

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, June 30, 1981 at 3:00 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
Patricia Tormey, Chairperson, Zoning Board
of Appeals
Richard DePetris, Attorney for Phyllis
Giammarino
Phyllis Giammarino

Supervisor Janoski called the meeting to order at 3:00 P.M., and the Pledge of Allegiance was recited.

Supervisor Janoski recessed the meeting at 3:01 P.M. to hold the Public Hearing.

PUBLIC HEARING - 3:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for Public Hearing to be held at Riverhead Town Hall on Tuesday, June 30, 1981 at 3:00 P.M. to hear all interested persons regarding the special permit application of Phyllis Giammarino for permission for 2 single family residences in an Industrial A District, located at West Lane, Aquebogue, New York.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

- 1.) Environmental Quality Review Board, 5/7/81 -
recommendation that application is a Type II Action which will not have significant impact upon the environment. Filed.
- 2.) Planning Board, 5/27/81 -
recommending that application be approved. Filed.
- 3.) Suffolk County Dept. of Planning, 6/8/81 -
requesting additional information:
 - 1.) copy of application, map and development plan
 - 2.) information demonstrating compliance with special permit criteria
 - 3.) report of Planning Board Filed.

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Councilman Lombardi: "The kennels weren't on it before, were they?"

Richard DePetris: "Yes, this is West Lane."

Councilman Regula: "The original ones from the Zoning Board, though (inaudible)"

Richard DePetris: "When we first filed our application, we were anxious to get the process moving. So we filed a minor sub-division map with the Planning Board, because we knew that neither your board nor the Board of Appeals could act on these specific lots until the Planning Board had approved the subdivision and we filed the minor subdivision map with the Planning Board at the same time in order to show your board and the Board of Appeals what we had in mind to show the proposed houses. Then prior to our first Board of Appeals Public Hearing, I guess it was at the Public Hearing, we presented this map to the Board of Appeals, because that Board is the Board that deals with the dog facilities and thought they would want to know where they were. I also submitted a copy to you just for your background information, so that you would know what we were doing with the other boards. It's not really a change, in the --- It's not a change in the minor sub-division map nor the proposed houses that are directly before you. The purpose of it was to show the Board of Appeals what we had in mind for dog facilities."

Councilman Prusinowski: "How many dogs do you propose to keep?"

Phyllis Giammarino: "I don't anticipate on taking any more than twelve at a time."

Supervisor Janoski: "This has to be on record."

Phyllis Giammarino: "I would like the right to keep twelve"

Supervisor Janoski: "Any other questions (inaudible) at this time?"

Councilman Menendez: "Yes, this is on the east side of West Lane, now, where is it in relation to Photo Circuits, north?"

Unidentified Speaker: "It is further to the North."

Councilman Menendez: "Further North than Photo Circuits?"

Richard DePetris: "Yes, it's further to the North, quite a considerable distance. I don't know the exact distance in feet, but it is fairly considerable to the north. If you want to orientate yourself to the location, you only have some barn buildings on West Lane for a considerable distance. If you start on Sound Avenue and head South on West Lane, you drive for, ---- I don't remember the distance, but quite a considerable distance before you arrive in any structures and on the West side of the road, you will see a house and some barn buildings. Our property is located directly across the street from that house."

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Supervisor Janoski: "Is there anyone here representing Phyllis Giammarino? Please sir, use that microphone there."

Richard DePetris, Att'y for Phyllis Giammarino: "Good afternoon, my name is Richard DePetris from Scheinberg, Wolf & Pruzansky, Riverhead, appearing here on behalf of the applicant. My way of background, I might state that my client has been looking around for quite some time now, and not only in the Town of Riverhead, but in other municipalities in this neighborhood for a piece of property in the zoning district which would provide the capability of having two types of uses, (1) single-family residence and (2) dog facilities. Your Industrial A district is such a district. I find a contract to purchase (inaudible) parcel. We have applied to the Zoning Board of Appeals for a special section used for two-single family residences. My client would occupy one residence and would operate the dog facilities and her parents would be occupying the other residence. As you're probably aware, we have obtained minor subdivision approval from the Planning Board for a division of the subject parcel and the Planning Board has recommended to you that the Special Permit approval be granted. I'm sure you're familiar with the character of this area, but let me just briefly describe it.

Directly across the street from this property, there is a single-family residence some existing barn buildings. Both sides of West Lane to the north of the subject property are open farm lands, all the way practically to the corner of Sound Avenue. Both sides of West Lane, south of the subject parcel are open farm lands or other open lands for considerable business. So the character of this area is surrounded open farm lands with the exception of the single-family residence and barn buildings directly across the street. We believe that based on the character of the area and the nature of the proposed use, that it does comply with the standard set forth in your ordinance or Special Permit use. One other thing, I might mention, we understand that from the Zoning Board of Appeals that there is maybe some concern on you part and or the part of the Board of Appeals or both of the boards as to the exact location of the dog facilities. We submitted to the Board of Appeals at the meeting earlier this month. I guess it was a revision to the map which we filed with you showing the location of the proposed ----- showing the location we proposed."

Supervisor Janoski: "Did you have that amended?"

Richard DePetris: "I submitted a copy to you by letter, or before the first scheduled date for the hearing. I have a copy of it, but it's my only copy."

Supervisor Janoski: "Why don't you let us take a look at that?"

Councilman Regula: "Is that with the change though?"

That goes to show you. I have a copy of a map that was prepared back in 1970, for a prior owner of this piece and property across the street and see outlined in red on that map is this parcel that we're talking about and directly across the street on the north end of the property is the existing house and then the barn buildings and so forth. If you want to take a look at that to orientate yourself to exactly where it is."

Councilman Menendez: "Did you get any complaints from the people across the street? Are they saying anything about noise or?"

Richard DePetris: "They are aware of the application. They did appear at the Planning Board hearing and if I recall correctly, their real concern was not our use directly, but whether the spraying activities. If the person that lives across the street also operates the farm in the area and he was concerned what affect his spraying activities would have on his animals. That's the primary reason he was at that Planning Board meeting to hear what was going on and it was somewhat like a reverse concern. He did indicate that his spraying activities usually take place like at 4:30 A.M., sometime very early in the morning and my client indicated to the Planning Board that at that hour the dogs would be sheltered."

Councilman Prusinowski: "Are you going to raise dogs, to breed them, is that it?"

Councilman Lombardi: "What type of dogs are they?"

Unidentified Speaker: "The Royal Poodle."

Supervisor Janoski: "Is that going to be your presentation?"

Richard DePetris: "Yes, I just might add one more thing. As I think you might be aware from my correspondence and by talking to the Board of Appeals. My client's contract to purchase the property is conditional upon getting the approval from your board and from the Zoning Board of Appeals and we are running into somewhat of a time problem in terms of our deal-line in getting these approvals. Originally, the deal-line was to expire on July 5, when this hearing was re-scheduled. I contacted the attorney and did get an extension of time so that the July 5th dead-line is no longer pressing upon us. We would hope in order to be sure to meet the deadline on the contract is possible to get a decision from you, if not today, I'm sure I believe, you have a meeting on July 7. The Board of Appeals is meeting on July 9, they adjourned the Special Session application until July 9. They don't want to render a decision until they see if you have any concern or about the location of the dog facilities being where they are attached to the house. If you did, then they would surely take that into account in bringing down their decision. They wouldn't want that, that would be inconsistent decisions. I'm saying one thing and you say another or whatever, so if you can bring down a decision by July 7, then the Board of Appeals would be able to act by July 9 and we have no problem with our contract at that point. The reason why we want to attract the dog facilities is so that if there is any problem they will be right there, and my client will be living in the house and will just go right in the side structure where the dogs will be housed and will take care of the problem immediately."

Public Hearing continues

Councilman Lombardi: "The only problem I'm liking at is the spraying. You know, the farmer, when he is spraying the fields. Is that going to be any problem with you."

Unidentified Person: "Well the Gentleman also keeps animals and he himself has no problem, so I assume I would have no greater problem than he has."

Supervisor Janoski: "Did I see Mrs. Tormey in the audience? Did you want to address this issue at all today?"

Patricia Tormey: (Inaudible)

Councilman Menendez: "I think we normally wait for a decision from the Zoning Board before we take action."

Patricia Tormey: "As to the two things involved, what you have before you is a single-family house. What we have before us is the dogs, or the raising there of. Our concern was partly, was that if you said alright, a single-family house, two single-family houses are filed with us, but we want to keep them out of single-family housing. We don't want the dogs attached. If we had already said go ahead with this it would mean coming back, paying another fifty dollars, fees, whole amount of fees for the newspaper again. We have no problem with the idea with the dogs, there are some details to be worked out, sanitation system, is one of them and possibly some fencing. Although, I don't know what we're going to fence against, but anyway that's a thought. Since we both meet in the same week, we're only talking about a couple of days and we just didn't want any problems to develop, see if we can avoid it."

Supervisor Janoski: "Pat, let me ask you a question. We came to the ordinance of raising domestic animals for commercial purposes, permitting it in agricultural zoned area. Did they change the Industrial Zoned Permit?"

Patricia Tormey: "No, only Agricultural. This is a special exception for the raising of dogs. Riverhead is one of the few towns that permits them anyway. But this particular property is zoned Industrial to the recent change with the clarify it. That's a good word to try out anything right. The Agricultural uses, also I think dogs were not involved. I'm not sure, I'd have to look at it. I think it was livestock and dogs were not."

Councilman Lombardi: "Dogs weren't included in it."

Patricia Tormey: "They were."

Councilman Lombardi: "They weren't."

Patricia Tormey: "They weren't. No, I didn't think so."

Supervisor Janoski: "You sure?"

Councilman Lombardi: "I'm pretty sure."

Public Hearing continues-
Councilman Lombardi: "It excluded domestic."

Supervisor Janoski: "The Town Board has expressed an interest on visiting the site and closing on July the 7th. At that time I believe we should make a decision."

Patricia Tormey: "In order to help you find it, the poster is up and the Board of Appeals ---inaudible---"

Supervisor Janoski: "Is there anyone else present who wishes to address the Town Board regarding this issue. The Public Hearing is adjourned until July 7, 1981 at 7:35 P.M."

Supervisor Janoski adjourned the Public Hearing on Phyllis Giammarino at 3:24 to be re-adjourned on July 7, 1981 at 7:35 P.M.

Supervisor Janoski recessed the meeting at 3:25 P.M. and resumed at 4:10 P.M.

COMMUNICATION: Letter of resignation from Frank Mackie, Tow Truck Operator

RESOLUTIONS

#317 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS

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

RESOLVED, that the Town Clerk is hereby authorized to publish the below advertisement for bids for two (2) new 1981 four (4) cylinder automobiles.

Advertisements for Bids
Two (2) Four (4) Cylinder Automobiles

Sealed bids for the purchase of two (2) new 1981 four (4) cylinder automobiles will be received by the Town Clerk of Town of Riverhead, for the Town Board, at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York up to 11:10 & 11:15 on July 20, 1981, at which time and place they will be publically opened and read aloud.

Detailed specifications and bid forms may be obtained at the Office of the Town Clerk of the Town of Riverhead, at Town Hall, during usual business hours.

The Town Board reserves the right to reject any or all bids or to waive any formalities in the best interest of the Town of Riverhead.

Plainly mark envelope containing bids "Bids for Two (2) New 1981 Four Cylinder Automobiles".

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS

#318 AUTHORIZES APPOINTMENT OF GATE ATTENDANT AT SANITARY LANDFILL
Councilman Regula offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Town Board finds it necessary to employ a Gate Attendant at the Sanitary Landfill on a temporary basis.

NOW, THEREFORE BE IT RESOLVED, Mr. Patrick McGuire is hereby appointed to the position of Gate Attendant as a 30-day temporary at a rate of \$3.35 an hour effective June 29, 1981.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS

319 TERMINATION: AND APPOINTMENT, OF FRANK MACKIE - POLICE OFFICER
Councilman Lombardi offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Frank Mackie has successfully completed the Police Academy Training, and has been certified by the State of New York as a Police Officer, and

WHEREAS, Frank Mackie has been working for the Town of Riverhead as a tow truck operator in the Police Department,

NOW, THEREFORE, BE IT RESOLVED,

That Frank Mackie is hereby terminated in the position of tow truck operator, and

BE IT FURTHER RESOLVED, that Frank Mackie is hereby appointed to the position of Police Officer in the Riverhead Police Department, to be compensated at a salary of \$13,588.53.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS

320 GRANTS PERMISSION TO CHAMBER OF COMMERCE FOR RIVERHEAD SALE DAYS
Councilman Menendez offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town Board does hereby grant permission for the use of Town sidewalks for the Annual Riverhead Sale Days, to be held on July 9, 10, and 11 1981, and for Riverhead Summer Sale Days, to be held on August 6, 7 and 8 1981. The Town Clerk is directed to send a certified copy of this resolution to the Riverhead Police Department.

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

The resolution was thereupon declared duly adopted.

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RESOLUTIONS321 AUTHORIZES THE HIGHWAY SUPERINTENDANT TO PURCHASE HIGHWAY EQUIPMENT

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

WHEREAS, the Town Superintendent of Highways did, on the 20th day of April, 1981, duly recommend the purchase of certain equipment pursuant to the provisions of Section 142 of the Highway Law,

NOW, THEREFORE, BE IT RESOLVED that the Town Superintendent of Highways is authorized to purchase, in accordance with the provisions of Article 5-A of the General Municipal Law, and with the approval of the County Superintendent of Highways, the following: One (1) 1981 3/4 Ton Pick-up, 2 wheel drive with 6 pass. crew cab for a maximum price of Ten Thousand Nine Hundred Sixty Three and 00/100 Dollars (\$10,963.00), delivered at Town of Riverhead Highway Department, Osborn Avenue, Riverhead, New York, by June 30, 1981.

The Town Superintendent of Highways is authorized (subject to the approval of the County Superintendent of Highways if value exceeds \$1,000.00) to surrender to the vendor the following equipment at an agreed trade-in value of \$900.00: One (1) 1974 Chevrolet 1/2 Ton Van - 2 wheel drive Model #CG21305 ID#CG0254U146727.

A contract for the item(s) purchased shall be duly executed in triplicate between the Town Superintendent of Highways and such vendor and when approved by the County Superintendent of Highways, it shall become effective. When the contract has executed and approved, and upon delivery of the item(s) purchased, the supervisor shall pay the following amounts as specified:

- | | |
|------------------------|--|
| (1) <u>\$10,063.00</u> | from budgetary appropriation for purchase equipment |
| (2) <u>\$ -0-</u> | from the proceeds of obligations issued pursuant to the Local Finance Law. |

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS#322 AUTHORIZES YOUNG & YOUNG TO SURVEY FOR CURBS AND GUTTERS

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

RESOLVED, that the firm of Young & Young be, and hereby is, retained for the purpose of performing certain engineering specifications and estimates for the purposes of installation of curbs and gutters at the direction of Councilman Lombardi and Highway Superintendent Frank Lescenski, and be it

FURTHER RESOLVED, that the firm of Young & Young be paid a reasonable fee for its services upon submission of vouchers, and

WHEREAS, the following applications for the construction of curbs and gutters have been received by the Town Board and reviewed by the Highway Committee, it is recommended that curbs and gutters be constructed at the cost to the applicant for the sum of \$3.00 per foot as listed hereinafter:

RESOLUTIONS continued-

APPLICANTS

Donald Pevney
922 Ostrander Avenue
Riverhead

John Zlatniski
893R, RD #2, Shade Tree La
Riverhead, N.Y.

Robert Summerville
RD #2, Box 902E, Linda Avenue
Riverhead, N.Y.

A. Askin
168 Hallock Street
Riverhead, N.Y.

Southern New England
Federal Land Bank Assoc.
1281 Route 58, Riverhead

Frank Doroski
Linda Avenue
Aquebogue, N.Y.

Mr. & Mrs. John Valek
301 Newton Avenue
Riverhead, N.Y.

Raymond Schnebel
RD #2, Box 904, Linda Ave.
Riverhead, N.Y.

William Corbin
38 Lewis Street
Riverhead, N.Y.

Rollin Hargis
Rollin Mobile Park
Hubbard Avenue
Riverhead, N.Y.

NOW, THEREFORE, BE IT RESOLVED, that the above stated applications be approved and that curbs and gutters be constructed pursuant to a contract with the aforementioned applicants, and be it

FURTHER RESOLVED, that the Supervisor be authorized to sign the said contracts in behalf of the Town when the moneys to be paid by above said applicants are turned over and the contracts have been signed by them, and

BE IT FURTHER RESOLVED, that upon the execution of the contract the Highway Superintendent be directed to perform the work.

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

The resolution was thereupon declared duly adopted.

RESOLUTION#323 HIRES TEMPORARY SWITCHBOARD OPERATOR

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

WHEREAS, the Town Board deems it necessary to hire temporary help to cover the switchboard for the period during which the permanent switchboard operator is on vacation.

THEREFORE, BE IT RESOLVED, that ROSA O'SHEA be hired at a rate of compensation of \$3.50 per hour for the period of July 23, 1981 to August 7, 1981, and

BE IT FURTHER RESOLVED, that such amount be taken from the Shared Services Budget.

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

The resolution was thereupon declared duly adopted.

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RESOLUTIONS#324 APPROVES SITE PLAN SUBMITTED BY COLGATE DESIGN

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

WHEREAS, an application and site plan was submitted by Colgate Design Corp., 90 Mill Road, Freeport, New York, for a Building Permit for Wading River Post Office, 217 feet south of 25A, Wading River, New York, and

NOW, THEREFORE

BE IT RESOLVED, that the application and site plan submitted by Colgate Design Corp. for a Building Permit for Wading River Post Office, 217 feet south of 25A, Wading River-Manorville Road, Wading River, New York, be approved subject to any restrictions and limitations as outlined in the Riverhead Town Code, Section 108.

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

The resolution was thereupon declared duly adopted.

RESOLUTION#325 APPROVES WILLIAM HEARD'S PERMANENT APPOINTMENT TO THE POSITION OF PURCHASING TECHNICIAN BE RETRO-ACTIVE TO JAN. 1, 1981

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

WHEREAS, William Heard was appointed Purchasing Technician, effective May 1, 1981, at compensation of \$14,446.51, and

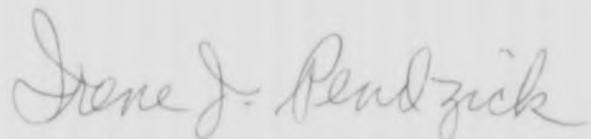
WHEREAS, William Heard has worked in that capacity since August 1978, under CETA and provisional appointment.

NOW, THEREFORE BE IT RESOLVED, that the compensation established upon William Heard's permanent appointment to the position of Purchasing Technician be retro-active to January 1, 1981.

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

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 4:12 P.M.



Irene J. Pendzick, Town Clerk

IJP:bg