that I would not, is that we would not be 200 feet from Sound Avenue or any other road and the reason is we're not 200 feet now and we can not expand in any direction except southerly and towards Sound Avenue. Towards a fire hydrant I might add, which everyone up there is happy to have. The property is too tight on the east side. On the west and on the north side there are buildings and traffic patterns that are already in existence which can not be interrupted. A second point that I would not, to the extent that it's different from the Schmidt and Moore applications that the Board is familiar with. Is that instead of closing down operations on November 30, As I think we have indicated in these cases. This would be a December 15th

PUBLIC HEARING ContinuedAnthony Tohill Continued

proposed closing off date for the reason that the tree nursery is operated on a different seasonal basis obviously, from the green's operations and the vegetable operations. Plainly I might add, that I don't know of a single call made to the Riverhead Police Department or to the State Police with respect to the operation of this facility since 1952 and I inquired on the subject. No one who's lived on the premises knows of any instances of that type of activity. As indicated, these are the same people. They are hard working people. They live in the facility. They do not create any type of problem that I'm aware of in the community and I happen to reside there as well. If there is any questions from the audience or members of the Board I will submit on that basis."

Supervisor Janoski, "Thank you. Does any member of the Board have any questions?"

Councilman Prusinowski, "Tony, are you proposing the operation to December 15th?"

Anthony Tohill, "March 1st to December 15th."

Councilman Prusinowski, "March 1 to December 15. Ok."

Councilman Lombardi, "Tony, how far are you from the road?"

Anthony Tohill, "Right now the new addition would be 25 feet closer to the road which would end up 144.6 plus or minus feet from the edge of the road."

Councilman Prusinowski, "And Mrs. Warner lives on the property?"

Anthony Tohill, "She lives immediately adjacent and literally within less than 100 feet from this building."

Councilman Artale, "Mr. Tohill, you expect to expand this to 10 people. Is that right?"

Anthony Tohill, "It would be a maximum of 10 which is 5 fewer than the proposed local law and we would agree not to go beyond 10. We could do literally (the irony here is) we could, without doing more, if we choose to crowd the people, we could increase it by 5 to 9 under the existing rules and my client does not wish to do that. The men have become accustomed to their separate rooms and as a result they have come back each year. There is a good relationship and he seeks to preserve and continue that relationship. Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you Tony. Does anybody wish to address the Town Board on this issue? Bill."

Bill Nohejl, "Wading River. I know this Warner establishment very well. It is well managed and progressive. I wish I had a farm like that. I see no reason why this man shouldn't have his labor camp increased."

Supervisor Janoski, "Do I see another hand back there? Henry."

Henry Pfeiffer, Wading River, "Just one question that occurred to me. Is this labor all male or are they family groups and what do they do on Saturday night?"

Anthony Tohill, "It's all male today. But historically, (That's an interesting question.) it was not. Historically in the 50's, there were families that lived in the same existing facility. Two and three families at one time. It's changed. I'm not sure why and if I dare give a guess I'll get into trouble so I'm staying out of that one."

Supervisor Janoski, "Thank you Tony. Does anyone else wish to address the Board on this question? Steve, wait a minute. I just noticed it is 7:56. I have to open up another public hearing. I'm going to recess the hearing on the Austin Warner Type 6 Labor Camp. Let the record show that the hour of 7:56 has arrived. The Town Clerk will please read a notice of Public Hearing."

SUPERVISOR JANOSKI RECESSED THE 7:45 pm PUBLIC HEARING REGARDING THE AUSTIN WARNER LABOR CAMP.

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 Tuesday, October 18, 1983 at 7:55 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The special permit application of Peconic Welding & Medical Supply to store compressed gasses to supply various businesses at premises located at 1400 West Main Street, Riverhead.

## COMMUNICATION:

1. Planning Board, 10/12/83:

Recommending that application be approved upon one condition:

That a fire protection survey be compiled in conjunction with the Town of Riverhead Fire Dept.

PUBLIC HEARING Continued

Supervisor Janoski, "Is there anyone here representing that applicant? Ok. I'm going to recess this and continue the Type 6 Labor Camp and get that done, if you would bear with us. I recess the hearing on Peconic Welding & Medical Supply. Re-open Type 6 Labor Camp. Is there anyone else, Steve."

SUPERVISOR JANOSKI RECESSED THE 7:55 PUBLIC HEARING REGARDING PECONIC WELDING AND MEDICAL SUPPLY AND RE-OPENED THE 7:45 PUBLIC HEARING REGARDING THE AUSTIN WARNER TYPE 6 LABOR CAMP.

Steve Haizlip, Calverton, "Mr. Janoski and the other Board members. According to what the attorney says, these are all very nice people. They don't get into no trouble and they behave well. The only question I want to ask; is there a barracks chief in charge of quarters established to maintain order?"

Anthony Tohill, "I do understand the term well. There is none and there never will be any and there never has been any."

Steve Haizlip, "I don't think there will be any need because they can take care of themselves."

Anthony Tohill, "No and I don't intend to violate the Federal, the State and County laws. All of which I think prohibit it."

Steve Haizlip, "I don't think that's going to be a loss sir, if you have somebody in charge to make sure everybody behaves themselves."

Supervisor Janoski, "Steve, this is a legal proceeding. You have to direct your comments to the Board. They have to be on the record."

Steve Haizlip, "I'd like to know where he would come up and say it would violate a law if you have somebody in charge just to see that everybody reports in and behaves. They had it in the Army and that's Federal. So I don't see where it's violating any law here."

Anthony Tohill, "The reason is that there is a Federal Labor Law that prohibits the use of crew chiefs except under very limited instances and there is a special permit tradition in the Town of Riverhead that prohibits crew chiefs and there is about to be a new local law, if the Board adopts it. Which will specifically prohibit crew chiefs and we have advised the Board that it was an acceptable condition and any approval if the Board would approve this application."

PUBLIC HEARING Continued

Supervisor Janoski, "What Steve is getting after is, something that we also addressed on a previous special permit and that is someone responsible who oversees the operation and in one instance where the owner of the farm land did not live in the township. We required that a local farmer be responsible. I don't remember who that was but....."

Anthony Tohill, "Thomas Miller."

Supervisor Janoski, "Pardon me?"

Anthony Tohill, "I was the person who was named to be responsible for that farm."

Supervisor Janoski, "Is that what you're addressing?"

Anthony Tohill, "The Warner family has operated a farm on both sides of Sound Avenue for more than the last 30 years and they intend to continue to operate as they have in the past. Mrs. Warner, Sr. lives immediately adjacent and contiguous with this building that we're talking about and across the street, Austin Warner, who is the principal operator, who is the son, now resides. That's not a problem. That hasn't been a problem since 1952 and we don't intend it to become a problem."

Supervisor Janoski, "Yes sir. You have to come up to the microphone."

UNIDENTIFIED SPEAKER INAUDIBLE

Supervisor Janoski, "Sir, you have to come up to the microphone, state your name and address."

Ronald Steele, "I already stated my name."

Supervisor Janoski, "Sir. Just a minute sir. I don't know who you are. As I told the other gentleman, this is a legal proceeding. It is a public hearing. We're going to do it by the rules. So if you will state your name and address I would appreciate it."

Ronald Steele, "Ronald Steele, 22 Baiting Hollow Lane. Can you guys guarantee me there will be no more than 10 employees?"

Supervisor Janoski, "Sir, one other little problem we have is that you're supposed to address your question or statements to the Town Board."

Ronald Steele, "I just want to be guaranteed that there will be no more than 10 employees in this building."

Anthony Tohill, "The condition of the operation is that there will be 10 and no more."

PUBLIC HEARING Continued

Ronald Steele, "Can you state equivocally that no migrant worker that has worked at Warner farms has ever been arrested? Because I've seen them drunk on Osborn Avenue. I happen to go that way every day back and forth to work."

Anthony Tohill, "I happen to go that way as well and I haven't seen that and if that becomes a problem, why of course it will be dealt with."

Supervisor Janoski, "Does anyone else wish to address the Town Board on the matter of Type 6 Labor Camp? That being the case I declare the hearing closed. We will re-open the Peconic Welding & Medical Supply special permit. The representative of the applicant."

SUPERVISOR JANOSKI CLOSED THE 7:45 PUBLIC HEARING REGARDING THE AUSTIN WARNER TYPE 6 LABOR CAMP AND RE-OPENED THE 7:55 PUBLIC HEARING REGARDING THE PECONIC WELDING & MEDICAL SUPPLY SPECIAL PERMIT.

George Nunnaro, "I'm George Nunnaro. I'm the owner of Peconic Welding Supply. I stated to the Planning Commission my reason to pick that particular location. I did show them how I would store the gas and that kind of thing and meeting any regulations of the N.F.P.A. and naturally the Town of Riverhead."

Supervisor Janoski, "Why don't you just explain to the Board briefly what it is. What your operation is. What you're going to be storing."

George Nunnaro, "I supply compressed gasses in all forms to welding shops, hospitals, to doctors, to dentists. That kind of thing. We want to operate a welding supply store. In other words, a walk in kind of trade. There's very little, it's more or less a wholesale operation. That's basically about it. Just that it's a warehousing operation where we'd have a truck that would deliver out of that location to various businesses and that would be about it."

Supervisor Janoski, "Are there any questions?"

Councilman Prusinowski, "What type of compressed gas would you be using?"

George Nunnaro, "Oxygen, setiline, nitrogen, argon, helium."

Councilman Boschetti, "How much? What kind of volume are you talking about?"

George Nunnaro, "It's kind of hard to say, as far as volume. Are you talking about storage volume?"

PUBLIC HEARING Continued

Councilman Boschetti, "Precisely."

George Nunnaro, "It could vary any time. What particular gasses would you want me to... You know it's very very hard. The place is very limited in size as it is. It would not be a question of....."

Councilman Boschetti, "I'm just concerned about the overall capacity of the site you're talking about."

George Nunnaro, "Well I think you would probably be more concerned with flammable gasses. The setiline, the propane. At any time, it could be in cubic feet. We could sit down and do some arithmetic. It wouldn't be a question of.... You might be confusing it with the storage of propane, for example. It's not going to be that kind of thing. These are filled cylinders. Ok. They've already been filled by people other than myself. You can't fill them in this area of New York. Propane is not really my business. It's really an accomadating factor. 25 pounds of propane for your barbecue. That kind of thing. Very small amounts of 100 poinds propane for heating hot water and stove pipes. To get back to you question, it's hard at any time to say how much might be there. Ok. It would not be a ratio that would... There would never be more setiline there (for example) or more propane than setiline there (for example) helium, or any other inert gas, argon or whatever. It's a hard question to kind of pin point."

Councilman Prusinowski, "I'm familar with the bottles. We use them on the farm and I'll zero in. 50 bottles at a time? I know what they are. They are the small tanks. 50 of them, 100, 2 dozen?"

George Nunnaro, "Again are we going to say like the setiline?"

Supervisor Janoski, "How many?"

George Nunnaro, "Of all different types?"

Supervisor Janoski, "Yes."

George Nunnaro, "250."

Supervisor Janoski, "Thank you. I see that the old clock on the wall shows I have to recess this one. We'll have you back in just a couple of minutes. Let the record show that the hour of 8:05 p.m. has arrived. Actually 8:06. The Town Clerk will please read a notice of public hearing."

SUPERVISOR JANOSKI RECESSED THE 7:55 PUBLIC HEARING REGARDING PECONIC WELDING & MEDICAL SUPPLY SPECIAL PERMIT.

PUBLIC HEARING ContinuedPublic Hearing - 8:05

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, October 18, 1983 at 8:05 p.m. at Riverhead Town Hall, to hear all interested persons regarding: A map, plan and estimate for the proposed increase and improvement of the facilities of the Riverhead Sewer District with maximum estimated cost at \$110,000.

PUBLIC HEARING - 8:05

SEWER MINUTES

Supervisor Janoski, "I'll re-open the hearing on the Peconic Welding & Medical Supply special permit. Did you have something to add to your statement? Why don't you stay up front here in case anybody has any questions. Is there anyone else who wishes to address the Town Board or raise any questions? Bill."

William Kasperovich, "Sorry to be a jack-in-the-box for you gentlemen. You'll hear me any and all times that you get hazardous gasses coming into the scene. I think that this thing being considered a fourth time, that we should start to get some procedure where we put certain facts down on paper and that is the gospel. After the permit is issued, people find that they're going to try to be sneaky about other things, we'll then have it in writing to go back to. In this small operation and I say small in a relative sense, might speak and say: what's the big concern about it? When I look through the public records, I didn't see bottled gas in any size. Now, these bottles are known to the public to come in excessively high pressures. If you've been out on a construction job where it's had one of these bottles snap loose, you would have seen the demonstration of a miniature rocket in orbit. So it's no child's play. The man is in business. I assume he knows what he's doing and how he's handling his products. On the other hand, it should be in print somewhere, some place, some how. Of course, the flammable gas is one thing but also in the non-flammable gasses, because they are under such high pressures. The extent that they come into the property, now a man just for the first time tonight, says they deliver them filled to him. There's nothing on print to say that he's going to load tanks or bottles or what have you. Just as the question was asked, how much should be spelled out specifically and accurately because of their contents. About is not enough. We certainly aren't going to charge a higher price permit if the man conservatively estimates a few more bottles more or less. But to treat it the way it has been treated here, indicates to me, because it's the fourth time, that we do not have a procedure of specifics that we can hold the man to if and when he decides not to live up to what ever he spelled out that got him the permit."

PUBLIC HEARING Continued

Supervisor Janoski, "One of the purposes, probably the main purpose of having a public hearing on any application such as this, is to give you, as a member of the public or any other person, the opportunity to raise those issues which the Town Board should be concerned with or the questions that we should ask. This is not a decision procedure. It is an opportunity for you to give us those specific concerns that you have such as what type of procedure we should be following in addressing this application. That's the whole business that we're in right now. So why don't you elucidate on it?"

William Kasperovich, "Well Mr. Supervisor, I always felt, as happened at the last Town Board meeting that there will come a time that I will be on my back and not be able to come here and address you gentlemen. One of the points that I try to bring out for the certain position, is that there is no need to have chemical engineers on the Town Board. At the same time, we don't have any chemical engineers in the township that come to these Town Board meetings or attend the Fire Commissioners meetings, that is familiar with the hazards and the dangers of these chemicals and gasses. Consequently, I try to set the ground work so that when I'm no longer with you fine gentlemen, (I'm with some finer people upstairs or downstairs) that a procedure would have been developed because these different things come up to where they would be handled with more (I'm lacking a word.) more accuracy, more specific description that was on print, on paper and is there for the record. On submission of the application and I'm not trying to add more paper work. We have enough of it. But we do definitely show a lack of procedure. Ok. Now, you say you have a case, what are you looking for? Question is; how many standard size bottles? How many half-bottles? How many small bottles? The man is considerate to spell out in his application that they'll divorce the inert gasses from the other gasses with concrete block walls. However, the amount is important. The extent of handling is important and what type of manner of fire protection will be afforded to this storage? These questions should be answered and put in print as long as the permit is in existence and valid. Such that any modifications or change or any variations from it will be grounds to void the permit. I hope in a sense that that answers your question sir."

Supervisor Janoski, "Thank you Bill. Does anyone else wish to address the Town Board on the question of...Steve."

Steve Haizlip, "I believe that one of the things that Mr. Kasperovich is looking for there and I'm concerned myself; is the security of these bottles, safety, and static binding. Some have a static jumper that's into the ground and put to the bottle in case of any spark that will be discharged or any charge so bottles don't turn and propel themselves and in case the tops break off. They don't go. I've seen one happen and it went right through the roof."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you Steve."

Councilman Prusinowski, "I would like that answered. Can you answer that question. That's an excellent question."

Supervisor Janoski, "You have to come back up here and tell us who you are."

George Nunnaro, "Steve is absolutely correct. There is a regulation today. In fact I know."

Supervisor Janoski, "State your name and address again."

George Nunnaro, Peconic Welding, "Normally bottles are chained when in storage to prevent any of them from falling over. They are transported the same way. Doubl chained if you have an open back truck, etc., etc."

Councilman Artale, "What material would you use around the bottles or do you have a cement wall around them? Are they going to be outside?"

George Nunnaro, "Yes. The premises as existing, has small compartments as similar to garages, that are separated by concrete block walls. One of the reasons I chose this is because it is apt already for the particular purpose."

Councilman Lombardi, "I'd like to know where 1400 W. Main Street is."

George Nunnaro, "It was formerly the premises known as the Art Fence Company. Are you familiar with that?"

Councilman Boschetti, "Sir before you leave could you provide me with a broken down amounts and types of gasses you plan to keep on the premises?"

George Nunnaro, "Sure, if that's what you want."

Supervisor Janoski, "Is there anyone else who wishes to address the Board or raise any questions concerning this application? That being the case I declare that hearing closed. Let us go back to the hearing on Austin Warner Type 6. I'm sorry. That one is done. Re-open the (did you want to come back again sir?) public hearing on the Senior Citizen tax exemption. The sliding scale specifically. Does anyone. Do you want to get a move on that one?"

Ricahrd Ehlers, Town Attorney, "The State Legislature has provided that a municipality, in this case the Town of Riverhead, may adopt a sliding scale providing a decreasing tax exemption to Senior Citizens with increasing taxable income. The amounts that it suggested for in tonight's public hearing is no amounts in excess of \$10,000 but less than \$10,500 of taxable income to a Senior Citizen if your abatement 45% of the town's

PUBLIC HEARING ContinuedRichard Ehlers, Town Attorney, Continued

share of the taxes. From 10.5 to 11 it would be 40%. From 11 to 11.5 35% and so on declining to 5% until the maximum is reached of \$13,000 per year income to the Senior Citizen with a 20% tax abatement on the portion of the Riverhead Town taxes."

Supervisor Janoski, "Thank you Mr. Town Attorney. The present maximum income in the Town of Riverhead is \$9,500. What State Legislature and that would of course, once you go above that income, the State exemption would no longer be available. What the State has done is to provide for a smaller percentage reduction and as your income increases beyond that maximum amount. So we would open this one to public comment. Yes Kasperovich."

William Kasperovich, "I wish somebody else would take this microphone and do it. I had the experience down here at Hutton's, down here on Main Street, a number of years back, that left a lasting impression on me. A man who used food stamps at the A&P, where I shop fairly regularly and a man I've known in Riverhead for 20 years or more and that is that; as he was checking out he would be using food stamps. Well that didn't impress me what so ever. Except that sitting in Hutton's one afternoon, was pointed out to me that this man was considerably worth more than a million dollars. I inquired about this and the answer I got down here at the County Center is; all that they asked for was the income. I came up with the same question. We listed incomes. Does this mean that a millionaire that makes \$12,000 in that particular year could come in for a 35% real estate tax assist? Or is there some other scale that goes along with this income?"

Supervisor Janoski, "Bill, I'm afraid that income was the method by which your eligibility is accepted or denied. Unfortunately like most programs which are meant to benefit a certain segment of the population, there is always some method of beating them and they'd be available to the people that really shouldn't qualify for them. It was addressing that particular need. But these, such as food stamps and that story you told me, I could accept because I could tell you some stories that are unacceptable. But Jeff if you could. Why don't you tell everybody who you are."

Jeff Sievers, "I'm Senior Executive Assistant to Assembly Joseph Sawicki, who was and is co-sponsor of this legislation. I'm not sure how to answer that, other than it is that we heard, during the course of legislation moving through the assembly, personally from our office, some 60 Senior Citizen groups across the state, all of whom support the legislation unanimously. Their letters very much led us to believe that a predominate number of their membership would benefit substantially from the legislation. Last year the Governor vetoed this legislation and it was passed 113 to nothing in the

PUBLIC HEARING ContinuedJeff Sievers, Continued

Assembly and less by a predominate number in the Senate. It was vetoed by the Governor out of concern of the cost to the individual municipality once the legislation was passed and at local option by the municipality. The concern being that any decrease in taxes to the municipality would have to be made up else where. Predominately, the decision has to be made whether or not it's good to a number of people in the Town who cannot afford their property taxes because their income is very low because of the age bracket they find themselves in."

Supervisor Janoski, "Thank you. Henry."

Henry Pfeiffer, Wading River, "I think that the legislation was directed for the benefit of a group that presumably need this kind of relief and the fact that certain individual or certain individuals are going to beat the system is not a reason to deny this to a group of needy people. I'm not one of the people that are going to benefit by this. As a matter of fact, if the same number of dollars in taxes must be paid real estate wise and some of these people are going to pay also. That means that eventually I'm going to pay more unless you guys are going to save it some other way. But I still favor it because I'm well aware that there are quite a number of people who are in a position where they have no elasticity in income at all. Such as the majority of those who are potential Senior Citizens. Not necessarily now. In other words, they can get an increase some other way. So I favor it very much so. One thing more. I don't know if it was mentions that this concerns only with the Town tax not the school tax."

Supervisor Janoski, "Yes sir."

Steve Pientek, 28 Willow Street, Aquebogue, "This, that we're talking about, would be interesting to me. I've never applied for it but as a Senior Citizen and also as a G.I., where can I get exact information so that I know what to do if I chose to do it? I have never asked for any exemptions. But if I felt as though I'm entitled and I am, where would I get the necessary information in either direction?"

Supervisor Janoski, "Jeff, want to answer that."

Jeff Sievers, "I would be happy to."

Supervisor Janoski, "My Assessor back there waving like this. Would you start off by saying that our local office could provide certain information?"

PUBLIC HEARING Continued

Jeff Sievers, "You could see Mr. Leroy Barnes in the back of the room or if you'd like, I have a substantial amount of information available at the assessment office in all forms of tax relief and other Senior Citizen programs, specifically, and a number of other State programs in general. I'd be happy to provide them. If you leave your name and address we can mail them out to you tomorrow."

Supervisor Janoski, "Thank you Jeff. Would you like to add anything Mr. Barnes? Is there anyone else who wishes to address the Town Board on the matter of the implementation of the sliding scale for property tax exemption? In that case, I recess the meeting until 8:45 pm."

SUPERVISOR JANOSKI RECESSED THE MEETING AT 8:30.  
SUPERVISOR JANOSKI RECONVENED THE MEETING AT 8:45.

Supervisor Janoski, "The meeting will return to order. Let us continue with the resolutions."

RESOLUTIONS

#620 AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: PROPOSED LOCAL LAW REGARDING AGRICULTURAL WORKER HOUSING.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to a proposed local law regarding Agricultural Worker Housing.

## PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of November, 1983, 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 local law to be adopted by the Town of Riverhead regarding Agricultural Worker Housing.

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

The resolution was thereupon declared duly adopted.

## PROPOSED LOCAL 1-1983

AGRICULTURAL WORKER HOUSING

1. LEGISLATIVE INTENT: This local law shall be interpreted to insure safe, sanitary, and sufficient housing for agricultural workers. It is intended that such workers, as shall be housed under this local law, shall be employed solely on property owned by the special permit owner, engaged in the production of agricultural products. Such production may include incidental sorting, grading, and packing. However, such housing as provided herein shall not accomodate employees of a special permit holder engaged primarily in the grading, sorting, or packing of agricultural products.

2. SPECIAL PERMIT REQUIRED: No person, corporation, partnership, or association shall permit agricultural worker housing, as herein defined, to be occupied on land owned by such person, corporation, partnership, or association without possessing a current, valid special permit, as provided in section 108-3 of the Riverhead Town Code, for the operation of such agricultural worker housing.

3. PERMIT NOT TO RUN WITH THE LAND NOTWITHSTANDING ANY OTHER PROVISION TO THE CONTRART: The special permit provided herein shall be personal to the landowner and hshall not run with the land nor be assignable or transferable to any successor in interest to the land. Only the landowner may be a permit holder.

4. OWNER SUPERVISION: Special permit owner referred to herein shall assume personal responsibility for the day to day operation, maintenance of the camp, and conduct of camp employees. The owner shall at all times be responsible for the compliance with all the provisions of this chapter and the special permit. In the event that the owner does not live on the premises, he shall satisfy the Town Board as to the method and adequacy of supervision to be particularly described in the special permit.

5. SITE PLAN REVIEW: The applicant shall submit a site plan in conformity with the requirements of commercial buildings as is more fully set forth in Chapter 108 of the Riverhead Town Code. The physical layout of the agricultural worker housing must at all times comply with the filed site plan.

6. DIMENSIONAL REQUIREMENTS: The following minimum square footage requirements shall apply to all agricultural worker housing as follows:

- a. Bedroom for every three (3) person: 200 square foot minimum
- b. Laundry and Utility Room: 200 square foot minimum
- c. Total living area, including hall and closet: Equal to bedroom area.
- d. Dining area and kitchen: Equal to  $\frac{1}{2}$  total bedroom area
- e. Minimum set back shall be 200 feet from nearest travelled roadway.

- f. Electrical and plumbing and sanitation shall comply with New York State Building Code and Riverhead Town Code, as well as the Suffolk County Health Department.
- g. Plantings shall be provided to screen the facility as shown on the site plan to be reviewed as required hereinabove.
- h. The building shall be maintained in a safe and sanitary condition by special permit holder at all times.
- i. All construction shall be masonry.

7. RENTAL PROHIBITED: No special permit holder shall offer any portion of the premises covered by the special permit mentioned herein for rent or lease to any other person, nor shall such permit holder allow sub-rental by any resident of such premises.

8. ANNUAL PERMIT RENEWAL AND INSPECTION: Special permit required herein shall be renewed annually. Prior to such renewal, inspection shall be made of the premises by the Riverhead Town Building Department. Failure of special permit holder to comply with the provisions of the Riverhead Town Code shall be grounds for revocation and/or refusal to renew special permit by the Town Board. Such annual renewal shall annually be approved by Town Board resolution.

9. ABSENCE OF CREW CHIEF AT ALL TIMES REQUIRED: No special permit holder shall permit any crew shief, boss, or other intermediary between the permit owner and the residents on the premises covered by the special permit.

10. PATTERN OF PENAL VIOLATIONS - CAUSE FOR REVOCATION OF PERMIT: A pattern of Penal Law violations by agricultural worker residents shall be grounds for revocation of the special permit provided herein. It shall be no defense that the special permit holder is not a party to such Penal Law violations.

11. MAXIMUM OCCUPANCY: No more than three (3) persons per bedroom up to a maximum of fifteen (15) persons shall occupy any premises covered by this permit.

12 DEFINITIONS:

a. Agricultural Worker Housing: Any area of land and all buildings or other structures pertaining thereto, and part of which may be occupied by persons employed as laborers in farm activities who are provided with sleeping facilities in whole or in part, by the owenr without a stipulated agreement as to the duration of their stay, whether or not they are supplied with meals but who are supplied with such services or facilities as are necessary for the agricultural production of the owners property.

RESOLUTIONS Continued#621 AUTHORIZES TIME AND ONE HALF OVERTIME FOR MAINTENANCE EMPLOYEES

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

RESOLVED, that the Supervisor be and hereby authorize time and one-half overtime for the following maintenance employees:

Laywer Jackson-----16 hours @ 11.2099-----\$ 179.36

Charles Brown-----22 hours @ 11.2099-----\$ 246.62

Dominick Pantaleo---12 hours @ 8.0399-----\$ 107.83

FURTHER RESOLVED, that an explanatory note be filed in the Office of the Town Clerk.

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

The resolution was thereupon declared duly adopted.

#622 AMENDS RESOLUTION #522, RE: SETTLEMENT OF CLAIM OF JOANNE MCKEON

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

WHEREAS, resolution #522 was adopted on the 6th day of September, 1983, settling the claim of Joanne McKeon in the amount of \$2,475, and

WHEREAS, the amount of \$2,475 should have read \$2,500, NOW, THEREFORE, BE IT

RESOLVED, that the claim of Joanne McKeon shall be settled in the amount of \$2,500.

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

The resolution was thereupon declared duly adopted.

#623 AUTHORIZES MEMBER OF THE CONSERVATION ADVISORY COUNCIL TO ATTEND NEW YORK STATE CONFERENCE ON THE ENVIRONMENT

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

BE IT RESOLVED, that John Heilbrunn be and is hereby authorized to attend the New York State Conference on the Environment on November 11th and 12th at the Americana Inn of Albany, Albany, New York and that he be reimbursed for all expenses incurred pursuant thereto from the budget of the Conservation Advisory Council and that all expenses be properly receipted upon return.

RESOLUTIONS Continued

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

The resolution was thereupon declared duly adopted.

#624 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 a total of forty four hours in the amount of FIVE HUNDRED SEVENTY SIX and 74/100 DOLLARS (\$576.74), in accordance with personal services abstract submitted and filed in the office of the Town Clerk.

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

The resolution was thereupon declared duly adopted.

#625 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: LOCAL LAW PROHIBITING CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to the attached proposed local law prohibiting the consumption of alcoholic beverages in public places.

## PUBLIC NOTICE

PLEASE TAKE NOTICE that a publi hearing will be held on the 1st day of November, 1983, at 7:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the below proposed local law prohibiting the consumption of alcoholic beverages in public places.

TOWN OF RIVERHEAD  
PROPOSED LOCAL LAW NO. 2-1983

A local law regulating the consumption of alcoholic beverages in a public place within the Town of Riverhead.

Section 1. It is the purpose of this local law to protect the public interest, welfare, health and safety within the Town of Riverhead, by prohibiting the consumption of alcoholic beverages in public places within the Town. The Town Board finds that possession of an open container of alcoholic beverages in a public place withing the Town has led

RESOLUTIONS Continued

to consumption of the same, resulting in public intoxication, disorderly conduct, disturbance of the public peace, littering of the public places and destruction of property. The Town Board finds further that preservation of the public weal and prevention of conditions which lead to conduct disturbing the public peace attributable to consumption of alcoholic beverages, can be accomplished by the prohibition of consumption of alcoholic beverages in public places, and by restricting the possession of an open or unsealed container of alcoholic beverages under circumstances which indicate that the possessor of such open or unsealed container in a public place intends to consume the same or intends to have it consumed by another person.

Section 2. Definitions. The following terms used in this local law shall have the following meaning, unless the context requires or indicates a different meaning:

a. "Alcoholic beverage" shall mean and include alcoholic, spirits, liquor, wine, beer, cider, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being.

b. "Container" shall mean any bottle, can, glass or other receptacle suitable for, or used to hold, any liquid.

c. "Public place" shall mean:

(i) Any Town, County, or State owned highway, street, sidewalk, park, playground, beach, parking lot, or building in the Town;

(ii) All or any part of the premises of a public or private school as is designated in a resolution, duly adopted by its Board of Education, Board of Trustees, or other governing body. Any such resolution to be effective under this local law shall refer specifically to this local law and the effective date of adoption and said governing body shall file a certified copy of the resolution with the Town Clerk and tender to the Town Clerk the cost of publishing the full text of the resolution, once, in the official newspaper of the Town. The premises so designated shall not be deemed a public place under this local law until ten (10) days after such publication occurs. Any such designation of a public place under this local law may be revoked by adoption of a resolution as aforesaid to be similarly filed with and published by the Town Clerk, the revocation to be effective the day after publication.

(iii) All or any part of any privately owned road, street, sidewalk, parking lot or building which by nature of its use is generally open to the public as is designated in a written document, duly signed by the owner thereof and acknowledged in a form suitable for recording an instrument with

RESOLUTIONS Continued

with the County Clerk. Any such designation to be effective under this local law shall refer specifically to this local law and the effective date of adoption and said owner shall file a certified copy of the document with the Town Clerk and tender to the Town Clerk the cost of publishing the full text of the document, once, in the official newspaper of the Town. The premises so designated shall not be deemed a public place under this local law until, ten (10) days after such publication occurs. Any such designation of a public place under this local law may be revoked by filing a written document executed and acknowledged as aforesaid to be similarly filed with and published by the Town Clerk, the revocation to be effective the day after publication.

d. "Town" shall mean the Town of Riverhead.

Section 3. Prohibition. It shall be a violation of this local law for any person to:

a. consume any alcoholic beverage in any public place within the Town;

b. have in his possession an open or unsealed container of an alcoholic beverage while in any public place for the purpose of consuming such alcoholic beverage by himself or by another in any public place.

Section 4. Exceptions. The foregoing prohibition shall not apply to consumption of any alcoholic beverage or possession for the purpose of consumption in any public place, where the same is authorized by license or permit under the laws and regulations of this State, Suffolk County or Town; nor shall such prohibition apply to the possession of an open or unsealed container of an alcoholic beverage solely for the purpose of transporting the same without an intent or indication to consume the same in any public place.

Section 5. Application. This local law shall not apply to any person in violation of section 1227 of the Vehicle and Traffic Law.

Section 6. Penalties. Each violation of this local law shall be punishable by a fine not exceeding \$250 for each offense or by imprisonment not exceeding 15 days or by both such fine and imprisonment.

Section 7. Severability. If any provision of this local law shall be invalidated by any court, such provision shall be deemed severable and the remaining provisions shall continue in full force and effect.

Section 8. This local law shall take effect 10 days from the date of filing in the Office of the Secretary of State.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued#626 APPROVES SITE PLAN SUBMITTED BY SPENCER T. FISHER, INC. ON BEHALF OF MID ISLAND LUMBER & CO.

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

WHEREAS, a site plan was submitted by Spencer T. Fisher, Inc., on behalf of Mid Island Lumber for a building permit for a warehouse to be located at the corner of Mill Road and Route 58, Riverhead, New York, and

WHEREAS, this site plan was reviewed by this Town Board,  
NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Spencer T. Fisher Inc., on behalf of Mid Island Lumber for a building permit for a warehouse to be located at the corner of Mill Road and Route 58, Riverhead, New York, dated May 6, 1983, and prepared by Young and Young Land Surveyors, No. 83-216, be and is hereby approved, and be it further

RESOLVED, that all signage to be placed on the premises shall first be approved by the Riverhead Town Board.

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

The resolution was thereupon declared duly adopted.

#627 RESOLUTION AUTHORIZING CHANGE ORDER, RE: RIVERHEAD SCAVENGER WASTE PROJECT, CONTRACT NO. 2, CHANGE ORDER NO. 1.

Scavenger Waste Minutes.

#628 AUTHORIZES SUPERVISOR TO ENTER INTO AGREEMENT WITH LIGHTHOUSE SUPPORT SERVICES

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

WHEREAS, this Town Board believes that an employee assistance program providing alcohol and related counselling should be available to Town employees, and

WHEREAS, the Alcohol Rehabilitation Committee was established to evaluate proposals relating to the implementation of a program, and

WHEREAS, this committee has recommended that Lighthouse Support Services be contracted with,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized to enter into an agreement with Lighthouse Support Services for one year covering all Town employees in an amount of \$1,520 per year, and be it further

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this resolution to Lighthouse Support Services, the Department Heads of the Town of Riverhead, and the representatives of the unions representing the employees of the Town.

RESOLUTIONS Continued

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

The resolution was thereupon declared duly adopted.

#629 AWARDS BID FOR HARRISON AVENUE DRAINAGE PROJECT TO MID-ISLE EXCAVATING, INC.

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

WHEREAS, the Town Clerk was authorized to advertise for bids for the Harrison Avenue drainage Project, and

WHEREAS, two bids were received, and

WHEREAS, it is the recommendation of Donack Associates that the bid be awarded to Mid-Isle Excavating, Inc., of Old Bethpage and Ronkonkoma, New York, in the amount of \$24,500,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the Harrison Avenue Drainage Project be and is hereby awarded to Mid-Isle Excavating, Inc., of Old Bethpage and Ronkonkoma, New York, the lowest responsible bidder, in the amount of \$24,500.

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

The resolution was thereupon declared duly adopted.

#630 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: CONDEMNATION OF PROPERTY OWNED BY SAFFALS ASSOCIATES, INC.

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

WHEREAS, on or about May 10, 1983, the Town Attorney requested the assistance of Pierre Lundberg, Esq., to assist in the condemnation of property located at 414 East Main Street, and

WHEREAS, by letter dated June 2, 1983, an appraisal was ordered from John Breslin which appraisal was prepared and returned on June 30, 1983, and

WHEREAS, this Board desires to hold a public hearing with regard to the condemnation of property known as 414 East Main Street, Riverhead, New York,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to the condemnation of property owned by Saffals Associates, Inc.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of November, 1983, at 8:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the condemnation of property reputedly owned by Saffals Associates, Inc., commonly

RESOLUTIONS Continued

known as 414 East Main Street, Riverhead, New York, for the purpose of any appropriate public purpose deemed in the best interest of the residents of the Town of Riverhead.

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

The resolution was thereupon declared duly adopted.

#631 AWARDS BID FOR SILT TRAP CONSTRUCTION OF WADING RIVER PONDS

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

WHEREAS, Louis K. McLean & Associates, Engineer for the Town of Riverhead requested that informal bids be received for the construction of a silt trap at the Wading River Ponds, and

WHEREAS, the lowest bid received by Louis K. McLean and Associates was from Costanza Suffolk Dock Building, 23 River Avenue, Patchogue, N.Y. with a bid of \$3,300.

NOW, THEREFORE, BE IT RESOLVED, that the firm of Costanza Suffolk Dock Building be awarded the construction of a silt trap at the Wading River Ponds for the sum of \$3,300.

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

The resolution was thereupon declared duly adopted.

#632 APPOINTS CONTINGENT PROVISIONAL CLERK TYPIST IN TOWN CLERK'S OFFICE

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

WHEREAS, it is the request and recommendation of Town Clerk, Irene Pendzick that Mary Ellen Komosinski, who presently serves as a temporary clerk-typist in that office due to a leave of absence of a permanent employee in that she be appointed as contingent provisional clerk-typist in the Town Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED, that Mary Ellen Komosinski be and is hereby appointed as a contingent provisional clerk-typist in the Town Clerk's Office at the annual salary of \$8,787.17 as set forth in Group 2, Step P of the 1983 CSEA Salary Schedule, effective October 21, 1983.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued#633 TRANSFER OF FUNDS

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

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

FROM

A7310.405	Utilities, Youth Programs	\$ 1,000.00
A7140.403	Utilities, Recreational Centers	4,000.00
A7180.110	Lifeguards, Beaches	4,000.00
A1420.201	Law Books	1,000.00
A1930.400	Judgements & Claims	1,200.00
A1440.400	Town Engineer	22,325.00

TO:

A7110.430	Utilities, Parks	\$ 5,000.00
A7180.410	Printing, Beaches	1,000.00
A7180.430	Repairs, Maintenance, Beaches	3,000.00
A1420.202	Law, Equipment	1,000.00
A1010.470	Town Board Mis.	500.00
A1220.200	Equipment - Executive	25.00
A1620.420	Supplies & Services, Shared Services	6,000.00
A1620.200	Equipment - Shared Services	500.00
A9901.200	Transfer to Highway Fund	10,500.00
A1320.400	Auditor - Contractual Expenses	6,000.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.  
The resolution was thereupon declared duly adopted.

#634 RESOLUTION SUPPORTING EFFORTS TO REDUCE UTILITY RATES

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

WHEREAS, the continued vitality and future development of the Long Island economy depends upon the sale of electric power at a competitive rate, and

WHEREAS, the Grumman Corporation has requested the State Public Service Commission to consider a proposal by the New York State Power Authority to build a high voltage transmission line to deliver continuous hydro-electric power to Long Island which would effectively lower the cost of electricity to those served by the Long Island Lighting Company,

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board supports any efforts to lower utility rates charged by the Long Island Lighting Company through the construction of transmission mains to provide cheap hydro-electric power to Long Island, and be it further

RESOLUTIONS Continued

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Governor Cuomo, Senator D'Amato, the Public Service Commission, Senator LaValle, Assemblyman Sawicki and the County Executive, Peter Cohalan and Senator Moynihan.

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

The resolution was thereupon declared duly adopted.

#635 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING - RE: 1984 BUDGET

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

BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Notice of Public Hearing with regard to the 1984 Town of Riverhead Annual Budget:

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of November, 1983 at 8:10 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the 1984 Town of Riverhead Budget which includes the following specific items:

ELECTED OFFICIAL SALARIES

Town Supervisor	\$ 39,001.00
Town Councilman	15,065.00 (each)
Town Receiver of Taxes	23,436.00
Town Assessors	24,608.00 (each)
Town Clerk	28,123.00
Town Justices	27,537.00 (each)
Highway Superintendent	28,123.00

FEDERAL REVENUE SHARING BUDGET

Public Safety	\$198,150.00
Environmental Protection	12,000.00
General Governmental Support	30,000.00
Recreation	67,000.00
Housing and Community Development	47,000.00
	<u>\$354,150.00</u>

Please take note that a copy of the preliminary budget is available for inspection in the Town Clerk's Office where it may be inspected by any interested person during regular office hours.

RESOLUTIONS Continued

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

The resolution was thereupon declared duly adopted.

#636 APPROVES SPECIAL PERMIT APPLICATION OF JOHN PELIS

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

WHEREAS, by application dated the 27th day of May, 1983, John Pelis did apply to this Town Board for a special permit to operate a non-nuisance industry, "Island Spring Co." at Main Rd. Calverton, New York, and

WHEREAS, this application was referred to the Planning Board for their review and recommendation, and

WHEREAS, by letter dated July 8, 1983, the Planning Board did recommend that the special permit application be approved, subject to certain conditions, and

WHEREAS, a public hearing was held before this Town Board on the 2nd day of August, 1983, wherein all persons wishing to be heard were heard, and

WHEREAS, all correspondence received regarding this special permit application has been reviewed thoroughly by this Town Board NOW, THEREFORE, BE IT

RESOLVED, that the special permit application of John Pelis to operate a non-nuisance industry "Island Spring Co." at Main Road Calverton, New York, be and is hereby approved, subject to the following conditions:

1. That the building be moved forward, thus allowing for parking in the rear, thereby decreasing the necessary parking in the front and allowing for increased green area;
2. That there be no storage or repair of vehicles, trucks, or trailers in the front of the building or within the taking zone and travel portion of New York State Route 25.
3. That screening, in the form of fencing no less than six feet in height, be erected along the west boundary line and that screening in the form of green shrubbery be planted along the north and west boundary lines;
4. That the building be equipped with the necessary number of fire extinguishers;
5. That the parking areas and exits and entrances thereto be paved;
6. That proper signage be placed in form of the business stating the name of the business, business hours and telephone number; and be it further

RESOLUTIONS Continued

7. That in conformance with the representations made by the applicant, the hours of normal operation shall be limited to the hours of 6 a.m. to 11 p.m. daily.

RESOLVED, that this special permit is subject to site plan review by the Riverhead Town Board, wherein the site plan submitted by John Pelis dated May 27, 1983, shall be amended to include the above conditions, and be it further

RESOLVED, 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;

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;

The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to Mr. John Pelis, as well as to his attorneys, Gatz, Arnoff & Czygier, Esqs.

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

The resolution was thereupon declared duly adopted.

#637 APPROVES SITE PLAN OF JOHN PELIS

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

WHEREAS, John Pelis did submit to this Town Board an amended site plan dated September 2, 1983, for Island Spring located at Route 25, Calverton, New York, incorporating therein the conditions as set forth in the approval of the special permit granted even date, and

WHEREAS, this site plan has been reviewed by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by John Pelis dated September 2, 1983, for Island Spring located at Route 25, Calverton, New York, incorporating therein the conditions as set forth in the special permit granted even date be and is hereby approved, and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to John Pelis' attorneys, Gatz, Arnoff & Czygier, Esqs., and to Mr. John Pelis, and be it further

RESOLVED, that since no signage currently exists on the premises, the Town Board reserves the right to approve any and all signage to be placed on the subject premises

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued#638 APPOINTS BINGO INSPECTOR

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

WHEREAS, the employment of Kevin Caugield as Bingo Inspector be and is hereby terminated, and

WHEREAS, a vacancy presently exists in that position,

NOW, THEREFORE, BE IT RESOLVED, that Toni Chiarmonite be and is hereby appointed to the position of Bingo Inspector effective immediately at the hourly rate of compensation of \$5.25 not to exceed \$3,000 annually.

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

The resolution was thereupon declared duly adopted.

SUPERVISOR JANOSKI OPENED THE MEETING TO PUBLIC COMMENT.

Supervisor Janoski, "I will open the meeting once again to comment on any matter. Steve."

Steve Haizlip, "Tommy Pelis here? The reason I ask for Tommy because he was here on the 13th of October for the variance change before Mrs. Twomey. Now you're talking about the shrubbery and the flowers. Now, there was a change made and I don't no if you're aware of it or not. She said when she came out the driveway, she couldn't see down the road and talking about some of those tall flowers and shrubs that would block the view. I think they committed to delete that and if you go up there later on, 5 years from now, and say; why didn't put them in there because you said you was going to do it when you submitted the site plan."

Supervisor Janoski, "That the one remaining issue that has to be resolved. I've discussed it with the attorneys and we are going to work out that last detail as far as the shrubs. Yes sir."

Bill Roberts, Baiting Hollow, "In reference to resolution #634, supporting efforts to reduce utility rates. I don't know if it was an oversight or it was left out deliberately, but we're not sending anything to Senator Moynihan. Just Senator LaValle."

Councilman Artale, "It was just an oversight. Thank you Bill."

Supervisor Janoski, "It has nothing what so ever to do with being a Democrat. I swear."

Irene J. Pendzick, "I included him."

Supervisor Janoski, "Does anyone else wish to address the members of the Town Board? Then without objection adjourned."

There being no further business on motion or vote the meeting adjourned at 9:10 p.m.

*Irene J. Pendzick*

Irene J. Pendzick  
Town Clerk

IJP:nm