

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Wednesday, November 4, 1981 at 7:30 P.M.

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

Absent: Kevin Duffy, Town Attorney

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

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

RESOLVED, that the Minutes of the Town Board Meeting held on October 20, 1981, and the Special Town Board Meeting held on October 13, 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 November 4, 1981 as follows:

General Town	\$116,475.33
Federal Revenue Sharing	\$ 4,978.32
Street Lighting	\$ 40.86
Highway Item #1	\$ 17,148.27
Highway Item #3	\$ 2,629.58
Highway Item #4	\$ 2,144.79

Councilman Prusinowski 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	\$116,475.33
Federal Revenue Sharing	\$ 4,978.32
Street Lighting	\$ 40.86

Highway Item #1	\$17,148.27
Highway Item #3	\$ 2,629.58
Highway Item #4	\$ 2,144.79

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "We have with us this evening department heads of Town Government who would be available for your questions should you have any of them."

REPORTS

Recreation Department - for September, 1981. Filed.

MacAlbert Bank & Co., CPA, 8/31/81 - audited financial statements, 12/31/80. Filed.

Recreation Department - for month of October, 1981. Filed.

REPORT - Police Department - public auction proceeds total \$3,187.74.

October 24, 1981:

AV-01	1971	Plymouth	VIN#	PE21G1F251715	\$ 10.00
AV-02	1968	Chevrolet		164878T285155	50.00
AV-03	1968	Cadillac		B8298637	50.00
AV-04	1971	Mercury		1B62K42938	20.00
AV-06	1968	Chevrolet		164398T201259	30.00
AV-07	1972	Plymouth		PM45G2D100983	25.00
AV-09	1970	Oldsmobile		336390G141239	25.00
AV-10	1965	Chevrolet		15437T168878	30.00
AV-11	1972	Plymouth		V129C2B401294	25.00
AV-13	1973	Fort-Pickup		F25YES01248	575.00
AV-14	1967	TeeNee-Boat Tlr.		1100504	15.00

TOWN VECHICLES

TV-01	1970	Ford-Pickup		F26YEj32111	\$200.00
TV-02	1973	Chevrolet		1K69H3T145561	255.00

## REPORT - Police Department - public auction - continues

TV-03	1976	American	A6A057A724288	\$350.00
TV-04	1975	Plymouth	RK41K5A184754	35.00
TV-05	1977	Ford	7H27H183075	750.00
TV-06	1977	Ford	7B63C209146	100.00
TV-07	1978	Ford	8B63C154527	75.00
TV-07	1978	Ford	8B63C154530	350.00

TOTAL MONIES

\$2970.00

ITEM NO.	DESCRIPTION	PRICE	TAX	FILED.
1037	Bike, Boys, Red, 10 speed 26 inch	\$10.00	\$0.73	
1031	Bike, Girls, Yellow, 10 speed Sears	27.00	1.96	
1030	Bike, Girls, 3 speed, Blue, Raleigh	5.00	.37	
997	Bike, Boys, 10 speed, Blue, Raleigh	25.00	1.81	
996	Bike, 20 inch, Columbia	7.00	.51	
982	Bike, 26, inch, Blue, Rambler	5.00	.36	
959	Bike Claimed by owner.	----	----	
955	Bike, 20 inch, Boys, Columbia, 3 speed	5.00	.36	
953	Bike, Boys, single speed, 20 inch, Ross	2.00	.15	
952	Bike, Boys, 26 inch, Black, Schwinn	1.00	.07	
951	Bike, Boys, 26 inch, 10 speed, Ross	5.00	.36	
950	Bike, Girls, 26 inch, 10 speed, Oxford	10.00	.73	
948	Bike, Boys, Silver, Columbia	13.00	.94	
944	Bike, Boys, Black, 20 inch, Schwinn	7.00	.51	
939	Bike, Boys, Raleigh	4.00	.29	
938	Bike, Boys, Red, 10 speed	6.00	.44	
936	Bike, Boys, 10 speed, Blue, Ward	12.00	.87	
935	Bike, Girls, 3 speed, Blue, Ross	31.00	2.25	
927	Bike, Girls, Blue, Ross	8.00	.58	
892	2 27x½ in. bike rims with tires, frame	20.00	1.45	
	SUB TOTAL	\$203.00	\$14.74	
	TOTAL	\$217.74		FILED.

Supervisor Janoski: "Thank you Mrs. Pendzick. The time has not yet having arrived for the public hearings, so we will have the correspondence."

CORRESPONDENCE

Lions Club, 10/19/81 - inviting Town Board to Christmas Parade on 12/06/81. Filed.

H2M Corp., 10/23/81 - re: storm drainage facilities at Parker Road. Filed.

CORRESPONDENCE - continued  
Suffolk County Health Committee - notice of meeting  
on November 6, 1981. Filed.

UNFINISHED BUSINESS

Riverhead Airpark (general aviation airport)

Cablevision - (request for rate increase)

Joseph & Linda Sullivan - special permit for permanent mobile home park.

Agway, Inc., - site plan (for dynamite storage on Osborn Avenue)

Supervisor Janoski: "Under unfinished business we have a special permit from Riverhead Airpark for a general aviation airport. We're still awaiting the submission of an environmental impact.

From Cablevision a request for a rate increase. We are still awaiting a response from Cablevision.

From Joseph & Linda Sullivan a special permit for a permanent mobile home park, that is before the Planning Board.

And a site plan for Agway, Inc., for dynamite storage on Osborn Avenue which is the subject of a resolution this evening.

I would recognize anyone who wishes to be heard? Did you want to be heard Mr. Kasperovich."

William Kasperovich: "Yes, but I wanted to put it off till later."

Supervisor Janoski: "Well why don't we do it now Mr. Kasperovich."

William Kasperovich, 15th Street, Wading River; "The number of topics I'd like to bring up tonight which I'll touch on lightly in sight of the fifteen minutes allotted."

Supervisor Janoski: "Mr. Kasperovich, five."

PERSONAL APPEARANCES - continued

William Kasperovich: "Five. Oh, I thought we had a new change. I'm glad you're listening. Thank you. Try to make light of it.

In the past year, I've attended most of the meeting sessions here and I haven't heard — I've heard the same thing with regard to department heads, if there are any questions, no there haven't been any questions coming up and I think we should go one or two ways. Either have the men periodically give us a thumbnail statement when there is something to say, for example, coming next week or month, so and so about oiling the roads and the public should know that we are now in the process or we're going to do this and something periodically that the public should know of some consequences. If we're not, I think we're imposing on these guys after a hard days work to come and sit here. Because if there is a question, you can certainly forward it to them. So it's either my recommendation that we get them to participate or let them stay home and watch tv, period."

Supervisor Janoski: "One of the joys of being a department head is that you don't collect overtime and if — sometimes if it wasn't for them being here, it would be empty. But now what you're suggesting is a good one."

William Kasperovich: "Well be that as it may, that's the way I feel about it and that's the way I want to present it to the Board, that it should go one way or the other.

Item number two, as I've had my coffee waiting for this hour to arrive, I see that the curb on Main Street and Roanoke Avenue is still in a state of disrepair and a hazardous condition to the public where a crosswalk is designated. I presented this twice before and I think somebody else lacks in caring for things where there are the most popular or a lot of traffic, foot traffic. I also noticed as I was walking down Main Street that a lot of these cellar entry ways are in a state of disrepair. You walk across them like you would about ready to fall through. And some of them are projecting up above the surface of the sidewalk.

Now these store keepers got a lot to complain about in this township, but they are not holding up there share either. I wanted to bring that to the towns attention.

Number three, I think it's time that preliminary efforts are started in making a real honest survey of the material brought to the Town Dump. It seems to me that we have to separate the leaves that accumulate in the fall from the actual garbage that rots. Now this should all be in anticipation of a different condition for the disposal of the Towns garbage. The amount of actual degradable garbage that is a danger to our water supply source in Long Island for our Township, I consider to be at a minimal. And no way to be treated in the gross tunnage that's brought in. We cannot let anybody hoodwink us and bring them

PERSONAL APPEARANCES - continuedWilliam Kasperovich continues:

together, the collection of leaves in the fall, branches and cartons and boxes and wood with actual household garbage. And until we get an honest appraisal, we cannot look at the problem realistically. And I contend that we have to do something with the city dump, such that there will be an honest indication of the extent of our problem. I think my five minutes are about exhausted. Thank you."

Supervisor Janoski: "Thank you Mr. Kasperovich. There are yet three minutes remaining till the first public hearing. Would anyone wish to make use of them? Mr. Nohejl?"

Bill Nohejl, Wading River; "on this here four year term for Town Clerk what was the margin? What was the total?"

Irene J. Pendzick: "It lost by four hundred votes. Of the seven towns that have the four year term, five passed it, two put it down. Riverhead and Southampton put it down."

Bill Nohejl: "Put it down, that means the voters of the Town of Riverhead cherish their vote. I thank you."

Supervisor Janoski: "We have two minutes remaining until the public hearing. Does anyone wish to be heard at this time?"

RESOLUTION

#526 APPROVES CURBS & GUTTERS APPLICATIONS AND AUTHORIZES CONTRACTS PER SAME

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

WHEREAS, the following application for the construction of curbs and gutters have been 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:

<u>APPLICANTS</u>	<u>COST TO APPLICANT</u>
W. Bruce & J. Douglas Stark 1661 Old Country Road, Riverhead	1964 Feet - \$5,892.00

RESOLUTIONS - continued

<u>APPLICANTS</u>	<u>COST TO APPLICANT</u>
P. John & Helen M. Strebels 900 Linda Avenue, Riverhead	100 Feet - \$300.00
Kenneth Demchak 920B Cove Street, Riverhead	118 Feet - \$354.00

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 monies 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 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.

Supervisor Janoski: "Without objection, we will table #527. The hour of 7:45 P.M. has arrived."

Supervisor Janoski recessed the meeting to hold the public hearing.

PUBLIC HEARING - 7:45 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held on Wednesday, November 4, 1981 at 7:45 P.M. at Riverhead Town Hall to hear all interested persons regarding the special permit application of Leonard Moore to construct a Type 6 Labor Camp on the west side of Wading River-Manorville Road, Wading River, New York.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Environmental Quality Review Board, 9/17/81 - recommendation that application is a Type II action and will not have a significant impact upon the environment. Filed.

Planning Board, recommends that application be approved subject to seven conditions. Filed.

PUBLIC HEARING - continued

Supervisor Janoski: "Thank you Mrs. Pendzick. Is there anyone present representing Mr. Moore? Tony."

Anthony Tohill, Attorney, representing applicant Leonard Moore; "Good evening, Mr. Supervisor, Members of the Board. I intend to be mercifully brief being the evening that it is and I know that there are some people here, I believe there are some people here from the community who may wish to speak who haven't had an opportunity to speak on this matter yet and I think that they should be heard. Leonard Moore is a greens farmer. They aren't as popular here in Riverhead as the grape people or the horse people, but they are part of the new breed, the people who are coming here and replacing or succeeding in part, the potato farmers and other farmers. He is a second or third greens farmer there and he intends, if the Board will permit to purchase Mr. Nohejl's farm on the west side of Wading River Road, a seventy-acre farm and to operate a greens vegetable farm there which would be very similar to the operation of Phil Schmitt at the end of Roanoke Avenue near Sound Avenue which I think most of the members of the Board are very familiar with. A condition of the contract of purchase which is not closed would be that we obtained a special permit to operate the facility with conditions not more owners than those that were opposed on Phil Schmitt some years ago and specifically excluding the condition that Mr. Moore live on the property.

I should mention that our condition that that particular condition be excluded was not arbitrary on our part. Mr. Moore and his wife are the parents of a child who has severe medical handicaps that prohibit their moving from their present home at their own whim or fancy and their move will be when and how the doctors who treat their child can say that it will happen. In other words, we don't wish to be difficult with respect to that condition. I know that that condition was some concern to the Planning Board and I'll say more about that in a second. But it's one we simply don't have control over and so the Phil Schmitt case of some years ago has already come back as the proverbial hard case. And so we have a problem.

Now we met with the Planning Board. We spent a long pleasant evening with the Planning Board, pleasant because the Board was extremely concerned with what we were doing, concerned in the sense of being helpful. They — all of the members of the Planning Board participated actively in the discussion with us that evening, late September, I believe going over how the operation was planned, how it related to the active operation, the present operation of Phil Schmitt? How Phil Schmitt's operation was faring after the many hearings concerning it some years ago and as a result of the evening that we spent with the Planning Board, the Planning Board came up with a resolution which as was indicated by Mrs. Pendzick, contains seven conditions to the approval. We have trouble with two of the conditions. And

## PUBLIC HEARING - continued

Anthony Tohill continues:

it's only about that that the rest of my comments will be made.

The last condition provides that the permit to operate the premises would absolutely expire if Leonard Moore were to transfer ownership of the land. Curiously and I think accidentally that kind of condition was the subject of some litigation in Nassau County only in September within weeks before this hard work by the Planning, as a result of which there was a very long definitive decision by the Supreme Court dealing with whether boards — whether it be a Planning, a Zoning or Town Board can impose that kind of condition on any party using land. In the particular case in Nassau County that was reported just as this was making the press so-to-speak. It involved a Boarding School and whether the Boarding School could be limited in its operation to the present owners or operators of the Boarding School by the municipality and the courts held that it could not. So that the municipalities function or the extent of its authority would be to the use of the land rather than who owns the land. And I suppose that probably unbalance makes sense.

The other condition is correlary and therefore also offers us a problem that condition is that the permit would not exceed three years in operation and at the end I think we would have to apply and I'm not certain—apply again for a continuation of the permit. The problem with that and it was pointed out very quickly by my client to me is that he will be spending at today's estimates not less than \$55,000 building. The building that would uniquely be used only as the housing for the employees on the farm.

If the Town were permitted or if the Town, in fact, did revoke the permit at the end of three years, that would be \$55,000 poorly spent. We have a genuine practical problem with that condition. It arises as a result of a genuine effort. I might add by the Planning Board to help us find a solution to the problem of the farmer not necessarily living on the farm immediately. We are willing and happy to work with the Board and with the Town toward coming up with alternate solutions to that problem. It's not a problem that's unique to this application. It was the same subject of a great deal of discussion at the time of Phil Schmitt's application. The members of the neighborhood, I think there are some here, they should be heard. I'd be happy after they've been heard to answer any questions of the Board or anyone in the audience and to work on any resolution of putting together a proposition consistent with the Planning Boards concerns and my clients needs. Thank you."

Supervisor Janoski: "Thank you Tony. We have run passed the time for the next scheduled hearing. Now what I'm going to do is recess this hearing and I will open it up again later for comment and question on Leonard Moore's proposal."

PUBLIC HEARING - continued

Supervisor Janoski recessed this hearing at 7:53 P.M. to hold the next public hearing.

PUBLIC HEARING - 7:50 P.M.

The Town Clerk submitted affidavits of publishing and posting of a Public Notice for a Public Hearing to be held on Wednesday, November 4, 1981 at 7:50 P.M. to hear all interested persons regarding the proposed code amendment to Section 108-3 regarding restaurants.

The affidavits were ordered to be placed on file.

Supervisor Janoski: "Thank you Mrs. Pendzick, Very briefly the code as it now reads prohibits live entertainment from restaurant operations in the Town of Riverhead. What the Town Board is considering at the present time, is the condition of a phrase by special permit of the Town Board, which would accomplish two things. One, allowing live entertainment to be held or conducted in a restaurant business operation, but also retain authority of the Town Board over the operation and allow for the control for what kind of entertainment will be permitted and in fact, if there were a problem that the Town Board would have the authority to pull said permit. With the amount of time left before the next public hearing, I believe that what we should do is recess this and move on to the next one."

Supervisor Janoski recessed this public hearing to hold the next public hearing.

PUBLIC HEARING - 7:55 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a Public Hearing to be held on Wednesday, November 4, 1981 at 7:55 P.M. at Riverhead Town Hall, to hear all interested persons regarding the proposed budget for General Revenue Sharing Funds.

The affidavits were ordered to be placed on file.

Supervisor Janoski: "Thank you Mrs. Pendzick. Jack do you have an outline of the federal revenue sharing allocation?"

## PUBLIC HEARING - continued

revenue Jack Hansen, Accountant; "The proposed years federal sharing.

Police Salaries	\$171,000.00
Safety Inspection	\$ 1,000.00
Sanitation	\$ 36,000.00
Computerization	\$ 3,000.00
Engineering	\$ 60,000.00
Law Library	\$ 3,000.00
Industrial Development	\$ 11,000.00

Bringing the total to: \$285,000.00."

Supervisor Janoski: "Thank you Jack. Is there anyone present who wishes to comment on the pending proposal of the federal revenue sharing?"

No one wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 7:56 P.M.

Supervisor Janoski: "What we can do now is — we have four minutes left is ask if there is anyone who has any comment or question on the Leonard Moore Labor Camp application? Yes Sir."

Norman Jacobs: "I live on the east of Wading River Road at Red Fox Path. I got 665 feet of property there. Naturally, I'm concerned about what you mean by a labor camp. Can somebody define what a labor camp entails? I thought we — this went on with the civil war so to speak."

Supervisor Janoski: "Well one of the things, as a matter of fact, we had a discussion about that today was the change in the designation of what we're talking about. Perhaps Tony, you would like to explain what Mr. Moore is requesting in this application."

Tony Tohill from the audience; "Mr. Moore. . ."

Supervisor Janoski: "Tony, you're going to have to for record, it has to be on the microphone."

PUBLIC HEARING - continued

Tony Tohill: "Mr. Moore's operation requires labor which works other than nine to five. I'll put it that way. They work from very early in the morning until late in the afternoon harvesting and planting the greens or the vegetables. Those workers live on the property seven days and seven nights of the week. And an operation such as Phil Schmitt's at the end of Roanoke Avenue would be a duplicate of the operation anticipated here. So that's what it is."

Supervisor Janoski: "Tony could physically describe Mr. Schmitt's operation."

Tony Tohill: "It's a — in terms of the building, it would be a building approximately thirty feet by fifty feet which would include around four bedrooms and would house in the neighborhood of ten to twelve men. It would be located some two hundred or more feet off the road in as inconspicuous as could be obtained."

In this particular case, it's going to be a solar heated facility. It will be shrubbed and vegetated around so that it would be as, again, inconspicuous from the road as possible. There is no known noise factor or other pedestrian visibility problem associated that I know of with this — these particular camps. As far as I know, Phil Schmitt's operation that's been there now for some two years and he's here this evening in this room, has not been the source of a single complaint of any kind to any kind to any municipal agency that I'm aware of."

Supervisor Janoski: "Thank you Tony."

Norman Jacobs: "I still didn't get an answer to my question where is this going to be?"

Tony Tohill: "On this particular property the present plan and it's somewhat subject to the solar heating aspect of it. The present plan is that it would be immediately north of contiguous to and adjacent to the barn which is on the property which is used as the main point of the operation and it would be a point some two hundred feet off the road."

Norman Jacobs: "In other words — are you talking about Long Pond Road? Exactly where is it going to be?"

PUBLIC HEARING - continuedTony Tohill: "Next to the barn on Wading River Road."Norman Jacobs: "Yes, well the barn happens to be very close by to Long Pond Road, in fact, that's the side of the property, right?"Tony Tohill: "The north side of the barn."Norman Jacobs: "Yes and that would be pretty close to the back end of my property."Tony Tohill: "I'm not sure what the gentleman is referring to but . . ."Norman Jacobs: "Well if . . ."Supervisor Janoski: "Perhaps — Tony do you have a site plan of this?"Tony Tohill: "We do not have a site plan, we have a survey and . . ."Supervisor Janoski: "Perhaps you can show it to me . . ."Norman Jacobs: "Well while he's doing that . . ."8:00. Supervisor Janoski: "Mr. Jacobs, unfortunately, it's I will come back to you."Norman Jacobs: "I would like to finish now. I have . . ."Supervisor Janoski: "I'm sorry Mr. Jacobs, but I can't let you."Norman Jacobs: "I don't see why you can't. I have the floor."Supervisor Janoski: "Because I'm telling you you can't."

PUBLIC HEARING - continued

Norman Jacobs: "Well I mean is this an open hearing or isn't it an open hearing."

Supervisor Janoski: "I told you that we would come back to you. I'm sorry Mr. Jacobs, I have a hearing that I must open at 8:00. It is now 8:00."

Norman Jacobs: "Well . . ."

Supervisor Janoski: "Mr. Jacobs."

Norman Jacobs: "Does this mean . . ."

Supervisor Janoski: "Mr. Jacobs."

Norman Jacobs: "Yes."

Supervisor Janoski: "Please sit down."

Norman Jacobs: "All right, but I don't want to be out of order, but I also want to be heard."

Supervisor Janoski: "I certainly absolutely will have you back again. Let the record show the hour of 8:00 p.m. has arrived."

Supervisor Janoski recessed the meeting to hold the next public hearing.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held on Wednesday, November 4, 1981 at 8:00 P.M. at Riverhead Town Hall to hear all interested persons regarding the 1982 preliminary budget for the Town of Riverhead.

The affidavits were ordered to be placed on file.

Supervisor Janoski: "Does anyone have a comment for the Town Board on the proposed budget for the year 1982. For your information, there are copies of the proposal. The summary

PUBLIC HEARING - continued

Supervisor Janoski continues :  
on the table and the full town budget is right here on the  
Town Clerk's table. Yes Dick."

Dick Benedict, Fanning Blvd.,; "I'd just like to ask  
on page three why the proposed reduction in Planning Board  
budget?"

Supervisor Janoski: "What — the process which we  
went through was to check what the Planning Board had spent in  
previous years, while they did have certain budgeted amounts  
allocated, they were not spending it. There was no use for  
it. So that what we did based on that information was to reduce  
it to what we felt was necessary for the — whatever the line  
item was."

Dick Benedict: "It's about a one-third reduction. No  
change in services from the Planning Board."

Supervisor Janoski: "No."

Dick Benedict: "Thank you."

Supervisor Janoski: "Does anyone else wish to address  
the Town Board on the matter of the 1982 preliminary budget?"

No one else wishing to be heard and no communications  
having been received thereto, Supervisor Janoski declared the  
hearing closed at 8:03 P.M.

Supervisor Janoski re-opened the hearing on Leonard  
Moore.

Supervisor Janoski: "Okay, Mr. Jacobs where did you go?  
Does anyone else wish to address the Town Board on the (the  
tape ended).

(The tape began - Supervisor Janoski: "He's a lucky  
guy."

## PUBLIC HEARING - continued

Bill Nohejl, Wading River; "Mr. Jacobs, you have the wrong property in consideration. It's on my farm where I operate. You see the men, my men going back and forth on the tractors and that, they are — would be the similar type help that this man would be using on his farm. The only thing that he is doing to be a much much more progressive green farmer than what I am, he's going to plant many many different types of crops and he requires much more labor than I. And this migrant camp for the housing will be no where's near you. It will be on my other farm. Yes it's not across the street from you on the property there where it is farmed."

Norman Jacobs: "There happens to be two barns."

Bill Nohejl: "But it's on the property where my trucks are. And it will be two hundred feet off the road. It will be behind that barn and I feel as though it will be just as good or better than what I have now and you have no problems with what I have now. You have no problems with my people?"

Norman Jacobs: "No you got good people."

Bill Nohejl: "And I feel as though . . ."

Supervisor Janoski: "This is like watching a tv show."

Bill Nohejl: "John, I'm talking like an Italian. John I'm not using my hands.

But I know you're confused that's why I came up here before, I wanted to straighten it out. It is definitely not across from your place. Any other questions?"

Norman Jacobs: "Yes I got quite a few questions I'd like to talk to the Board about."

Supervisor Janoski: "You have unlimited time."

Norman Jacobs: "I hope you don't stop me because once I get going. . ."

PUBLIC HEARING - continued

Supervisor Janoski: "You have to understand, Mr. Jacobs, that I am required by law to get the public hearing started on time."

Norman Jacobs: "I realize that. Now the law you mentioned, a statement about \$55,000 for the cost of a building. Actually when you consider the neighborhood there the type of houses have been built in that range, so far as the limitations that the Board wants to put on them in regard to the three years of change of ownership. We think that this safeguard that is necessary to protect the people in the neighborhood, because previously, there have been a minority set up in the building across the street from the sod farm and it was finally torn down and some of the people in the neighborhood did have problems with those people, the minority people.

Like the day I moved into my house, a negro woman followed the movers into the house and asked me for money and you'd be sitting in your backyard and some of these people would come and take your independence away from you by bothering and pestering you. And what I'm trying to prove here is that something like this if it's not supervised can be an annoyance. There were other indications where some of these people did their business on your property, threw whiskey bottles all over. And so — and going on to something else, now a building that's supposed to be 1700 feet, square feet, which will hold up to fifteen people according to Suffolk Life, I don't think a building like that is going to be big enough. I have that much room for two people in one house, 1700 square feet.

Now what I'm trying to say is something like this is made. The people in the community feel it's the responsibility of the Town to make certain that this thing is supervised in the correct way as to cleanliness, as to fire hazard. For another thing, are we going to expect this thing once in three years or is someone going to come around periodically and see that the place is maintained and that these people behave themselves. Because I've had some of my neighbors threaten that if there is any problems, they're going to call the police every time. So I honestly feel that this is something that shouldn't be taken lightly. I realize that the Town of Riverhead is a farming Town and you have to have let's say changes. You have to go along with the tide at times and the Town is trying to get other means of revenue and all which is very commendable. But by the same token, you have to make certain that this, that the safety and the welfare of the people already living in the place is also maintained because they're taxpayers just the same as anybody else. I thank you."

Supervisor Janoski: "Thank you Mr. Jacobs. Does anyone else wish to address the Town Board on the matter of Leonard Moore's application? Yes ma'am."

PUBLIC HEARING - continued

Sharon Rushton, Wading River; "I would like to say that I have spoken to Mr. Moore here and I understand his position and I respect his — what he's trying to do to earn his living. However, I would like to reiterate some of the things that Mr. Jacobs has said as far as our concerns. We have had a rather unpleasant experience with the migrant laborers that were there about four years ago across the street from the property that Mr. Moore is hoping to purchase. And because of that, I think that we do need to be assured that every means will be taken to make sure that this will be governed in such a way that we will not be bothered by the migrant laborers.

I — my experience with migrant laborers have been that they're in a rather desperate position and they have been caused to live in substandard housing and that their desperate situation leads them to work and drink and perhaps that's the only options they feel they have. And because of the drinking, we have problems. And we really didn't move to Wading River to have those problems and we had them when we first moved and we were quite honestly very relieved when the situation was taken care of by dissolving the migrant labor situation about a half a mile south of us. And I would really want to be assured that there's going to be adequate supervision, in fact, this is enstated in our area."

Supervisor Janoski: "You know I'm very tempted — I just cannot pass up this opportunity to point out something that happens to be very true. What you're describing is a condition that not only exists because of migrant workers, but your neighbors children are out there vandalizing and doing the same thing and drinking and wonder how we're going to ensure their control. I — just an analogy, you're simply in a group of people, but really, the larger problem in Wading River is the resident of Wading River. The teenager."

Sharon Rushton: "Mr. Janoski, I agree with you one hundred per cent. We watch our kids. I mean we do. My husband and I are teachers and we're very well aware of the problem with teenage drinking and so forth. Because of that, maybe we're harder on our own kids than we normally would be. But that, you know, we have to impress upon the individual families to get on their own kids and the police protection to reinforce that. But I don't feel with adults whether they're migrant laborers or whoever that I can run around and say mind your manners. I think it's up to their employer to see that they have decent conditions and that they are the type of people that can handle the responsibility of living in a community of this kind."

Supervisor Janoski: "Tony, do you have any comment on this aspect? Thank you."

PUBLIC HEARING - continued

Tony Tohill: "The comments are absolutely pertinent, including yours and and and I'm sympathetic and it was this discussion that occupied a substantial amount of the time even with the Planning Board. The Planning Board was wrestling exactly the same way as we are now with this problem and the upshot of it all was that the Phil Schmitt operation proved the point better than any of us could in terms of worrying about it. There hasn't been any problem. He said that there wouldn't be any problem. There were reasons that he said there wouldn't be any problems.

The abused migrant laborer which is a real part of our local history in every way is not affiliated with this kind of operation. This kind of operation uses certain men each year, the same men who come from Puerto Rico where, they are American citizens, I might point out, and they leave in the fall after the year of the harvest and return to their families and they come back again the following spring, the same men. I live near the Phil Schmitt operation. I've been by it as early as 5:30 in the morning, as late as I hate to say, and the only thing I have ever seen in its entire time that it's been in operation is either men working or nothing. In other words, nobody there. And I think the fact that there haven't been any complaints from the very substantial number of neighbors to the Phil Schmitt operation which we seek to duplicate and say we will duplicate is indicative of the fact that the thing will run well. Notwithstanding a challenge has been laid down, that is the owner and the operator of the farm should see to it that these residents who have improved their property with substantial monies should not have to worry about people, anybody associated with that farm, anybody associated with the farm, bothering them, abusing them, going onto their property, doing anything that in any way violates either social morals or the codes of the Town.

We have assured the Planning Board and we assure you here this evening, and we accept as a condition to any resolution that there would be a permanent twenty-four hour a day, seven day a week, twelve month a year liazon established between that farm and all of the town officials, including most specifically the town Police Department. Someone who would be available at all times to answer all calls. Obviously the \$55,000 for the camp, the building is a very small part of the cost of this operation. And growing vegetables isn't the way that that many people have made great fame. Neither Phil Schmitt or Leonard Moore is going to retire at fifty-five. They are spending a lot of monies on their operation and it is important, very important to them that the neighbors be happy.

On the south side for those of us who follow what happens in the Town of Southampton will know that farmers there constantly complain about the fact that the residents constantly complain about the farmers. The noise of the helicopters, the spraying, they can't move their tractors on the road without jamming traffic, the people are unsympathetic in their mercedes, trying to get

PUBLIC HEARING - continuedTony Tohill continues:

around the traffic. Tom Halsey was in the Southampton Press only within the last two weeks complaining about this problem. The last thing in the world that Leonard Moore or Phil Schmitt or any of these green farmers wants to have problems with their neighbors. They want their neighbors to be as concerned as the people who have spoken here this evening and they are going to do everything that they can to make sure that their concerns, their fears are not realized and I mean that."

Supervisor Janoski: "Thank you Tony."

Sharon Rushton: "Thank you very much."

Supervisor Janoski: "Is there anyone else present who wishes to address the Town Board? Yes ma'am."

Kathryn Casey, Wading River; "I simply want to say that I do not want this labor camp. I do not want transients living approximately one mile up the road from me. I do not want my property values lessened because of a possible, it has happened in the past adverse situation being created. I do not want, although I am being told there will be a liaison, fine. If it is not going to work, it's going to take too much red tape just for us to get through to people to get something done, I frankly live on the south side of 25A and I am beginning to feel like an orphan. I don't feel that the south side of 25A is being considered. As far as we, the taxpayers and how we want to live, I do not want this camp there. I do not want more welfare problems cause that's eventually what it's going to come down to also. And I think we all know that.

I would like to ask a question. Why, when according to the articles that I've read in the past, this gentleman was looking to increase his people from either five to seven or six to seven or is it five to fifteen or whatever? What pandoras box are you opening up here for me as a resident and taxpayer where I live."

Supervisor Janoski: "The property is in consideration for sale. But right now, I think as the case may be Bill, you could explain it better. How many people do you have working for you, five?"

## PUBLIC HEARING - continued

Bill Nohejl: "At present, I grow the type of vegetables where I harvest with a machine like beans, I've had sod there before and I have a small amount of green crops. Now Mr. Moore is strictly green crop farmer. At present, I have four to five men which is sufficient. But in his type of operation where he is going to have a very very extensive green crop operation, he must require at least ten to twelve men to operate. Otherwise, he cannot operate that farm."

Kathryn Casey: "Well then why wasn't the request for the variance stated as such instead of approximately one or two people?"

Bill Nohejl: "No that wasn't said as far as I recollect."

Kathryn Casey: "I'd like to ask another question, if I may. Are your people residents of Wading River or the local area, or are they transient also?"

Bill Nohejl: "They come and go. Yes, they're American Citizens. They can go and come as they wish."

Kathryn Casey: "Do they live in the area? Do they live on Long Island? Do they have an invested interest in this — in the area?"

Bill Nohejl: "No, they live in Puerto Rico. They come in the spring, they have families there and in the fall they go back. As long as you're on Red Fox Path, I don't believe you have any problems with our men. If so, please state it. My men are as courteous as any person can be. They go down to King Kullen, the people at the counter appreciate these men because they're most gracious and they do not disturb people and they like them. Now you and I have young people living closer to you than my labor camp, which are a hell of a lot of trouble in Wading River. You know where they are, causing trouble. You have Lake Panamoka put up there on the sign, it's gone. Lake Panamoka on the other side, it's gone. The street lights knocked down, these are not from these type of people."

Kathryn Casey: "That has nothing to do with — you're skirting away from the issue here of a labor camp and with transients, that I as a taxpayer, resident, do not want."

PUBLIC HEARING - continued

Bill Nohejl: "Well that's your . . ."

Supervisor Janoski: "Bill."

Kathryn Casey: "That's right and that's what I'm telling you."

Supervisor Janoski: "Thank you Bill."

Bill Nohejl: "But I must say one thing."

Supervisor Janoski: "Okay, sure."

Bill Nohejl: "The lady is losing site. We've had up there in the other place, across from my farm, we had a crew leader which Mr. Jacobs said there was a lady by the name of Audrey. She walked, she walked hunched and she was nosey, everybody's person. She would go up to Gull's Meat Market, she'd beg, she'd go to the other one, she'd beg. That was one person. And she did get tilted a little bit, but that was—that's crazy. But she never harmed anyone. But she was a pain in the rear. And this is what Mr. Jacobs is referring to.

Ever since that was cleaned out, there was a crew leader there which fed them wine, took the money, but since that's been cleared out, there has not been any trouble like that. We have more problems with our kids. You go up to the sod field up there, you should see what the mess they made. These are young fellows. And fellows growing sod go out there with figure eights and just chop it right up. These are our local boys who are doing trouble. Not these people that come from Puerto Rico, they're under a labor contract. They are screened in Puerto Rico by the Puerto Rican Government. The farmer makes a contract with the Puerto Rican Government to have these men come and to be sent back at the specified time. These men are under control.

I know there will not be any crew leader. As in the Schmitt operation, there is not a crew leader. These are people, responsible people. And people get it in their minds that just any old person is coming and being used on these farms and housed. It's not true."

Supervisor Janoski: "Thank you. Thank you. Does anyone else wish to address the Board with regard to the Leonard Moore — yes I see a blue arm back there."

PUBLIC HEARING - continued

Birdsey Youngs, corner of Red Fox Path & Wading River Road; "I was there when this other harmless migrant camp was in operation and we don't want this to come again. The Planning Board had told Mr. Moore that he should live on the property thereby controlling what was going on to some extent. Apparently, the two things that you're having problems with here is that he's not able to live on the farm and control these people and that he still wants to have this labor camp. You can't compare the people that are going to be at this camp, to the people at the Schmitt farm because the Schmitt farm, the people are not within walking distance of a shopping center with a liquor store, and so forth and so on. In this camp, they are. We lived there when there was a constant procession up and down. We had our problems with them, we handled them directly. Of course, that's not legal, we're not supposed to do that.

When people were sleeping on our lawn, we threw them off. When people came to get water off our hose, we told them to get lost. We don't want to go through it for several years, we don't want it anymore. I don't think — I've heard a lot of people have something to say about what the kids are doing to vandalize the neighborhood or vandalize somebody else's sod farm. I don't think that's even a point to be brought up at this hearing. This is for one reason only, as far as I understand it and that is that this man wants to get a labor camp approved and we don't want him to have it and I don't think anything else should even be brought into the discussion except the facts. Thank you."

Supervisor Janoski: "Does anyone else wish to address the Town Board on this issue?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:25 P.M.

Supervisor Janoski re-opened the hearing on the code amendment, Section 108-3 regarding restaurants.

Supervisor Janoski: "Is there anyone present who wishes to address the Town Board on this matter?"

PUBLIC HEARING - continued

Robert Brushton: "I probably am talking a little bit about two issues, but . . ."

Irene J. Pendzick: "May I have your address please."

Robert Brushton: "Excuse me, it's 4 Red Fox Path."

Irene J. Pendzick: "Thank you."

Robert Brushton: "See in both, on the restaurant issue as well as teenage vandalism. Where we attract people from outside an area by means of entertainment, they're not going to go there to eat. They're going to go there to also drink, principally drink to take part in the entertainment. We've been concerned about this before and the issue of the Mushroom Cap that came up before the Zoning Board. He's been allowed entertainment. We see ourselves becoming sort of the night club area of Riverhead. We see more drinking going on. We see the results of that drinking. We see more car accidents, we see teenage vandalism. We have the opportunity for migrant workers who might be hard pressed to come up and be entertained perhaps overly entertained and get in trouble. I believe that this issue used to be very tightly controlled. To allow any restaurant to put in entertainment is a serious mistake. A restaurant should be a restaurant. It should live on the merits of the food that it serves. Entertainment is used to bring in people from outside. People from outside the area who do not have an invested interest in the area of the property and therefore, as they come and go. Perhaps in the spirit of fun and frolic due to alcoholic consumption, engage in danger, willful damage, negligent damage to our community. It encourages our youth to do likewise and we have enough problems in that regard. I would ask that this Board think very carefully and very seriously about opening up such a Pandoras box. We've seen it begin in our community and we are very strictly concerned because once one restaurant has done it, the other restaurants feel that they can go ahead and do whatever they wish. We've already had incidents of that. Thank you."

Supervisor Janoski: "Wait a minute, don't go away. I want to get out a question. What incidents are you referring to?"

Robert Brushton: "You mean in terms of other . . ."

PUBLIC HEARING - continued

Supervisor Janoski: "Your last statement we have already had incidents of that."

Robert Brushton: "Well you — you know we had the Mushroom Cap had a male dancer which started that particular issue there. Another restaurant up the street is supposed or alleged to have by my friends and neighbors have locked the doors late at night and had strip shows. I was not personally present. I cannot personally testify that such a thing actually took place and I will not do so. But whether the story is true or not, it does encourage other people to take license they do not have. I just, I feel that this is a mistake. It's going to cost us more policemen, we need more of those already. It's going to cost us more in property damage. There's too much drinking as it is. I'd like to see that curtailed. Thank you."

Supervisor Janoski: "Thank you. Is there anyone else present that wishes to address the Town Board on this matter? Mr. Berger."

Eric Berger, News-Review; "Personally, I find very little constitutional basis in the prohibition of entertainment in the restaurant to begin with. Secondly, I find there very little to do in Riverhead in the way of entertainment, for the people who live here, I find that if I want to engage in some entertaining activity, I have to go out of Town and spend my money else where. And I also thought that one of the things we were trying to do was attract people into Riverhead where they could spend their money here. I think that if you have a situation where there's entertainment being provided, there's something to occupy your attention and perhaps they'll be less likelihood rather than increase likelihood of criminal activity associated with establishments employing entertainment. And I think that the restraints upon restaurants or barns to obtain permission to have entertainment presently are unduly, harsh and rigid that being that you must apply for a use variance and prove that you are facing bankruptcy or not being able to make enough profit without it and I don't think that should be the determining factor here. I think that a review of a situation by the Town Board is not only sufficient, it is recommendable. Thank you."

Supervisor Janoski: "Thank you Mr. Berger."

John Brown, 138 Sound Avenue, Calverton; "Good evening. I would like to make sure I understand this the way it was made me to believe any permit will be okayed by the Town Board,

PUBLIC HEARING - continuedJohn Brown continues:

that it will not be any consideration for lewd or any kind of entertainment like that. I think that what the other gentleman said, he had some good points, but I live in this Town, I have two small children. I also feel that when I feel the need to go out to have entertainment with my wife, I don't think I should have to drive to the Hamptons or go into Brookhaven. I think if it's done tastefully, I think if the Town does have full control with the clause that they can revoke the permit, for any reason which they see fit and they have that built-in lock to secure the safe and the clean place and atmosphere that we're trying to get in this Town. Everything I've read said that this Town says that we're trying to bring money into the Town. We're trying to attract tourism. By telling a man that he can't book a wedding in one restaurant because that restaurants are not allowed to have live entertainment or whatever, okay (the tape ended)....

(The tape began with:

Supervisor Janoski: "Is there anyone else present who wishes to address the Town Board on this issue? Yes Sir."

Rick Mighdoll, Route 25, Calverton; "I think the idea of having live entertainment in restaurants would bring money into Town. The restaurant would be able — first of all when people go out to eat, a lot of people go out to eat and want to see a show, see a band, or want to do some dancing. That would eliminate — they would have to go elsewhere as opposed to going to a place in this Township and the idea of teenagers drinking or anyone drinking and that would encourage drinking, a band and dancing that does not encourage drinking. If you're just at a restaurant or you're at a lounge and all you can do is sit there with a bartender or barmaid pushing you to drink more and more, that would — encourages drinking. But for someone just to be there and to dance and do things like that, that you drink less, you have a better time and a lot less drunks on the road. And the main things is people not having to go elsewhere to spend their money. Thank you."

Supervisor Janoski: "Thank you."

Irene J. Pendzick: "I didn't get your last name Sir."

Rick Mighdoll: "Mighdoll, M I G H D O L L."

PUBLIC HEARING - continued

Irene J. Pendzick: "Thank you."

Supervisor Janoski: "Thank you. Is there anyone else present who wishes to address the Town Board on this matter? Mr. Kasperovich."

William Kasperovich, Wading River; "In the last twenty years, I've continually heard the Town Board gripe about what they've had to put up with from previous Boards, the problems that they inherited by amendments, by wordage, by deed. Now I do honestly believe that this amendment brings to your table a very serious question for our future. We are virgin for the entertainment world. On occasion, when I sit in Glendale, New York where the labor organizers meet, I hear talk about my home town and what they would like to do here and man I hate that, because I have seen in other communities how things go. We want to bring money into this Town, but we don't want to sell our grandmothers gold teeth for it. We cannot sensor entertainment, we cannot sensor the type of clientele that come into a restaurant or a bar and this amendment, I believe would crack the door for as the man referred to a Pandoras box that we would be regretting for the rest of our lives. I believe that we should not permit it. Thank you."

Supervisor Janoski: "I was just saying to Councilman Lombardi this Pandora sure gets around. I want to make sure you understand that at the present time if you have a tavern or bar you can have live entertainment, the quirk in this law is that if it is a restaurant you cannot, for example, Mr. Brasby's fine establishment in Aquebogue and very often you will go in there and you will see Rose tinkling on the piano. That would be illegal, in fact, it is illegal in the Town except for their pre-existing use. Pre-existing this law. The point of a catering facility, a restaurant which wanted to have a wedding could not have a band to play at the wedding. I just want to make sure that you understand what is being considered here, that any bar in the Town could have whatever entertainment they wanted at the present time. What the Board is attempting to do here is to allow entertainment, but at the same time, do it in such a way that the Town Board has a firm control over it.

The other option, of course, would be to change the law and allow entertainment, but this way special permit very clearly asking for a specific kind of entertainment with control of the Town Board, I think is probably a better way to go. Now once more, I can't help to make a comment, the Mushroom Cap in Wading River is in a shopping center and I believe that the bigger problem in that shopping center as far as people drinking is not the Mushroom Cap, it's the Deli and why aren't we doing something about the Deli. Okay.

PUBLIC HEARING - continuedSupervisor Janoski continues:

What I'm trying to say is that you're trying to impose, usually people who go to a restaurant and people who can afford to spend an evening going to have a meal and enjoying an evening of entertainment, they're usually not juveniles. And they're usually not people who go out and become intoxicated. The obvious fact that the beer bottles and the drinking by children is a result of perhaps the Deli selling alcoholic beverages and not an establishment like a restaurant like the Mushroom Cap. Just something I thought that I would like to say. Does anyone else present, who wishes to address the Town Board? I think that the Democratic media expert has his hand up."

Robert Pike, Pine Avenue, Aquebogue; "First of all, in honor this evening, I want to point out that I'm wearing an Adlai Stevenson button."

Supervisor Janoski: "He didn't need it."

Robert Pike: "That's the point, Joe, good. First of all, I just wanted to briefly agree with Eric's thoughts on the constitutionality of the present law. You do have a problem when you start restricting people's entertainment which is basically free speech rights. But more important than that, I wanted to just relate to you a story. The tail end of August of this year, I had the honor of helping a forebearer of mine celebrate his 60th birthday and this party started out at the place I currently live and we had a nice lobster dinner and after that we brought out the guitars and the ukuleles, and started singing and we had such a good time with it that we decided to go on the road. So we all piled into a car and we went down to the Poop Deck, walked in and asked them to turn off the can entertainment and while the bartender was supplying us with beer, we sat there and sang old college songs and old traditional folk songs, dirty old marine songs and we went from there to the Elbow Room in Jamesport and did the same, and frankly if the current law of the Town of Riverhead prohibits such an activity, I think it's about time that law was changed."

Supervisor Janoski: "Thank you. Did I see your hand up ma'am before? You changed your mind. Is there anyone else who wishes to address the Town Board on the subject of live entertainment restaurants by special permit?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:42 P.M.

Supervisor Janoski: "I think that's all the public hearings. Is that right Mrs. Pendzick?"

Irene J. Pendzick: "Yes."

Supervisor Janoski: "Mr. Councilmen Menendez, would you preside over this meeting. I don't want to talk anymore."

At this time, Councilman Menendez presided over the rest of the Town Board Meeting.

RESOLUTIONS

#528 AUTHORIZES SHELTER FOR JAMESPORT AMBULANCE  
Councilman Lombardi offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, this Town Board finds it necessary to acquire suitable shelter for the Town ambulance stationed in Jamesport, and

WHEREAS, Ira Fuller has made available to the Town space in his establishment known as Zitro Service Station, NOW, THEREFORE, be it

RESOLVED, that this Town Board hereby authorizes the payment of \$50.00 a month to Ira Fuller for the Town ambulance shelter.

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

The resolution was thereupon declared duly adopted.

#529 TRANSFER OF FUNDS - AMBULANCE ACCOUNT  
Councilman Menendez offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Supervisor be and thereby is, authorizes to transfer the following Ambulance Account:

	<u>FROM</u>	<u>TO</u>
AM4540.200 Ambulance Equipment	\$45.00	
AM4540.400 Ambulance Contractual		\$45.00

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#530

AUTHORIZES TOWN CLERK TO PUBLISH PUBLIC NOTICE OF NO SIGNIFICANT IMPACT - VAIL LEAVITT

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

AUTHORIZES TOWN CLERK TO PUBLISH  
PUBLIC NOTICE OF NO SIGNIFICANT IMPACT

WHEREAS, the Town of Riverhead has made application to the U.S. Department of Housing and Urban Development for Federal funds to allow the acquisition of the Vail-Leavitt Music Hall by the Council for the Vail-Leavitt Music Hall, Inc., and

WHEREAS, an Environmental Review Record has been developed for this project as required by the National Environmental Protection Act of 1969 and Section 104 (h) of Title I of the Housing and Community Development Act of 1974, and

WHEREAS, a Public Notice regarding the environmental status of the stated project must be published within a specified time period prior to the expenditure of project funds,

THEREFORE, be it

RESOLVED, that the Town Board of the Town of Riverhead authorize the Town Clerk to publish the public notice in the November 5th edition of both the Riverhead News-Review and the Long Island Traveler-Watchman.

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

The resolution was thereupon declared duly adopted.

#531

AUTHORIZES TOWN CLERK ADVERTISE FOR BIDS ON ONE (1) USED DIAMOND REO WITH 20 YARD LEACH PACKER BODY OR EQUIVALENT 1975 OR NEWER WITH NO MORE THAN 70,000 MILES

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

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of One (1) Used Diamond Reo with 20 yard Leach Packer Body or equivalent, 1975 or newer with no more than 70,000 miles for the use of the Town of Riverhead Highway Department, and be it

RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A.M., November 16, 1981, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on November 16, 1981, at 11:00 A.M., at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation, "BID ON ONE (1) USED DIAMOND REO WITH 20 YARD LEACH PACKER BODY OR EQUIVALENT".

## RESOLUTIONS - continued

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez: "If this thing has 70,000 miles on it, I hope they can get it here in one piece. Yes."

Janoski, Yes.

The resolution was thereupon declared duly adopted.

#532 AUTHORIZES OVERTIME - HIGHWAY DEPARTMENT

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

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for the month of October for a total of 14 hours in the amount of ONE HUNDRED THIRTY EIGHT and 19/100 DOLLARS (\$138.19) in accordance with personal services abstract submitted and filed in the Office of the Town Clerk.

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

The resolution was thereupon declared duly adopted.

#533 TRANSFER OF FUNDS - GENERAL TOWN ACCOUNTS

Councilman Menendez 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 Accounts:

	<u>FROM</u>	<u>TO</u>
A4545.406 Ambulance Maintenance	\$230.00	
A4545.203 Ambulance Equipment		\$230.00
A4545.405 Uniforms	\$300.00	
A4545.402 Office Supplies		\$300.00

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

The resolution was thereupon declared duly adopted.

#534 TRANSFER OF FUNDS - GENERAL TOWN ACCOUNTS

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

RESOLVED, That the Supervisor be, and hereby is, authorized to transfer the following General Town Account:

	<u>FROM</u>	<u>TO</u>
A1620.420 Shared Services Contractual	\$154.00	
A1620.200 Shared Services Equipment		\$154.00

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#535 PUBLICATION OF HOME CHORE PROGRAM AD

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

BE IT RESOLVED, that the Town Clerk, be and hereby is authorized to publish and post the following as a display ad in the News-Review and the Long Island Traveler-Watchman:

DISPLAY AD:

P/T HELP WANTED

HOME AIDES

\$3.75

must be 55 years & older  
& Town of Riverhead Resident  
CALL: 727-3200, ext. 237

Funded by the New York State  
and Suffolk County Offices  
for the Aging and the Town  
of Riverhead.

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

The resolution was thereupon declared duly adopted.

#536 TRANSFER OF ACCOUNTS, TOWN CLERKS OFFICE

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

RESOLVED, that the Supervisor be, and hereby is, authorizes to transfer the following Town Clerks Accounts:

	<u>FROM</u>	<u>TO</u>
A1410.100 Personal Services	\$50.00	
A1410.200 Equipment		\$50.00

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

The resolution was thereupon declared duly adopted.

## RESOLUTIONS - continued

#537

APPROVES SITE PLAN OF AGWAY, INC.

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

WHEREAS, Chapter 108 of the Code of the Town of Riverhead provides for site plan review of any business establishment or expansion, and

WHEREAS, Agway, Inc. Fertilizer Division has applied for permission to construct an explosives magazine for dynamite storage on Osborn Avenue, Riverhead,

NOW, THEREFORE, be it

RESOLVED, that the site plan as shown on a survey and plans of Howard W. Young, licensed land surveyor, dated October 5, 1981, be approves subject to the following:

1. All construction and site improvements must meet National Fire Protection Association standards.

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

The resolution was thereupon declared duly adopted.

#539

AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT WITH THE RIVERHEAD POLICE SUPERIOR OFFICERS ASSOCIATION

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

WHEREAS, on May 20, 1980 in Resolution #260 the Riverhead Town Board did recognize the Riverhead Police Superior Officers' Association as the exclusive bargaining representative for Lieutenants and Sergeants employed by the Town of Riverhead, and

WHEREAS, in accordance with this resolution a contractual agreement has been prepared between the Town Board of the Town of Riverhead and the Riverhead Police Superior Officers' Association,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does authorize the Supervisor to execute said agreement.

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

The resolution was thereupon declared duly adopted.

Councilman Menendez: "Before we adjourn, is there anyone else that would like to address the Board?"

Thomas McKay, 990 Harrison Avenue from the audience; "I've been thinking about what Bill Nohejl — what they were

PERSONAL APPEARANCES - continuedThomas McKay continues:

talking about, about the farmers building the building and stuff like that. I don't see anything wrong with that. I've been a farmer for all my life except for the last ten years and I don't see no harm in that. When I had a farm, I had migrants fifty, sixty living in the back of my house. I had no problems whatsoever. I don't think there should be any problem, not at all. No problem at all."

Councilman Menendez: "Okay, thank you Tom. Is there anyone else?"

No one else wished to be heard at this time.

There being no further business on motion and vote, the meeting adjourned at 8:55 P.M.

*Irene J. Pendzick*

Irene J. Pendzick, Town Clerk

IJP/vlv