

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, January 20, 1981 at 7:30 P.M.

Present: Joseph F. Janoski, Supervisor
Francis E. Menendez, Councilman
John Lombardi, Councilman
Antone J. Regula, Councilman
Victor Prusinowski, Councilman

Also present: Kevin Duffy, Town Attorney

Supervisor Janoski called the meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

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

RESOLVED, that the Minutes of the Town Board Meetings held on December 16, 1980, and January 6, 1981, are dispensed without objection and be approved as submitted.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

BILLS

Bills submitted on abstract dated January 20, 1981 as follows:

General Town	\$27,949.86
Ambulance	\$ 11.00
Highway Item #1	\$16,669.72
Highway Item #3	\$49,272.90
Highway Item #4	\$19,112.56

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

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

General Town	\$27,949.86
Ambulance	\$ 11.00
Highway Item #1	\$16,669.72

Highway Item #3	\$49,272.90
Highway Item #4	\$19,112.56

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

REPORTS

Recreation Department - for month of December, 1980. Filed.

Conservation Advisory Council - minutes of December 10, 1980 meeting. Filed.

Recreation Department - Annual recreation report for 1980. Filed.

Tax Receiver's Office - report as of January 14, 1981. Filed.

Riverhead Fire District - annual report as of December 31, 1980. Filed.

OPEN BID REPORT - 6-PASSENGER STATION WAGON - COMMUNITY SERVICES OFFICE

After being duly advertised the Bid for a 6-Passenger Station Wagon for the Community Services Office was opened by the Town Clerk on Tuesday, January 20, 1981 at 11:15 A.M.

KINNEY CHEVROLET-OLDS, INC.
East Main Street on Route 58
Riverhead, New York 11901

MAKE OF ONE 1981 VEHICLE:	<u>Chevrolet Malibu #1AT35</u>
COST OF ONE VEHICLE W/ALL SPECIFICATIONS:	<u>\$7,517.00</u>
NET COST: LESS EXCISE TAX, ON DELIVERY:	<u>\$7,517.00</u>

FILED.

APPLICATIONS

Riverhead Fire Department - parade permit for July 11, 1981. Filed.

Main Street Merchants & Employees requesting increased security measures. Filed.

COMMUNICATIONS

H2M Corp., 1/05/81 - re: payment for Burglar & Fire Alarms. Filed.

Tele-Review, Inc., 1/09/81 - requesting appointment on January 22nd at 2:30 P.M. Filed.

Peconic Environmental Resource Center, 1/08/81 - invitation to conference re: Sec. 404 of the Federal Clean Water Act on 2/07/81 at 3:30 P.M. Filed.

Brookhaven Town, 1/09/81 - notice of public hearing on 2/03/81 re: proposed amendment to ordinance. Filed.

John Foley, 1/13/81 - review of legislation by Health Committee on 1/20/81. Filed.

Landmarks Preservation Commission, 1/14/81 - submitting applications for designation of 1 Bank Building 1892 (40 W. Main Street), 2. Hallock/Terry House, (Sound Avenue), 3. Skidmore, 4. Irving Hulse House. Filed.

Planning Board, 1/16/81 - resolution approving minor subdivision. Filed.

Association of Towns, 1/14/81 - re: proposed increased membership rates. Filed.

UNFINISHED BUSINESS

Barney's Trailer Service - Special Permit (extend existing use).

Halandia Associates - Special Permit - (multiple housing)

UNFINISHED BUSINESS - continued
 River Center Associates - Special Permit (family
 recreation center).

Supervisor Janoski asked if anyone wished to be heard.

No one wished to be heard at this time.

RESOLUTIONS

#23 AMENDS RESOLUTION SECURING APPRAISER
 Councilman Prusinowski offered the following resolution
 which was seconded by Councilman Regula.

WHEREAS, this Town Board deems it to be in the best
 interests of the Town to amend resolution number 20, adopted
 January 6, 1981 to authorize the Town Attorney to secure an
 appraisal from - Gerard D. Snover, Inc. for the purchase of
 property for a proposed Scavenger Waste Treatment Plant.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes,
 Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#24 AUTHORIZES HIGHWAY SUPERINTENDENT TO HIRE PART-TIME
 EMPLOYEES FOR SNOW REMOVAL AND SETS HOURLY RATE

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

WHEREAS, this is an increase in the workload due to
 heavy snow conditions, and

WHEREAS, it is necessary for the Highway Superintendent
 to hire temporary employees for this purpose,

NOW, THEREFORE, be it

RESOLVED, that the Highway Superintendent is hereby
 authorized to hire said temporary employees at an hourly rate
 designated herewith, \$5.00 per hour.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes,
 Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#25 APPOINTS DEPUTY TOWN CLERK & REGISTRAR OF VITAL STATISTICS

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

WHEREAS, the retirement of Elizabeth Edwards has created
 a vacancy in the position of Deputy Town Clerk and Deputy Registrar
 of Vital Statistics, and

RESOLUTIONS - continued

WHEREAS, it is necessary that these positions be filled as quickly as possible,

NOW, THEREFORE, be it

RESOLVED, that Denise Hansen be, and hereby is, appointed to the positions of Deputy Town Clerk and Deputy Registrar of Vital Statistics, to be compensated at the annual rate of \$11,564.77, Group 9, Step 7, effective January 19, 1981.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#26 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, that the following police officers be paid overtime pay for the period from December 21, 1980 to and including December 31, 1980.

1. Dunleavy, J.	12/29/80	8 hrs.		\$127.88
2. Miller, D.	12/26/80	4 hrs.		\$ 61.48
3. Romaniello, F.	12/27/80	2.5 hrs.	\$38.43	
	12/29/80	.5 hrs.	7.69	\$ 46.12
			TOTAL	\$235.48

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#27 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS TO BE PAID FROM FEDERAL REVENUE SHARING

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

BE IT RESOLVED, that the following Police Officers be paid overtime pay for a period from December 21, 1980 to and including December 31, 1980.

1. Woods, K.	12/29/80	1.25 hrs.	\$ 19.21
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The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#28 AUTHORIZES RECALL PAY FOR DETECTIVES

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

BE IT RESOLVED, that the following Detectives for a period from December 21st, 1980 to and including December 31st, 1980 to be paid recall pay as per P.B.A. Contract.

1. Summerville, A.	12/22/80	4 hrs.	\$68.35	
	12/23/80	4 hrs.	<u>\$68.35</u>	\$136.70
2. Underwood, R.	12/30/80	4 hrs.		<u>\$ 74.38</u>
			TOTAL	\$211.08

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#29 AUTHORIZES OVERTIME PAY FOR CIVILIAN EMPLOYEES

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

BE IT RESOLVED, That the following Civilian Employees be paid overtime pay for the period from October 28, 1980 to and including December 31st, 1980.

1. Ruskowski, F.	10/28/80	1 hr.	\$ 7.58	
	10/31/80	8 hrs.	\$60.66	
	12/03/80	1 hr.	\$ 7.58	
	12/08/80	1 hr.	\$ 7.58	
	12/24/80	8 hrs.	\$60.66	
	12/29/80	1 hr.	\$ 7.58	\$151.64
2. Sabotka, Jr.	11/01/80	2 hrs.	\$18.64	
	11/02/80	2 hrs.	\$18.64	
	11/04/80	2 hrs.	\$18.64	
	11/08/80	2 hrs.	\$18.64	
	11/09/80	2 hrs.	\$18.64	
	11/11/80	2 hrs.	\$18.64	
	11/15/80	2 hrs.	\$18.64	
	11/16/80	2 hrs.	\$18.64	
	12/05/80	4 hrs.	\$30.32	
	12/07/80	2 hrs.	\$18.64	\$198.08
3. Sargent, C.	12/22/80	2 hrs.	\$13.84	
	12/24/80	4 hrs.	\$27.68	
	12/31/80	4 hrs.	<u>\$27.68</u>	<u>\$ 69.20</u>
			TOTAL	\$418.92

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#30 AUTHORIZES STANDBY PAY FOR DETECTIVES

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

BE IT RESOLVED, that the following Detectives be paid Standby Pay (Less Recall Days) for a period from December 21st, 1980 to and including December 31st, 1980.

1. Boden, H.	1 Day	\$11.27
2. Doroski, A.	3 Days	\$32.58
3. Palmer, W.	1 Day	\$11.39
4. Summerville, A.	2 Days	\$22.78
5. Underwood, R.	1 Day	\$12.40
	TOTAL	\$90.42

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#31 CONSENT TO ACCEPT DOLPHIN WAY & HEARTSTONE LANE AS TOWN ROADS

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

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In the Matter of	x
Laying Out of Certain Town Highways	x
known as Dolphin Way and Heartstone	x
Lane in the Town of Riverhead, County	x
of Suffolk, and State of New York	x
-----x	

RESOLUTION
AND
CONSENT

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the County of Suffolk wherein said map was entitled "Subdivision Map of Dolphin Way Estates, Roanoke, Town of Riverhead", and

WHEREAS, plans for the construction of various improvements to said roads known and designated as Dolphin Way and Heartstone Lane were submitted to the Planning Board of the Town of Riverhead, and

WHEREAS, the Town Board of the Town of Riverhead did approve said performance bond as to form, sufficiency, manner of execution, and surety, and

WHEREAS, said roads, drainage systems, sumps, and other improvements have been completed in accordance with the plans and specifications of the Riverhead Town Planning Board, and

WHEREAS, the construction of said roads, drainage systems, and sumps have met with the approval of the Superintendent of Highways of the Town of Riverhead, and

RESOLUTIONS - continued

WHEREAS, a copy of the letter from the Superintendent of Highways indicating his consent filed in the Office of the Town Clerk, and

WHEREAS, Special Search Street Dedication from the Chicago Title Insurance Company, title No. has been filed with the Town Clerk of the Town of Riverhead together with a deed of dedication and release affecting said roads,

NOW, THEREFORE, be it

RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead made an order laying out certain roads known as Dolphin Way and Heartstone Lane with proper drainage facilities, the said Town roads to consist of the land described in the deed of dedication and release dated March 5, 1969, and to extend as delineated therein, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead be and she hereby is directed to forthwith cause such deed of dedication and release to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#32 RESOLUTION OF CONDOLENCE - SOPHIE WASKI

Councilman Regula offered the following resolution which was unanimously adopted by the Entire Town Board.

WHEREAS, the Riverhead Town Board wishes to express its profound sadness at the untimely passing of SOPHIE WASKI, who was an employee of the Town of Riverhead for over 20 years, and

WHEREAS, the Riverhead Town Board wishes to add its sincere sympathy to that of the many who knew and admired her, and

WHEREAS, the Town of Riverhead is diminished by the loss of a woman known for her genuine regard for its citizens as well as an unselfish devotion to duty,

NOW, THEREFORE, be it

RESOLVED, by the members of the Town Board of the Town of Riverhead, at its meeting assembled this 20th day of January, 1981, that we hereby express our sorrow at the passing of SOPHIE WASKI, and acknowledging the great contribution of her service to the Town of Riverhead, extend to her family our most sincere condolences, be it

FURTHER RESOLVED, that a suitably engrossed copy of this resolution be prepared and presented to the family of SOPHIE WASKI.

RESOLUTIONS - continued#33 CERTIFICATE OF MERIT - ELIZABETH EDWARDS

Councilman Lombardi offered the following resolution which was unanimously adopted by the Entire Town Board.

WHEREAS, Elizabeth Edwards had been a devoted employee of the Town of Riverhead having served in the Office of the Town Clerk for the past nineteen years, and

WHEREAS, through her dedication and loyalty she has well accounted of herself in the people of the Town of Riverhead, and

WHEREAS, her service has exemplified the highest ideals in the expression of public duty, and

WHEREAS, the Town of Riverhead wishes to express its esteem and recognition of her accomplishments in the performance of her duties.

NOW, THEREFORE, upon the occasion of her retirement the Town of Riverhead awards this Certificate of Merit to Elizabeth Edwards, Deputy Town Clerk, for outstanding service in the community.

#34 AUTHORIZES PUBLICATION OF NOTICE OF CHANGE OF FEBRUARY MEETING DATE

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

RESOLVED, that since the second regularly scheduled meeting for February falls on Tuesday, February 17, 1981, and

WHEREAS, Town Officials and Department Heads will be attending the Annual Association of Towns Convention at that time,

NOW, THEREFORE, be it

RESOLVED, that the regularly scheduled meeting for February 17, 1981, be and is hereby changed to be held on February 19, 1981, at 2:00 P.M. at Town Hall, and

FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish and post notice of change of meeting date.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#35 SETS DEPARTMENT HEADS' SALARIES

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

BE IT RESOLVED, that the Department Heads' salaries for 1981 and 1982 are hereby set forth as follows:

<u>DEPARTMENT HEADS</u>	<u>1981</u>	<u>1982</u>
Zahn Williamson	\$24,961.00	\$27,207.00

RESOLUTIONS - continued

<u>DEPARTMENT HEADS</u>	<u>1981</u>	<u>1982</u>
Clement Petraszewski	\$23,326.00	\$25,425.00
John J. Hansen	\$25,070.00	\$27,326.00
Raymond Wiwczar	\$22,094.00	\$24,083.00
Robert M. Scheiner	\$29,500.00	\$33,500.00
Stanley Grodski	\$24,198.00	\$26,375.00

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#36 AUTHORIZES PUBLICATION OF PUBLIC HEARING NOTICE FOR
USE OF MUNICIPAL FACILITIES

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

WHEREAS, the Town Board wishes to comply with the spirit and the letter of Section 64(7) of the Town Law, and

WHEREAS, Section 64(7) requires a public hearing before a Town Board may grant the right to use streets, highways, and public places, and

WHEREAS, various community organizations, including, but not limited to Multiple Sclerosis, Scouts, Red Cross, DAV, will ask for permission to use recreational facilities including, but not limited to, parks, beaches, marinas, and playing fields,

NOW, THEREFORE, be it

RESOLVED, that a public hearing will be held on the 3rd day of February, 1981, at which time all individuals wishing to discuss the use of town property may be heard; and the Town Clerk is hereby authorized to publish and post a public notice of said hearing.

PUBLIC NOTICE
OF
PUBLIC HEARING

PLEASE TAKE NOTICE, that a Public Hearing will be held at Riverhead Town Hall on Tuesday, February 3rd, 1981 at 7:45 P.M. to hear all interested persons regarding the proposed use of municipal facilities including, but not limited to parks, beaches, marinas, playing fields, etc. by various community organizations, including, but not limited to: Multiple Sclerosis, Scouts, Red Cross, DAV, etc.

RESOLUTIONS - continued

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#37 APPOINTS ACCOUNT CLERK-TYPIST

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

WHEREAS, Barbara A. Blass was provisionally appointed to the position of Account Clerk-Typist, and

WHEREAS, the Suffolk County Department of Civil Service has forwarded to this jurisdiction the list of eligibles for said position,

NOW, THEREFORE, be it

RESOLVED, that Barbara Blass is appointed permanently to the position of Account Clerk-Typist at Group 7 Step 1 of the Salary Administration Schedule at an annual rate of \$9,221.97 effective January 20, 1981 which salary is subject to change upon ratification of the CSEA Contract.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#38 APPOINTS ACCOUNT CLERK-TYPIST

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

WHEREAS, Janice R. Carney was provisionally appointed to the position of Account Clerk-Typist, and

WHEREAS, the Suffolk County Department of Civil Service has forwarded to their jurisdiction the list of eligibles for said position,

NOW, THEREFORE, be it

RESOLVED, that Janice R. Carney is appointed permanently to the position of Account Clerk-Typist at Group 7 Step 1 of the Salary Administration Schedule at an annual rate of \$9,221.97 effective January 20, 1981 which salary is subject to change upon ratification of the CSEA Contract.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#39 ACCEPTS BID OF KINNEY CHEVROLET-OLDS, INC.

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

WHEREAS, the Town Clerk was duly authorized to advertise

RESOLUTIONS - continued

for bids for one 6-passenger station wagon for the Community Services Office, and

WHEREAS, the bids were opened by the Town Clerk on Tuesday, January 20, 1981, and

WHEREAS, Kinney Chevrolet-Olds, Inc. submitted a bid for \$7,517.00,

NOW, THEREFORE, be it

RESOLVED, that Kinney Chevrolet-Olds, Inc. is the lowest responsible bidder and awarded said bid.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#40 APPROVES SPECIAL PERMIT APPLICATION OF DR. JOHN FRANZONE
Councilman Regula offered the following resolution

which was seconded by Councilman Prusinowski.

WHEREAS, a special permit application was submitted by Dr. John Franzone for a dwelling and premises to become a physician's office at 968 Roanoke Avenue, Riverhead, New York, and

WHEREAS, the Town Board of the Town of Riverhead did refer to the Town of Riverhead Planning Board the subject special permit application of Dr. John Franzone, and

WHEREAS, the Town of Riverhead Planning Board did recommend to the Town Board that the special permit application be approved, and

WHEREAS, a public hearing was held on January 6, 1981, where all persons wishing to be heard were heard,

NOW, THEREFORE, be it

RESOLVED, that the special permit application of Dr. John Franzone for a dwelling and premises to become a physician's office at 968 Roanoke Avenue, Riverhead, New York, be approved subject to any restrictions, requirements, and/or limitations as detailed in the Code of the Town of Riverhead, Section 108.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#41 RESOLUTION AUTHORIZING NOTICE OF PUBLIC HEARING FOR
CODE AMENDMENT

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the following Public Notice.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 3rd day of February, 1981, at 8:10 o'clock P.M. at

RESOLUTIONS - continued

the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons concerning the following amendment to the Riverhead Town Code, Section 108-641A(2):

Section 108-641A(2):

Wherever a business use or industrial use adjoins a residence use there shall be provided a landscaped buffer area of at least ~~twenty-five~~ (25) ten (10) feet in width in each such abutting business or industrial district. The plantings shall be evergreen shrubs which will attain and which shall be maintained to a height of not less than eight (8) feet to provide an effective natural screen between districts. ~~Such buffer-zone-shall-be-restricted-to-residential-uses,~~ and No structure, storage, parking or other similar accessory uses shall be permitted within such area unless specifically authorized by the Town Board after public hearing.

*Running line indicates deletion

*Underscore indicates addition

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#42 AUTHORIZES PUBLIC HEARING FOR CODE AMENDMENT
Councilman Menendez offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following Public Notice with regard to the following proposed amendment to the Riverhead Town Code which pertains to visibility at intersections, Chapter 108.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a Public Hearing will be held on the 3rd day of February, 1981, 8:00 o'clock P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with respect to the proposed amendment to the Riverhead Town Code which pertains to the change to Chapter 108, Section 108-68, with respect to visibility at intersections.

No fence, except an open wire or open chain link fence without any planting thereon, wall, hedge, or other planting more than three (3) feet in height measured above street level, and no object or any

RESOLUTIONS - continued

other obstruction of a height in excess of two (2) feet, shall be erected, placed, parked, or maintained on a corner lot within the triangular area formed by the intersecting street lines and a straight line joining said street lines at points which are thirty (30) feet distant from the point of intersection measured along said street lines. This section shall not prohibit one (1) tree to be grown in this area, provided that the branches of the tree are trimmed away to a height of at least six (6) feet above street level.

*Change marked by underscore.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

#43 AUTHORIZES PUBLIC HEARING FOR CODE AMENDMENT
Councilman Prusinowski offered the following resolution which was seconded by Councilman Regula.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Hearing with regard to the following proposed amendment change to the Riverhead Town Code which pertains to pools, Chapter 108.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a Public Hearing will be held on the 19th day of February, 1981 at 2:15 o'clock P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with respect to the proposed amendment to the Riverhead Town Code which pertains to the deletion to Chapter 108, Section 108-59(D), with respect to swimming pools.

Outdoor and indoor swimming pools are permitted in all residence districts ~~only-as-an-accessory use-to-a-dwelling~~ for the private use of the owner or occupant of ~~such-dwelling~~ the premises and his family and guests.

*Deletion marked by running line

*Addition marked by underscore

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#44 APPROVES CODE AMENDMENT, RE: LOTS

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

WHEREAS, the Town Clerk was authorized to publish and post a Notice of Public Hearing regarding section 108-3 of the Riverhead Town Code, and

WHEREAS, a Public Hearing was held on the 19th day of August, 1980, wherein all persons wishing to be heard were heard, and

WHEREAS, section 108-95 of the Riverhead Town Code also defines the term "lot", and

WHEREAS, section 108-95 shall read the same as section 108-3,

NOW, THEREFORE, be it

RESOLVED, that section 108-3 and section 108-95 shall read as follows:

LOT - a portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or a group of buildings that are united by a common interest or use, and the customary accessories and open spaces belonging to the same. ~~Adjoining "lots" which are new or which come to be held in common ownership shall be deemed merged and treated for all purposes as a single "lot", regardless of whether or not such merger is recorded upon any Tax Map or other official record.~~ Adjoining "lots" which are recorded on an approved major or minor subdivision map filed with the Clerk of the County of Suffolk may be subdivided without approval of the Planning Board of the Town of Riverhead and shall not be deemed merged so long as the adjoining "lots" conform to the "Zoning Districts Use Schedule" in effect at the time the lots are to be conveyed.

*Running line indicates deletion.

*Underscore indicates addition.

BE IT FURTHER RESOLVED, that the Town Clerk be, and is hereby authorized to publish and post this resolution as adopted.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#45 RESOLUTION AUTHORIZING NOTICE OF PUBLIC HEARING

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the following Public Notice.

RESOLUTIONS - continuedPUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of February, 1981, at 2:25 o'clock P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons concerning the following amendment to the Riverhead Town Code, section 108-110:

Animals

No horse or other domestic animal, except dogs or cats, shall be kept, possessed, housed, or maintained in any Residence District or on any lot, plot, or parcel of land designated as Residential in the Agriculture, Business or Industrial Districts except in accordance with the following provisions:

A. The plot of land upon which any such animal is regularly kept shall be not less than one (1) acre in size. One additional acre shall be provided for each additional animal;

B. Such animal and any corral or stable appurtenant thereto shall be used exclusively by the owner of the premises and his guests;

C. A corral shall be maintained for the use of any such animals. The fence of the corral shall not exceed six (6) feet in height and be not less than five (5) feet from any property line;

D. No stable shall be located less than fifty (50) feet from any street or property line or any dwelling;

E. No animal, corral or stable shall be kept or maintained in the area designated as front yard;

F. No manure, fecal matter, or odor or dust producing substance shall be stored within fifty (50) feet of any street or property line or any dwelling;

G. Should compliance with subsection (A) of this section be impracticable, or produce an unreasonable hardship, application may be made for a special accessory use to the Zoning Board of Appeals wherein said Board may exercise discretion to allow a maximum of two (2) animals per acre.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#46 RESOLUTION AUTHORIZING PUBLIC HEARING

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the following Public Notice.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of February, 1981 at 2:35 o'clock P.M. at

RESOLUTIONS - continued

the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons concerning the following amendment to the Riverhead Town Code, section 108-3, wherein the term and definition for "Agriculture" will be removed and replaced with the term and definition for "Agricultural Production": Agricultural Production. The production for commercial purposes of all crops, livestock, and livestock products, including, but not limited to the following:

- a. Field crops; including corn, wheat, oats, rye, barley, hay, potatoes, dry beans.
- b. Fruits; including apples, peaches, grapes, cherries, berries.
- c. Vegetables; including tomatoes, snap beans, cabbage, carrots, beets, and onions.
- d. Horticultural specialities; including ornamental shrubs, trees, and flowers.
- e. Livestock and livestock products; including cattle, sheep, hogs, goats, horses, hens, ducks, milk, and eggs.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#47 AUTHORIZES NOTICE OF PUBLIC HEARING

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

WHEREAS, the Town Board of Riverhead is considering the abolition of the elected assessor position and their replacement with a sole appointed assessor under Section 1557 of the Real Property Law, and

WHEREAS, such an action would involve a significant change in the Town, and

WHEREAS, before a government acts, it should attempt to solicit the views of its citizens,

THEREFORE, be it

RESOLVED, that the Town Clerk be authorized to post and publish a Notice of Public Hearing to be held on the 3rd day of February, 1981, at 8:20 P.M. o'clock at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, where those wishing to be heard will be heard, and be it

FURTHER RESOLVED, that a copy of Section 1557 be available at the Town Clerk's Office for the general public.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#48 APPROVES SPECIAL PERMIT OF BARNEY'S TRAILER SERVICE, INC.
Councilman Regula offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Barney's Trailer Service, Inc., has applied to this Board by an application, sworn to August 28, 1980, to expand an existing mobile home park (Camp-Type 2) onto certain real property more particularly described in Exhibit "A" following hereto and made a part hereof, and

WHEREAS, this application was referred to the Planning Board for recommendations on September 2, 1980, and the applicant appeared before the Planning Board on September 18, 1980, and the Planning Board, by letter, dated October 7, 1980, reserved decision on this matter, and the Planning Board has recommended denial of the application on the basis of the sufficiency of the draft environmental impact statement, and

WHEREAS, pursuant to the Code of the Town of Riverhead, the applicant filed an Environmental Assessment Form, sworn to August 29, 1980, and by letter, dated September 18, 1980, the Environmental Quality Review Board recommended to the Town Board that an Environmental Impact Statement be filed, and this Board, by resolution dated October 7, 1980, designated itself lead agency and ordered the filing of an Environmental Impact Statement and such a statement was filed in draft form on October 21, 1980, and verbal and written comments have been directed to the form and substance of said statement, and the applicant, by letter, has offered to reduce the number of units requested and the acreage which is subject to this application to remove the requirement for filing the Environmental Impact Statement, and

WHEREAS, a public hearing on due public notice was held before this Board on October 21, 1980, where all persons interested in said application were heard, and

WHEREAS, there have also been filed in support of this application a disclosure statement, sworn to September 17, 1980, a memorandum, dated September 18, 1980, with enclosures, a title report of the Title Guarantee Company, Number 1211970, a letter of Samuel McLendon, dated November 13, 1980, a letter of Howard Young, dated November 14, 1980, and a letter of Allen M. Smith, dated November 25, 1980, submitting an amended drawing, entitled "Map of Mill Brook Park - Proposed Mobile Home Park Extension", last dated November 24, 1980, and amending the subject application so as to eliminate from consideration all land within five hundred (500) feet of County Road 58, and

WHEREAS, the members of this Board have considered the subject application in light of the evidence offered in support and in opposition to the same and have each taken personal note of their knowledge of the facts and circumstances surrounding this application, including such matters as the need for housing, the economic climate in the Town, the limited growth of the Town in recent years, and related matters, and

WHEREAS, the applicant has revised its Environmental Impact Statement in response to the written comments filed and this Board approved said Environmental Impact Statement

RESOLUTIONS - continued

as the Final Statement herein on December 15, 1980, and thirty (30) days have passed and no further responses have been received by this Board, as is provided by law.

NOW, THEREFORE, pursuant to Chapter 108 of the Code of the Town of Riverhead and specifically Section 108-3, Special Permit, this Board does make the following

FINDINGS

1. This is an application, pursuant to Section 108-51 of the Code of the Town of Riverhead, which was preceded by similar language in Ordinance No. 26, pursuant to which the official bodies of the Town of Riverhead have expanded other non-conforming uses onto adjacent parcels of real property. These have included expansions of mobile home parks, specifically those owned by Thurm, Stark and Goldman. In 1979, these sections permitted the expansion of a commercial establishment (Brasby's) onto an agricultural district. Of the examples cited, each has proved to be an economic and planning success.

2. The subject parcel is zoned for agricultural purposes, but has never been so used and in its current state is woodland.

3. The application asks for a special permit to develop twenty-five (25) acres as shown on a drawing entitled "Map of Mill Brook Park-Proposed Mobile Home Park Extension", last dated November 24, 1980, by building thereon one hundred (100) spaces for mobile homes at an average-per-lot-size of approximately seven thousand (7,000) square feet, being larger than most park layouts in the Town of Riverhead.

4. The subject application is consistent with the Master Plan generally and specifically in terms of the projected population for the Town and the "Riverhead Hamlet" concept.

5. The subject application will help meet the housing goals of the Town of Riverhead. The proposed housing units are well constructed and meet Federal codes. Said units are energy efficient and affordable in today's economic situation, vis-a-vis, the traditional one-family home. The applicant has and will make the subject sites available to families thereby filling' an important need for family housing in Riverhead.

6. A review of school population figures show that any children attending the Riverhead Central Schools will not constitute a burden on the same.

7. A review of the Town records does not show any complaints against the applicant, which has operated its existing park at its present location for years. This Board further finds the existing park to be clean, well-kept, and orderly.

8. The applicant has or will provide potable drinking water to the subject property by agreeing to contract for or make application to extend public water supply.

9. The applicant has obtained approval from the Suffolk County Department of Health for the necessary permits relative to sewerage.

RESOLUTIONS - continued

10. The proposed extension would not be in conflict with the adjoining uses which are the existing mobile home park, a farm, an industrial use, and vacant land.

11. The location of the proposed extension does not and will not affect places of public assembly.

12. The applicant proposes access and egress from the site by means of the existing entrances and exits onto Mill Road and, as such, the same does not adversely affect the neighborhood and no additional curb cuts, etc., are required.

13. The design and layout of the existing park and by inference therefrom, the proposed expansion, have not hampered police, fire or ambulance services. Fire protection will be provided by hydrants in the expanded park.

14. The final layout of the proposed expansion is subject to further approvals, pursuant to Chapter 79 of the Code of the Town of Riverhead. Consideration shall be given in said approvals to the layout of streets, traffic flow, parking, green areas, buffer areas, stormwater runoff and screening of garbage containers.

15. There exists in the Town at this time no more than one hundred (100) approved vacant mobile home sites.

16. The proposed expanded use will not create environmental pollution, such as vibration, noise, light, etc.

17. The proposed special permitted use will not prevent or substantially impair either the reasonable and orderly use of the reasonable and orderly development of other properties in the neighborhood.

18. The disadvantages to the neighborhood from the granting of the special permit are outweighed by the advantages to be gained by the Town.

19. The health, safety, welfare, comfort convenience, and order of the Town will not be adversely affected by the proposed expansion.

20. The proposed special permitted use will be in harmony with and promote the general purposes and intent of Chapter 108 of the Code of the Town of Riverhead.

21. Consideration by this Board of the Environmental Impact Statement, filed in support of this application, is limited to the facts and circumstances surrounding this application. Specifically, this Board notes the prior approval of the Department of Health on the question of sewerage and the ability to serve the proposed site with public water.

NOW, THEREFORE, be it

RESOLVED, that the application of Barney's Trailer Service, Inc., for a special permit be granted in accordance with the papers and proceedings on file with the Town Clerk on the following conditions:

- (a) this approval is limited to the construction and operation of a mobile home park (Camp-Type 2) on land shown on a drawing entitled "Map of Mill Brook

RESOLUTIONS - continued

Park-Proposed Mobile Home Park Extension", last dated November 24, 1980, containing not more than one hundred (100) spaces:

(b) this application shall be subject to the further approval of layout, design and other concerns set forth in Chapter 79 of the Code of the Town of Riverhead by this Board, pursuant to the provisions of said Chapter; and

(c) this approval shall be limited to the occupation of not more than twenty (20) mobile home sites in the expanded area per calendar year, and be it

FURTHER RESOLVED, that the Town Clerk be, and she hereby is, authorized and directed to publish and post notice of this resolution in the following form.

PUBLIC NOTICE

PLEASE TAKE NOTICE that pursuant to Section 265 of the Town Law and Chapter 108 of the Code of the Town of Riverhead, The Town Board of the Town of Riverhead adopted a resolution on January 20, 1981, pursuant to Section 108-51 of the Code of the Town of Riverhead which granted to Barney's Trailer Service, Inc. a special permit to extend an existing mobile home park ("Camp-Type 2"), known as Mill Brook Park, subject to conditions. The land upon which the expansion is to occur is approximately twenty-five (25) acres of woodland, approximately two thousand (2,000) feet north of County Road 58, and one thousand two hundred (1,200) feet west of Mill Road, in the Town of Riverhead, New York. Any person wishing further information on this resolution may examine the same on file with related documents at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, during business hours.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez: "Mr. Supervisor, I have one more resolution to read please at this time. I think it's only fitting and proper that we put this into the record."

#49 WELCOME HOME TO HOSTAGES

Councilman Menendez offered the following resolution which was unanimously adopted by the Entire Town Board.

WHEREAS, for Fourteen (14) long months, Fellow Americans have been held captive and hostage, against all the principles of freedom that this nation stands for, and

RESOLUTIONS - continued

WHEREAS, this is job and gladness in the hearts of every American on this day, January 20, 1981, upon their release from captivity,

NOW, THEREFORE, be it

RESOLVED, that this Town Board joins with its Fellow Americans in a joyous expression of welcome to the fifty-two (52) Fellow Americans who are on their way home to freedom.

Supervisor Janoski: "I get the impression that Mr. Nohejl would like to be recognized. Mr. Nohejl, you know that we are paying you a special compliment by opening up the meeting once again and we had previously done that."

Bill Nohejl: "I make a request that the public hearings for February 19th, be put over to the next Board meeting. It would give people an opportunity to come at night. Thank you."

RESOLUTION

#43A, #45A & #46A

RESOLUTION AMENDING RESOLUTIONS #43, #45, & #46 PUBLIC HEARINGS - RE:
CODE AMENDMENTS

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

WHEREAS, Three public hearings for Code Amendments were scheduled for the afternoon of February 19, 1981 at 2:15, 2:25, and 2:35 p.m.,

NOW, THEREFORE, be it

RESOLVED, that the three public hearings for Code Amendments are scheduled for the evening of March 3, 1981 at 7:45, 8:00, and 8:10 p.m.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "Is there anyone else that wishes to be heard?"

PERSONAL APPEARANCES - continued

Dick Carey, Riverhead; "At the last meeting of the Town Board we had a letter from Betty Edwards and I noticed you passed a resolution tonight in recognition of merit and I think those of us who attend the Town Board meetings who also recognize her devotion to duty and her law and services of the Town and I just want to bring that to the attention. I think all of us recognize her contributions to the Town."

Supervisor Janoski: "Thank you Dick."

No one else wished to be heard at this time.

There being no further business on motion and vote, the meeting adjourned at 8:10 P.M.

Irene J. Pendzick

IJP/vlv

Irene J. Pendzick, Town Clerk