

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, April 29, 1980 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.

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York, at 7:30 P.M. on the 29th day of April, 1980, and do consent to the holding of such meeting for the purpose of hearing reports and entertaining resolutions regarding bids, drain-layer licenses, and any other matters that may come before the Board.

DATED: April 29, 1980

TOWN BOARD MEMBERS
TOWN OF RIVERHEAD, NEW YORK

Joseph F. Janoski

SUPERVISOR

John Lombardi

COUNCILMAN

Victor J. Prusinowski

COUNCILMAN

Antone J. Regula

COUNCILMAN

F.E. Menendez

COUNCILMAN

REPORTS

Supervisor's Office - monthly financial statement
for January, 1980. Filed.

Annual Financial Report for the fiscal year ending
in 1979. Filed.

Tax Receiver's report dated April 21, 1980. Filed.

Peconic River Advisory Council's meeting summary
for April 16, 1980. Filed.

OPEN BID REPORT - ALUMINUM BOAT, MOTOR, TRAILER AND
ACCESSORIES - POLICE DEPARTMENT

NO BIDS WERE RECEIVED

FILED.

OPEN BID REPORT -- VIDEO TAPE EQUIPMENT FOR THE
RIVERHEAD RECREATION DEPARTMENT

NO BIDS WERE RECEIVED

FILED.

BID RECEIVED AT 4:01 P.M., April 29th, 1980 FROM:

MPCS VIDEO INDUSTRIES, INC.
514 West 57th Street
New York, New York 10019

1	JVC G71US Camera	\$1050.00
1	Fiberbuilt P31 D Camera Case	\$ 80.00
1	Panasonic NV 8200 Studio Rec.	\$1160.00
1	Panasonic NV 8400 Port Rec.	\$ 975.00
1	SONY AVC 3260 DX Camera Package	\$1170.00

OPEN BID REPORT - VIDEO TAPE EQUIPMENT - continued

1	Shintron 361 B & W Switcher		\$1170.00
1	SHURE Audio Mixer M67		\$ 205.00
1	Smith Victor K73 Lighting Kit		\$ 540.00
3	(used) Sanyo VM 4209 B & W Monitors for	\$ 120.00	\$ 360.00
	Rentals		
		\$ 20.00	\$ 40.00
2	Sanyo Rack Mounts for above		
		TOTAL	\$6500.00

FILED.

APPLICATIONS

Parade or Assembly Permits approved by Police

Department:

VFW Post #2476 - for parade & assembly on May 26, 1980.
Filed.Jamesport Fire Department - for parade on June 7, 1980.
Filed.Polish Town Civic Association - for assembly on August
16 & 17, 1980. Filed.Special Permit - Steve & Josephine Mitaccione (extend
existing non-conforming use, Sound Avenue & Route 25, Wading
River). Filed.Wading River PTA - Parade permit application
for May 24, 1980. FiledSupervisor Janoski: "The time for the first public
hearing is set at 8:00 p.m. So I believe we should move on
to communications."COMMUNICATIONSRelated Management Corp. - invitation of dedication
of Apartments. Filed.Brookhaven Town - notice of public hearing re:
amendments to code. Filed.

COMMUNICATIONS

NYS Division of Equalization & Assessment -
notice of prehearing conference. Filed.

Riverhead Fire District, 4/18/80 - resolution re:
East End Solid Waste Resource Recovery Feasibility Study. Filed.

Riverhead Country Fair, 4/18/80 - request permission
to use Parking Lot. Filed.

Planning Board, 4/18/80 - copy of letter re:
Park Sound Estates, Bond. Filed.

Joan & Herman DeWall, 4/8/80 - requesting fencing
around Jamesport School. Filed.

Riverhead Fire Department, 4/16/80 - reporting
appointment of officers. Filed.

Robert Tooker, 4/15/80 - covenants of premises
on Riverside Drive. Filed.

Jas. Fallon, 4/15/80 - re: wording of special permit
for Neilans & Staker. Filed.

Wading River Civic Association, 4/18/80 - requesting
information about extra Police protection. Filed.

H2M Corp., 4/18/80 - Re: Construction of drainage
at Manor Lane North. Filed.

H2M Corp., 4/22/80 - Re: Peconic River Marina &
Park Contracts. Filed.

H2M Corp., 4/25/80 - Re: Renovation of drainage
at Tide Woods. Filed.

H2M Corp., 4/15/80 - Re: Doctor's Path extension. Filed.

H2M Corp., 4/14/80 - Re: Construction of drainage at
Manor Lane South. Filed.

COMMUNICATOINS - continued

H2M Corp., 4/14/80 - certifying work done to date,
Manor Lane North. Filed.

US Dept. of Agriculture, 4/24/80 - reply re: FHA
Mortgage Loans. Filed.

H2M Corp., 4/16/80 - payment request re: East
End Solid Waste Resource Recovery Feasibility Study. Filed.

Supervisor Janoski: "I would like at this time to
open the meeting to anyone who wishes to address the Board
on any matter? Yes Sir. Please state your name and address."

Dick Benedict, Fanning Blvd., Riverhead; "I would
like to ask a question as to why I had to buy a paper published
in Southold to find out about a public hearing in Riverhead?
Most of my neighbors don't read the Mattituck Watchman, they
read the News-Review. The public hearing was not in there and
if I wasn't a regular attendee of the Town Board Meetings,
about seven of my neighbors wouldn't have found out about a
public hearing tonight which effects property in our backyard."

Supervisor Janoski: "I can best answer that by
saying we are trying, had been trying to keep an even balance
between the two papers that serve the Town of Riverhead, the
News-Review and the Traveler Watchman. Of late, most of the
public notices were in the News-Review and I believe it's the
first time in quite some time that any notice went into the
Traveler Watchman. But it is a question of finances and a
question of trying to be fair between the two papers."

Dick Benedict: "But what about the residents of the
Town. If we're strapped for money, maybe there's some other
place we can get what it takes to put the notices in the local
paper, or at least notices that affect Riverhead Town. Well
why should the residents of Riverhead have to go to Southold
to buy a paper. I'm not interested in the Mattituck Watchman."

Supervisor Janoski: "The Traveler Watchman is a paper,
Doc tells me, that the circulation is the same. Really my
information is the Traveler Watchman has a larger circulation in
the Town of Riverhead. I really don't know."

PERSONAL APPEARANCES - continued

Dick Benedict: "Well why can't we put it in both then, so that we don't overlook it?"

Supervisor Janoski: "The cost of that, of course, is very often borne by the person who puts in the public notice and, of course, it is borne by the Town. I have considered that as an idea of putting it in both, but cost being what they are, certainly the Board will discuss that possibility."

Dick Benedict: "I just think that the residents should be able to read the local paper and find out what's going on in the Town."

Supervisor Janoski: "I think that the publisher of the Traveler-Watchman would perhaps feel very offended that you don't think it's a local paper."

Dick Benedict: "Well does he pay Riverhead Town taxes?"

Supervisor Janoski: "Well they have an office in Riverhead, I don't believe directly."

Dick Benedict: "Well I think we can afford or cut out something else to give the taxpayers a break. Thank you."

Supervisor Janoski: "Okay, thank you. Anyone else? Yes sir."

Eric Berger, Associate Editor of the News-Review; "I would like to point out at this time, that though the Traveler-Watchman does cover Riverhead Town to some extent, the News-Review is strictly a Riverhead Newspaper. We cover the Town of Riverhead and that's essentially it. We do cover County News and area news which is a concern and affects Riverhead Town residents. But we are in no way a Southold Town paper or the Town paper of any other Town. We are the Riverhead Town Newspaper and nothing else. That's really all I wanted to say at this time."

Supervisor Janoski: "Anyone else wishing to be heard? Bill?"

PERSONAL APPEARANCES - continued

Bill Nohejl, Wading River; "I am coming to the Board to ask them to take a stand. The stand is Carey recently said that he would tax gasoline to pay for the New York subways, the MTA. I think that is unfair to people who do not use that system in New York. We have to put — in other words, if we wanted to travel every mile, it would cost us a penny a mile to subsidize New York City, the subways and the busses. Those people in New York do not care about us, how we have to travel. And I think before it gets to Carey proposing this and tries to carry it out, I think that the Towns and all of New York State otherwise New York City should take a stand opposing it because I don't think it's fair and I'm asking the Town to consider this and to speak to other townships and take it into consideration."

Supervisor Janoski: "It sounds like a good idea Bill. I think what you're asking for is a sense of the Board resolution protesting the action and perhaps joining in with the other Towns in passing some more resolutions. We certainly will pursue that."

Bill Nohejl: "Thank you."

Supervisor Janoski: "Thank you Bill. Yes Sir?"

John Ottaviano, Wading River; "You had a communication from H2M Corp in regards to Tidewoods. Could you tell me what that's about?"

Supervisor Janoski: "The communication that I read was one addressed to the construction company who escapes me at the moment questioning when in fact they were going to get to work. Basically that was the sense of the letter."

John Ottaviano: "Do you know when they're going to to get back to work?"

Supervisor Janoski: "Well the last time, in fact, I told you when I spoke to you on the phone, when I called H2M, they told me that it would be about a week before they started that there was an inspection was it two weeks ago you were . . ."

John Ottaviano: "About three weeks ago."

PERSONAL APPEARANCES -continued

Supervisor Janoski: "Three weeks ago, it was on a Friday that as a matter of fact, the highway superintendent went up with the engineers from H2M, made an inspection and at that time, I was informed that it would be a week or so and the construction corp would come in and that is Gifford Construction Company."

John Ottaviano: "Have you heard anything since, though?"

Supervisor Janoski: "No and I suppose . . ."

John Ottaviano: "Is there anything that we should do?"

Supervisor Janoski: "That they have not gotten back to work yet."

John Ottaviano: "Is there anyway to prod these people."

Supervisor Janoski: "We are trying, yes Doc."

Councilman Menendez; "John I tried to call H2M this afternoon about that letter. They start off the letter by saying, spring is here, and why aren't you working. They are onto this Gifford Construction Company and I tried to call the fellow from H2M to see if they had any reply to their letter yet. And if they have, I fully expect to find out when they're going to start and what they're going to do and I'd like to go up there with them to see what they're going to do. And then I'll get in touch with Alex Horton's lawyer and so apprise him of what their plans are."

Councilman Prusinowski: "Doc, one other thing the work was supposed to be completed by April 15th according to Don, who is one of the engineers at H2M. There is a clause in there that they can put pressure on the company so they can get back to work because there is a penalty clauses, especially they have written several letters stating that during this winter, was not that severe of a winter, they could have started work before this. I know it started raining recently, there are claused in that contract, supposedly they can put the pressure on them."

PERSONAL APPEARANCES - continued

Supervisor Janoski: "Frank is there anything you can add to this conversation?"

Frank Lescenski, Highway Superintendent; "I know that H2M is putting the pressure on Gifford and they hopefully expect them to start anytime — they said last week but. . ."

Supervisor Janoski: "Well that's what I had been informed of and that's what I reported to you and then we got this letter and they just keep on promising I guess, but they never show up."

John Ottaviano: "Okay, thank you very much."

Supervisor Janoski: "Thank you. Yes ma'am."

Sharon Wendelken, Linda Lane West, Riverhead; "I also have a question on a H2M Communication for Peconic River Marina and Park Contracts. I'd like to know what's happening over there."

Supervisor Janoski: "The work, as you know, has been progressing rather slowly. They too, are in violation of their date of completion and also we are considering punitive action. However, they are near to completion and it looks like and perhaps Rick Hanley can help me with this that the electrical work, and so forth is starting to take place. But we're well aware that they were supposed to be done August of last year. But the Town Board is considering punitive action that's written into their contract that we can take those steps."

Sharon Wendelken: "Okay, thank you."

Supervisor Janoski: "Anyone else wishing to be heard?"

No one else wished to be heard at this time.

RESOLUTIONS#210 APPOINTS KAREN TRUBISZ LEGAL STENOGRAPHER IN THE
TOWN ATTORNEY'S OFFICE

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

WHEREAS, this Town Board wishes to fill the position of Legal Stenographer in the Town Attorney's Office, and

WHEREAS, this Town Board has posted this vacancy with the CSEA Union and advertised for the position in accordance with its Affirmative Action Program, and

WHEREAS, this Town Board has submitted to the Suffolk County Department of Civil Service the application of Karen Trubisz for the said position, and has been advised verbally that said application has been approved,

NOW, THEREFORE, be it

RESOLVED, that Karen Trubisz be and is hereby appointed to the position of Legal Stenographer Group 5, Step 1 at an annual salary of \$8,107.17 on a provisional basis, effective May 12, 1980.

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

The resolution was thereupon declared duly adopted.

#211 RE-BID FOR POLICE BOAT

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

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on one (1) 1980, 16' aluminum boat, one (1) 35 h.p. motor, one (1) 1980, 16' boat trailer and accessories for the use of the Police Department and be it

RESOLVED, that the Town Clerk of the Town of Riverhead be and hereby is designated to open publicly and read aloud on Monday, May 12, 1980, 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 ALUMINUM BOAT, MOTOR, TRAILER AND ACCESSORIES".

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

The resolution was thereupon declared duly adopted.

#212 AUTHORIZES PUBLICATION OF COMMUNITY SERVICE AD RE:
POOL, DECK AND SHED PERMITS

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

WHEREAS, this Town Board recognizes the need for educating the public about permit requirements for pools, decks and sheds, and

WHEREAS, this Town Board believes it has a moral obligation to attempt to inform the public about the herein

RESOLUTIONS - continued

above described permit requirements, and

WHEREAS, this Town Board will aid the public by informing them of the law's requirements,

NOW, THEREFORE, be it

RESOLVED, that this Town Board authorizes the publication of an advertisement in the Town Papers for permits as a community service, and

BE IT FURTHER RESOLVED, that the Town Board will request the contractors, suppliers, and/or dealers of such products to display prominently such ads in their stores.

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

The resolution was thereupon declared duly adopted.

#213 AUTHORIZES PUBLICATION OF RE-BID FOR AUDIO/VIDEO EQUIPMENT

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

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on Video Tape Equipment for the Recreation Department, 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 Monday, May 12, 1980 at 11:15 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "BID ON VIDEO TAPE EQUIPMENT".

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

The resolution was thereupon declared duly adopted.

#214 AMENDS SPECIAL PERMIT OF NEILANS & STAKER

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

WHEREAS, the Town Board of Riverhead granted a special permit to Neilans & Staker in resolution #97 on February 5, 1980, and

WHEREAS, the Special Permit as printed in error contained the words "professional office for medical doctors",

NOW, THEREFORE, be it

RESOLVED, that the resoluion #97 should read professional offices and the words "for medical doctors" should be deleted.

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

The resolution was thereupon declared duly adopted.

Supervisor Janoski recessed the meeting for five minutes after which the meeting resumed and the 8:00 p.m. public hearing was called.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice that a Public Hearing will be held on Tuesday, April 29, 1980 at 8:00 P.M. at Town Hall to hear all interested persons regarding proposals concerning the Community Development Program.

The affidavits were ordered to be placed on file.

Supervisor Janoski: "Rick Hanley, would you please on behalf of Community Development, make your presentation?"

Richard Hanley: "Members of the Board, ladies and gentlemen, on May 15th, the Town of Riverhead Community Development Office will make an application for Community Development funding to the U.S. Department of Housing and Urban Development (HUD). This application is relevant to the final year of a three year Comprehensive Community Development grant which was approved by HUD for the Town of Riverhead in fiscal year 1978. The activities which constitute this three year Community Development program were subject to public hearings in the initial program, 1979. A description of the activities to be undertaken in each year is provided up front this evening.

There are certain facts which the U.S. government requires me to present at hearings such as this one, so I will now read this information into the record.

Total amount of Community Development funds available to the Town of Riverhead for this application is \$450,000.00. The range of activities that may be undertaken with these funds include:

Acquisition of property which is
blighted
appropriate for rehabilitation
appropriate for preservation of historic sites or
to be used for provision of public works or other public
purposes.

Disposition of property.

Public Facilities and Improvements including:
senior centers
parks, playgrounds
centers for the handicapped
neighborhood facilities

PUBLIC HEARING - continued

Richard Hanley continues:

solid waste disposal facilities
fire protection facilities and equipment
parking facilities
public utilities
street improvements
water and sewer facilities
foundations and platforms for air rights sites
pedestrian malls and walkways and
flood and drainage facilities.

Also included:

Clearance activities
Public services
Interim assistance
Payment of the non-federal share required in grants
Urban renewal completion
Relocation
Loss of rental income
Removal of architectural barriers
Certain actions dealing with privately owned utilities

Activities previously funded in the Town of Riverhead
by the Community Development Program include:

Land Acquisition
Commercial and residential loan and grant program
Extension of Riverhead Water District
Capital improvements to town parks
Relocation
Demolition and Acquisition
Single family home acquisition, rehabilitation and
disposition
Rehabilitation of Town property

The process to be followed by the Town of Riverhead
Community Development Office in application development includes,
generally, the following activities:

The formulation of a three-year Community Development
Plan, including the identification of Community Develop-
ment and Housing needs, with the setting of priorities.

The formulation of a Housing Assistance Plan, including
an Annual Housing Action Program.

The formulation of an annual Community Development
Program.

The making of certain assurances to HUD.

PUBLIC HEARING - continued

Richard Hanley continues:

The role of citizens in program planning, implementation and assessment is best described by the Citizen Participation Plan submitted to HUD by the Town of Riverhead. This plan is available for inspection at the:

Town of Riverhead
Community Development Office
200 Howell Avenue
Riverhead, New York 11901

Summary of Important Program Requirements. I will read them quickly.

Contracting Procedures.

All contracts above \$2,000.00 involving Community Development funds must be awarded through the bid process as stated by New York State Town Law. All laborers employed by contractors on construction work assisted by these funds are to be covered by the provisions of the Davis-Bacon Act.

Environmental Policies.

In order to assure that the policies of the National Environmental Policy Act of 1969 are implemented in connection with Community Development funding, Environmental Review Records must be completed for each Community Development project.

Equal Opportunity Requirements.

Section 109 of the Housing and Community Development Act of 1974 requires that no person in the U.S. shall on the ground of race, color, national origin or sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with Community Development funds. Specific discriminatory actions prohibited, together with relevant corrective actions, can be reviewed by citizens at the Community Development Office.

Relocation.

Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 applied to all displacement of persons, businesses, nonprofit organizations and farms occurring as a result of the acquisition of real property for an activity assisted by Community Development funds. The Uniform Relocation Act provides certain benefits to individuals or groups affected by Community Development Program activities requiring relocation.

PUBLIC HEARING - continued

Richard Hanley continues:

A-95 Review Requirements.

Applicants for Community Development funding must comply with the procedures set forth in Part I of OMP Circular No. A-95. This circular requires that applications for federal funding must be filed with designated area clearinghouses, namely the Long Island Regional Planning Board and the New York State Planning and Development Clearinghouse. The purpose of this action is to ensure the consistency of the Community Development project with State, areawide and local plans, along with applicable environmental and civil rights regulation.

And that is the list of eligible activities and necessary information.

In addition to copies of this third year application up front, you will also find a brief performance report describing community activities to date.

At this time the Riverhead Town Board and Community Development Office invite both your comments and questions relative to these materials. Thank you."

Supervisor Janoski: "Thank you Rick. Allen?"

Allen Smith, Jacobs Place, Aquebogue; "I noted and appear this evening because of what I noted that no one spoke at your prior hearing. And although it is not my purpose to interpose myself into this administration, I do believe that it is necessary that the record reflect some of the things that have been said in the past and should be kept in line as we develop this program in the future.

We cannot view the third year of the Community Development plan in the Town of Riverhead without taking note of the context in which it will occur. As you are well aware, federal revenue sharing, countercyclical monies will be removed by the federal government. This will have a serious impact upon the Town Budget beginning October of this particular year. You're faced with the government's budget cutbacks in some of your state aid and, of course, we have the continuing problem in the Town of Riverhead our somewhat static tax base. As a consequence, if we are interested at all in Community Development in the Town of Riverhead as it has occurred since 1978 till date, you must address this particular program because the realities of life's physical constraints, etc., mean that it will be this program or no program.

I'm somewhat saddened that no one spoke at the prior meeting. There is nothing in the record that indicates that this community still has the ability to say the word black.

PUBLIC HEARING - continued

Allen Smith continues:

There is nothing in this record that seems to indicate that this community is willing to admit that we have poor, or that we have housing conditions that need attention, or that we have problems involving our senior citizen population. It is probably because we have had a certain degree of success. We don't have our friends when we first had these hearing who lived on Prospect Place, who happen to be white and who happen to live in middle class nice housing with 821 next door. We fixed 821 and now they don't show up. We had a mild winter and as a consequence, the people on Horton Avenue didn't get flooded out.

The Year III cannot be gauged in any context other than the context of the two years that have gone before it, when, in fact, there was flooding. When, in fact, black people did show up at this microphone. Those things have not gone away, they still exist. The program in Year III you must finish the fresh water supply for the area of Horton Avenue. Our papers are rampant with word of polluting water supplies throughout the north fork. You must complete that. You must continue to serve the predominantly black area of Belltown. You must recognize that there is substandard housing. If you can't find it, I suggest to you, those members that were on the Board with me, that you just go right back to some of the places that we looked at together, they haven't gone away, they're still there. They are poor people and they are black, and they need help.

We have a housing shortage not only in our Town but in our County and as part of this program is your housing assistance plan, your senior citizen project on Middle Road must go through for the community to survive hard times which are upon us as a region you have to use the money that is available for the downtown area or the industrial and commercial development. Again, I'm white, I'm fairly affluent, I live on the Bay. I don't need recreation services. But you need neighborhood parks in the Greens, you do need expansions of services for people at Stotsky Park for people who are not as fortunate as I.

Lastly and possibly most important, you need Bob Scheiner and the staff such as Richard Hanley. I think that possibly the temptation would be if there isn't someone like me holding a mirror up to the conscience of the Board with reference to housing and black people and the like, to say ah the hell with the federal money. Yes, sure, recognize if you do, that you abolish in my judgment possibly the most effective office that we have in this Town Hall at the moment, that you loose Bos Scheiner, Richard Hanley and the other people that have come on board at that particular or these particular years.

I hope that this is sufficient to flush out the record that I think that you must have to successfully get your application through. The one thing that it does not do for you, of course, is make the program work. That's up to you. As always, I'm available to help you, consistent with my new

PUBLIC HEARING - continued
Allen Smith continues:
responsibilities. I thank you."

Supervisor Janoski; "Thank you Allen."

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

PUBLIC HEARING - 8:15 P.M.

The Town Clerk submitted affidavits of publishing and posting of a Public Notice for a Public Hearing to be held on Tuesday, April 29, 1980 at 8:15 P.M. at Town Hall to hear all interested persons regarding the special permit application of Robert C. Young to increase labor camp facilities located at 57 Sound Avenue, Riverhead, New York. The affidavits were ordered to be placed on file.

COMMUNICATIONS

Riverhead Planning Board, 4/11/80 - Memo requesting Town Board to give consideration to the questions of permits to labor camps in general. Filed.

Environmental Review Board, 3/21/80 - recommendation that application is an unlisted action which will not have a significant impact on the environment. Filed.

Riverhead Planning Board, 4/08/80 - recommendation that application for special permit be granted with 4 conditions:

1. occupancy be limited to no more than 6 persons
2. Permit be for a limited time not to exceed 3 years
3. Any extension of permit be conditioned on past performance
4. Permit shall expire upon transfer of ownership of land.

Supervisor Janoski: "Is there anyone present wishing to address themselves to this question?"

No one wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:17 P.M.

Supervisor Janoski re-opened the 8:00 p.m. public hearing on community development funding.

Supervisor Janoski: "Anyone wishing to speak? Please step forward, state your name and address?"

Sherwood Johnson, 378 Northville Turnpike, Riverhead; "I come heretoday as the chairman of the Board of Directors of the Riverhead Local Action Center. I didn't know the former Supervisor would be here speaking for the application and I thank him for his comments.

The Community Development Block Grant Program has as its primary objective the development of the community by providing decent housing and expanding economic opportunities for low-moderate families through the elimination of slums and blight, and increasing the supply of low and moderate income housing.

Secondary activities pursued in the achievement of this objective, are the conservation of existing housing, improvement of public services, improvement in the use of land, and preservation of property with special values.

My concern with the proposed Community Development application is centered around the Town's seemingly total disregard for the primary objective, and its emphasis on some of the secondary, if not tertiary, or non-existent objectives of the program.

The Town has designated four Neighborhood Strategy Areas; specifically, Doctor's Path, Horton Avenue, The Greens, and what is known as Belltown. In reviewing the proposal activities for Year III, I find \$140,000 designated to the rehabilitation of Stotsky's Park, \$100,000 to Industrial Site Land Acquisitions, \$50,000 to Commerical Property Acquisition for parking downtown which I have been informed by my counsel is uneligible activities, and \$15,000 for the Peconic Avenue Riverfront; a total of \$305,000, none of which will be utilized in the designated Neighborhood Strategy Areas. Three hundred and five thousand dollars to rehabilitate parks, parking lots, and develop commercial property, which a mere \$40,000 goes to the rehabilitation of homes for low and moderate income families. This type of inequality in the spending of federal funds is inexcusable, and irresponsible.

I come here tonight to offer some strategies for the town to seriously consider in its revision for this application.

Number One. Place more funds into the rehabilitation of low and moderate income homes, actively recruit families eligible for grants, as well as, the low interest loans.

Number Two. Provide funds for a Community Center in one of the Neighborhood Strategy Areas. Specifically, there is a facility at the tri-corner of Doctor's Path, Middle Road, and Route 58, which could be rehabilitated into a center and services the Neighborhood Strategy Areas of Doctor's Path and the Greens.

PUBLIC HEARING - continued

Sherwood Johnson continues:

Number Three. Funds could be utilized to provide a walkway over Route 58 for the walkers, those people who don't have cars, in the Greens, and those people who live South of Route 58 to safely enter a Community Center on the north side of Route 58.

Number Four. Provide funds for a job contingency program in conjunction with the rehabilitation of homes. I understand this idea was scraped because it couldn't be worked out with the Department of Labor.

Number Five. Provide funds for pocket parks in the Neighborhood Strategy Areas as indicated in the Town's previous applications and narratives.

Number Six. Provide funds for public busing from Neighborhood Strategy Areas to shopping areas. This more than the expansion of parking lot, will develop business, while serving the low-income families without means of transportation.

I voice no objections to the Town's proposed Wading River Community/Senior Citizen's Center, but it seems strange that you justify placing a Center in Wading River because you have one in Jamesport, while Central Riverhead and the Neighborhood Strategy Areas go lacking such facilities.

I also do not object to some rehabilitation to and acquisition for Stotsky's Park, but not at the proposed amount of \$140,000.

In summation, I urgently suggest that the Town revise its proposed application and submit a plan that is more equitable in its dispersement of funds so that more money will directly benefit the low and moderate income family residents and the neighborhoods in which they live.

I thank you."

Supervisor Janoski: "Thank you Mr. Johnson. Is there anyone else? Yes Sir."

Charles Randall, Southampton President of Eastern Long Island NAACP; "I'd like to simply state that the Eastern Long Island Branch of the NAACP has been reviewing the Riverhead Town Community Development Program as well as other Town Community Development Programs. We will be in time, issuing a report of our findings of the Riverhead Town's Community Development Programs of the various Year I, II, and III 1978. I'm here tonight primarily to go on record in asking a question which we observed in the grant proposals where it indicated in the Town of Riverhead there is no fair housing law or bill. Yet in your Community Development program, you have a housing assistance plan. We would like to know or we certainly would

PUBLIC HEARING - continuedCharles Randall continues:

like to go on record to ask is there going to be the development or resolution pertaining to a fair housing bill in the Town of Riverhead and at what point or when will such action be taken? It seems inconsistent to us that you can have a hap-plan and yet no legal binding resolution pertaining to discrimination in housing or the denial or exclusion of the poor, elderly and racial groups.

My second question here tonight . . ."

Supervisor Janoski: "Do you want an answer to the first question?"

Charles Randall: "Oh yes."

Supervisor Janoski: "Charlie, first of all let me point out that public hearing is not for the purpose of answering questions. We are here to get your input so that we can make decisions from that. I would say that certainly there exists federal and state regulations with regard to fair housing practices but certain in conjunction with community development, the Town Board would on your request take a look and see. Now you're talking about a resolution or an ordinance on the part of the Town?"

Charles Randall: "For the Town of Riverhead."

Supervisor Janoski: "Certainly I have no objection. I'm sure the other members of the Board have no objection to looking into such a possibility."

Councilman Prusinowski: "Excuse me, a point of information, are there any other Towns on eastern Long Island that has an ordinance like that?"

Charles Randall: "Town of Southampton, I do believe has it, but I'm not absolutely sure on that. There are a lot of Towns on Long Island that do have them though."

Councilman Prusinowski: "In Suffolk County?"

Charles Randall: "No Suffolk County. But we're

PUBLIC HEARING - continuedCharles Randall continues:

talking in terms of eastern Long Island NAACP, in terms of NAACP we're concerned that this development takes place regardless of what County or Town this is in. Particularly where it pertains to housing assistance plans.

The other point that I wanted to, it's not a question, I would simply make a statement that would go on record, that if there is an amendment for one hundred fifteen houses or a unit of houses for the elderly which is certainly looked upon by the NAACP as a very positive action on the part of the Town Community Development Program or the housing assistance plan, that in this effort that the small and large family unit develops, not be restricted or limited simply because of the increase of housing units for the elderly. That proportionately we would like to see the small and large family units developed along with your plans at the same proportion of your elderly. Thank you."

Supervisor Janoski: "Thank you Charlie. Is there anyone else present wishing to address themselves to this issue? Please state your name and give your address."

Frank Hatcher, 370 Northville Turnpike; "I'm here tonight to find out what's going to happen to Horton Avenue? I own property up there. I've been flooded out twice and it rained a couple days and the water came down pretty heavy and I don't see nothing being done. You're putting some water pipes in their regular water but what will happen to the water that will run off. This water doesn't come out of the ground, it runs off from all farms around and came down that area and I've been suffering with the problem for two years. I lost about \$28,000 of rent. So I want to know what you're going to do about it because it's your responsibility. The run off water didn't come out of the ground."

Supervisor Janoski: "As you may be aware, the Town had a program of relocation which it had applied for funds for. As a matter of fact, it was turned down and we re-applied. That again was turned down. Now in talking with Bob Scheiner the director of Community Development, we find that we do have a certain amount of money with which we can acquire some land in the Horton Avenue area up on the high ground of a possible relocation of some of the existing homes that is what we are exploring now."

Frank Hatcher: "I thank you."

PUBLIC HEARING - continued

Supervisor Janoski: "And that has been — we do already own some land up there and looking at what finance we have available now, we are looking into the possibility of relocating some of the areas that are hardest hit."

Frank Hatcher: "Well I seem to be in the area that's hardest hit and I hope you do something before another winter comes."

Supervisor Janoski: "Okay, thank you. Yes Sir."

Stanley Hagler, 63 Topping Drive, Riverhead; "I just wanted to say this program is of vital importance to the Town of Riverhead and I would suggest it continue basically as it was outlined with the following exception. I know that the commercial loan program is not listed down in each year and I suggest that it should be.

Also on page five of the handout that was given out last week, I suggest that the monies that are set aside for or budget for the acquisition of additional parking space be changed over so that it would read the same as item seven on page three. We've got to improve the parking that we have, resurface what we have. Let's spend the money that way before we lose money to acquire additional parking and not be able to maintain it. Thank you."

Supervisor Janoski recessed the hearing to hold the 8:30 P.M. public hearing.

PUBLIC HEARING - 8:30 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a Public Hearing to be held at 8:30 P.M. on Tuesday, April 29, 1980 at Town Hall to hear all interested persons regarding the special permit application of River Center Associates to construct and operate a family gameroom and recreational center, located at premises on North Side of Route 58, west of proposed pro-putt golf.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Residents of Fanning Boulevard, (14), 3/27/80 - Requesting meeting with Town Board and Mr. Lescenski regarding proposed landfill and drainage problems of the area. Filed.

PUBLIC HEARING - continued

COMMUNICATIONS - continued

Suffolk County Department of Planning, 3/11/80 -

Advising that concerns regarding application as set forth in communication of 3/10/80 pertain primarily to site plan which is not within the jurisdiction of the Planning Commission. Filed.

Riverhead Planning Board., 4/08/80 - recommending that application to construct and operate a family gameroom be disapproved. Filed.

Supervisor Janoski: "Anyone present wishing to address this application?"

Denis Hurley, Attorney representing the applicant, River Center Associates; "Mr. Stan Cohen is here who is one of the principals of River Center Associates and also Mr. Gary Rohm. Mr. Gary Rohm, of course, would be the individual if this special permit is granted who would in fact operate the family recreational facility. Now what we're here for today is essentially three-fold. The key to it is the application to the Town Board for a special permit to permit this particular use. Corollary to that, there's two other parts to that.

I's just like to mention briefly, one would be, of course, the site plan review and then the second item is we are asking for a variance. Now the variance is of a relatively small amount. But as you know in Business B, as this is located, the code provides that the maximum that the building, the maximum square footage of the building is 15% of the total square footage of the entire plot.

Now in this case, the suggestion is that the building to be constructed which would be 150 feet by 75 feet would, in fact, constitute 16.5%. So we're asking for a variance from the Town Board for the differential of one and a half per cent and I'll just mention that and I know you know this, but just so it's clear on the record that while normally a variance would have to be obtained from the Zoning Board of Appeals since this property is in Business B, there is a special provision which is a footnote to the use schedule that provides that a variance can be granted by the Town Board. So that's basically why we're here today.

Now I'd like to very briefly indicate again for the record, the type of operation and I know the Town Board is very familiar with this, but I would like to again, it's a public meeting and I'd like everyone to be aware basically what the proposal is. The building which would be located on the north side of Route 58 on a parcel that is approximately 250 feet frontage, 251 feet on front and the side lines run back one is 331 and the other is 352, that's the parcel of property. The building that we're

PUBLIC HEARING - continuedDenis Hurley continues:

proposing to locate on that piece of property would be as I mentioned before, it would be 75 feet by 150 feet and that's a total square footage of 11,250 square feet.

Now if that, that's just to get the background what we're asking for is permission to put a recreational facility in a portion of what would be this neighborhood shopping center would be geared towards the idea of a family type of activity. It would be immediately adjacent to the pro-putt where the final approval were obtained in the late fall of 1979. It's envisioned that there would be, for instance, an ice cream parlor up there. There would be a pizza parlor, that type of thing. But we're asking for a special permit for one building, for one use it would be housed in a building which would be 25 feet by 75. So that would constitute 162/3% of the entire building of the 75 by 150 foot building. But I think again you've seen and it was submitted with the plan, the type of operation they're envisioning here. Number one, it has kiddie rides, it has cartoons. It does not have shuffle board. It does not have a pool table. Again, it's geared to the type of operation — it's geared to the family trade to an inter-generational type of activity. That's what we're trying to do.

Now, as far as the zone is concerned as I mentioned before, it is in Business B. I think it's an appropriate zone as the Board well knows in that zone and legitimately so among the permitted uses would be, for instance, a used car lot. So I think it's a good location. I think this will be an attractive facility. I think the applicants have tried to answer and work with the different boards we met with including the Joint Board, the Planning Board, the Riverhead Environmental Quality Review and I think we have worked well together.

Now I know the Town Board has some familiarity with this. As a matter of fact, they have a great deal of familiarity. I know that many of you, in fact, all of you, have been to the site. You've probably been there more than one time. You all know the site well. You were there last Wednesday on the 23rd. You went down to the Country Fair on the 25th on Friday to look at a similar type of operation, I would just mention again and as the Board knows, but so it's clear on the record, the type of operation that is envisioned here would be considerably small, obviously, 25 by 75 rather than the Country Fair type of operation. But again, I think it's a good operation. I think it's good the Town Board went there, but there is a far smaller type of operation that is envisioned.

Now as far as the Planning Board, of course, by decision dated April 8th, indicated their review of the situation and the clerk has indicated based on certain factors that in their judgment it should be denied. So I would like to address that I think with this in mind, I think the Board had some very good points that were brought out. They were concerned about a number of things. But as we have indicated, for instance, the size of the building for a number of reasons and I won't burden

PUBLIC HEARING - continuedDenis Hurley continues:

the record with it, but as you know when they were talking about pro-putt certain properties were left vacant for a period of time and so forth. I think that the 1.5 variation would not cause any problems, the amount of parking here is more than sufficient, it's 90 stalls where the ordinance requires 75, so I respectfully submit that you grant the variance. But my point is this, we want to work with the Board. If the Board says they agree with the Planning Board and said no we don't think it's the right size, why should you get a variance, cut it down.

Now with respect to the curb cuts, which is another point, the Planning Board raised and it was their view that the better way to do this rather than have an entrance and an exit, servicing just this parcel of property which has as I say approximately 251 running feet on Route 58, their thought was that the planned driveway servicing the pro-putt facility which would be located on the westerly side of that adjacent parcel that that serve as a common driveway in part to service both. Now for a number of reasons, we don't think that's the best way to do it because of problems with easements, maintenance agreements, the applicants when they originally developed pro-putt there was some preliminary discussion of the adjoining parcel and the thought was it should have the curb cuts as indicated in the plan. But again, the point is, we want to work with the Town Board. If the Town Board feels, no we want to have one driveway, that's no problem, all of that can be worked out. So what I'm saying with the Planning Board's recommendation, they've raised a few points. We can adjust that. We can work it our. It's not a problem.

Now again, why should you grant this. I respectfully submit this that basically you know this argument alot better than I do because you live with it and you have to pay the Towns bills. But we have the situation with the diminishing tax base within this Town. We have a situation where the savior is supposed to LILCO. And as you well know, that's ten years down the pipe if it ever comes about. We know that the farmers are having tremendous problems. We know the cost of production that they're experiencing. We know the amount of exempt land in this Town which is staggering land where there is no taxes paid. Now what I'm respectfully submitting to this Board is here's a situation that this neighborhood shopping center when it's established will have a value, given the land and improvements upon the land will have a value in the neighborhood of a half million dollars. So what I'm suggesting is these are reputable business people. I think they can do a good job, they will help with the tax base and so I respectfully submit for all the reasons that the Board is aware of the ones that are stated tonight, the ones that have been stated at other sessions with the Planning Board and so forth which are a part of the record that the Board grant the requested relief.

Now I'm here to answer any question and, for course,

PUBLIC HEARING - continuedDenis Hurley continues:

Mr. Rohm is here and also Mr. Cohen, if any further information is required, here we are."

Supervisor Janoski: "Is there anyone wishing to address themselves to this question? Yes Sir."

Dick Benedict, Fanning Blvd., Riverhead; "As you know, you've been down there. I have property adjoining the River Center Associates and I have several questions and the main question is on the drainage problem, has anybody come across or discussed the easement any further? But our main concern is drainage, that's the primary problem in the area. It's a flood area. We talked about an easement of the pipe on Middle Road with Mr. Lescenski and several of the Councilmen."

Councilman Prusinowski: "Mr. Benedict. . ."

Supervisor Janoski: "Wait a minute Vic. Again, I have to state that a public hearing is for the purpose of giving your feelings and your thoughts. It is not the forum to ask questions, to receive answers. However, I will say that we have been looking into the question of drainage. The Town Board has, in fact, visited the site. We have looked at the proposal of Mr. Cohen, the layouts, the blueprints, and we will continue to address the question of drainage. Now did you want to add something to that Vic?"

Councilman Prusinowski: "Well we have to work it out. As we mentioned on that map, which your concern was that one drainage pipe that runs along Middle Road and empties into the County sump, is that correct?"

Dick Benedict: "That was one concern, yes. Plus the running of the other pipe to a southerly point of a wooded swamp and talking to the County about digging out the exit."

Councilman Prusinowski: "Right and Mr. Cohen said he'd be willing to work out with the Town Board an easement along Middle Road where we could have the drainage pipe in place to relieve the flooding and we talked to Frank about that same possibility and I think as we indicated to you there, and we had the majority of the Board there is that we are willing to go along with that. And Frank was going to talk with Ruddy

PUBLIC HEARING - continued

Dick Benedict continues:

Kammerer at a meeting and try to bring up the possibility of cleaning out the sump and Mr. Cohalan will be here Monday night and I saw Pete at a Chamber of Commerce dinner dance last Wednesday and I mentioned the sump just to mention it to Mr. Kammerer that he was supposed to — Mr. Kassero was supposed to know all about the problem and on Monday night we will bring it up to the County Representatives will be here and we'll address the problem correctly. Now I can't speak for Frank, because I haven't talked to him about this, but they had a meeting at Brasby's and they were supposed to discuss that. But as far as that one concern you had with the pipe along Middle Road, I believe Mr. Cohen said he'd be willing to work out an easement with us."

Dick Benedict: "Well I believe we went through the same subject with pro-putt and something got lost in the translation and we thought that pipe was going to be turned over to the town, but when the proposal was written, it wasn't. So I would like to ask that there be a contingency clause put in there, if possible before this is granted that it be granted by an easement of that pipe to the Town of Riverhead and Mr. Lescenski to put in some drainage at the end of Fanning Blvd. and Middle Road."

Councilman Prusinowski: "Okay, you would like that to be added to . . ."

Dick Benedict: "As a contingency and also the other pipe moved to the most southerly point like it states on the marked up drawing from Allen Smith to Mr. Cohen, because when we granted pro-putt, we told residents of the Town, we were not anticipating 11,200 feet square building with a ninety stall parking lot full of blacktop in pro-putt. The water would have drained down into the ground and we don't want that water running down there because we have enough floods in that area and it's only been the last few years, but we've had our share of them. And the County doesn't seem to want to get involved. I did get a letter from the County that said if the landfill was higher than Middle Road, it would be the responsibility of the landowner to see that that doesn't run out onto Middle Road and I believe that the Town Board probably has a copy of that also."

Councilman Regula: "Yes, but Dick, you know we've got to mention here that we went through two severe winters and all which we discussed when we were at the site and we had Mr. Cohen there and we just completed a job on Doctor's Path. It cost the

PUBLIC HEARING - continuedCouncilman Regula continues:

Town \$350,000. Now that's — our engineers felt that all this water was coming from all the way from Sound Avenue down to Doctor's Path across Northville Turnpike and down into your property. So that's one thing we've done. In addition to that, you told us the County has done some work right in the area. . ."

Dick Benedict: "Yes, reluctantly, part of it."

Councilman Regula; "And as Mr. Prusinowski just said, we're going to be working on the County as far as the sump goes."

Supervisor Janoski recessed this public hearing to hold the 8:45 P.M. public hearing..

PUBLIC HEARING - 8:45 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice for a Public Hearing to be held on Tuesday, April 29, 1980 at 8:45 P.M., at Town Hall to hear all interested persons regarding the special permit application of George McMillan to transform a garage into a one-family vacation retreat located at the corner of Third and West Streets, Jamesport, New York.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Riverhead Planning Board, 4/7/80 - recommending that special permit application of George McMillan be granted. Filed.

Environmental Review Board, 3/12/80 - recommending that application of George McMillan is an unlisted action which will not have a significant impact upon the environment. Filed.

Supervisor Janoski: "Is there anyone present wishing to address this application?"

No one wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:47 P.M.

Supervisor Janoski re-opened the public hearing regarding River Center Associates.

Dick Benedict: "The rest of the stores and things that are going in up there first of all I don't think Riverhead Town needs that type of industry for what few people probably a bunch of kids will it employ. I know the tax base is good, but that to me looks like strip zoning. I don't think we need a gaming room. I think money is tight. I don't think we need an ice cream parlor. I don't think we need another pizza parlor on Route 58. I think it's going to look like Centereach and Selden where some of these people operate out of already and it's not anything that we need in our neighborhood. I don't really feel the Town needs it. Now at Planning Board Meeting they were talking about security people for the gaming room. Now if that thing is starting out with an attitude of security, it's definitely not something that will enhance the beauty of Riverhead Town. In that vicinity any place within walking distance, an awful lot of kids, with the rides, cartoons, I'd like to ask Mr. Rohm if he would, what would be the operating hours?"

Supervisor Janoski: "I'm sorry Mr. Benedict, but I will not allow questions."

Dick Benedict: "Could we find out what the operating hours or something like that would be?"

Supervisor Janoski: "I can tell you as a matter of fact, perhaps my young colleague with the great memory would inform us."

Councilman Prusinowski: "Well Mr. Rohm is here and I don't think it's out of order that. . ."

Supervisor Janoski: "Vic, I've already ruled on that. I'm sorry, but I've already ruled that I won't permit questions back and forth into the audience."

Councilman Prusinowski: "Okay."

Supervisor Janoski: "If you'd like to tell us what the hours are, I'd certainly permit that."

PUBLIC HEARING - continued

Dick Benedict: "Has Mr. Palmer, Chief Palmer or anybody giving any input into this as to how there other operations are up west?"

Supervisor Janoski: "Not that I'm aware of."

Dick Benedict: "Has the Planning Board gone up and looked at the other operations."

Supervisor Janoski: "The Town Board has."

Dick Benedict: "The Town Board has looked at the gaming room on Route 112?"

Supervisor Janoski: "Yes. Some of the Planning Board, I'm informed has also."

Dick Benedict: "Well the residents don't feel it's good for the community and especially in that area. Thank you."

Councilman Prusinowski: "The hours that I was informed, correct me if I'm wrong, we did ask them this all the Town Board members during the weekdays, they probably open up around three o'clock in the afternoon and close at ten o'clock at night or eleven and on the weekends probably close around midnight? Is that correct. They will close at midnight."

Dick Benedict: "What kind of people leave their kiddies out till midnight, watching cartoons?"

Supervisor Janoski: "Thank you Mr. Benedict. I see a familiar hand. Mr. Nohejl?"

Bill Nohejl, Wading River; "I happened to be at this tri-board meeting that night. I don't recall it being ten o'clock, eleven o'clock at night. I thought it was twelve."

Supervisor Janoski: "The hours of operation during

PUBLIC HEARING - continuedSupervisor Janoski continues:

the week closing time would be eleven o'clock, that's my understanding. On the weekends twelve o'clock. That is what I am informed of by the potential operator of the facility."

Bill Nohejl: "At that time, I raised a question. I don't think a young child of school shouldn't be out any later than ten o'clock and I was given the response well that's the parents responsibility to see that they are home."

Supervisor Janoski: "Bill I would absolutely agree with you that a parent should exercise certain control over their children. I would also point out to you that last friday night two children of nine years old were arrested breaking into Kids Stuff on Main Street. Now what does one have to do with the other. I really don't want to enter into a debate with it. I believe that business cannot assume the burden that a parent must assume. I don't believe a business should assume a burden that the school must assume. And that's my personal opinion and it's something that I feel very deeply about which is why I express it."

Bill Nohejl: "I'd like to give you a little experience. I had the opportunity of going to Las Vegas many years ago. God, did I go to town and all of a sudden I found out I didn't have any money left. And I feel as though this is one opportunity for kids to really load those machines up, not that I'm saying there's going to be a payback. It's amusement. I've seen these pinball machines where guys, two or three fellows get together and they start betting between themselves. Who's going to get more. The higher score and I'm concerned about that."

Supervisor Janoski: "Bill, this is not the forum for a debate. I would like you to express your opinion. I have feelings about it too, and I think that some where along the line, we will probably agree. But is this particular gameroom inherently bad in itself? I don't believe so."

Bill Nohejl: "If it's with the mother and the father, I say good."

Supervisor Janoski: "Well let me continue Bill, because we experience peroblems in front of a shopping center

PUBLIC HEARING - continuedSupervisor Janoski continues:

which has a food store, now is a food store inherently bad in itself because that kind of activity is taking place in front of it. I again repeat, the problem is not with the business but with the parents who must assume control and with the school district that has to bear a certain responsibility."

Bill Nohejl: "Thank you."Supervisor Janoski: "Thank you Bill. Yes Sir."

Barry Seaman, Fanning Blvd; "I'd like to know, your statement that you use a little discipline and all that with just backing up the feeling that Dick has, that the situation shouldn't be there in the first place. These parents had practiced the proper discipline, that business wouldn't be open that late because there wouldn't be anyone there. So what's the sense of having it in the first place. I think they should deal with the drainage problem first before they permit any buildings, put up any buildings. That's how I feel. I cannot respond to fires being in the Fire Department because my driveway is eighteen inches deep with water. I can't get out to go to work or anything else. And I don't think — I think that this water problem should be taken care of before any buildings."

Supervisor Janoski: "Yes Sir."

Tom Murray, Middle Road; "I'd just like to make a statement that we have a bowling business in the same area. And you can't bring your car there without having your battery stolen. So what's the sense of bringing in any more of whatever you want to call it into the area. I mean when you go bowling you don't know whether your tires are going to be on the car or your battery is going to be in the car. And now we're going to bring more into that area and have more problems in the community. It just doesn't make sense. Thank you."

Supervisor Janoski: "Thank you sir. Yes ma'am."

Helen Kaluzinski, Fanning Blvd; "I've had a flooded basement already from this rain and we'd like to have drainage please. I've suffered already all these years. I have no

PUBLIC HEARING - continuedHelen Kaluzinski continues:

drainage water, no place to go. She came to my place, my basement already flooded and I can't afford to run this pump like last year, \$150 light bill a month. Thank you."

Supervisor Janoski: "Thank you ma'am. Is there anyone else present wishing to address themselves to this application?"

No one else wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:52 P.M.

Supervisor Janoski recessed the meeting after which the next public hearing was held.

PUBLIC HEARING - 9:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public hearing to be held on Tuesday, April 29, 1980 at 9:00 p.m. at Riverhead Town Hall to hear all interested persons regarding the application of Fred H. Fellows to the Army Corps of Engineers to be permitted to construct a fixed dock 180 feet long with a 20 foot floating dock at the end of the fixed dock, plus a 10 by 14 foot recreational float 100 feet further out, to be located in Greater Peconic Bay, Aquebogue, New York.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Army Corps of Engineers, 3/31/80 - public notice #10194 - that Fred Fellows has applied to the Army Corps of Engineers for the above mentioned dock. Remarks to be made concerning application before 4/29/80. Filed.

Conservation Advisory Council, 4/16/80 - Letter to the Department of Army Corps of Engineers advising that applicant has been required to submit a permit application to the Town of Riverhead, and that a decision may not be completed before 4/29/80. Filed.

Conservation Advisory Council, 4/23/80 - Memo to Town Board listing 9 facts pertinent to the application

PUBLIC HEARING- continued
COMMUNICATIONS - continued

be denied. Filed.

Robert Tooker, Attorney for the applicant, Fred Fellows; "Mr. Fellows has been a summer resident of Aquebogue for about twenty years and more recently he's become a permanent resident. Until about two years ago, Mr. Fellows kept his outboard in Case's Creek not too far from Mr. Prusinowski's restaurant and bar and the ownership of that property changed about a year and a half ago and the new owner said that he preferred that Mr. Fellows not keep his boat there. So last year he moored his boat off of his property and he found that it was awkward getting back and forth to his boat. So he thought he'd build a dock, and he got himself into an array of necessary permits and approvals far beyond what he ever envisioned and he's here tonight in connection with one of them. Apparently his request because of the nature of the public hearing process has been somewhat distorted beyond what his actual request is.

Mr. Fellows owns a fifteen year old, sixteen foot outboard and he wants to get far enough out into Flanders Bay so that the motor doesn't scrape on the bottom at low tide. The Conservation Advisory Council have visited the site and rendered their report of which has been sent to you and Mr. Baier and Mr. Velys from the Conservation Advisory Council were good enough to come back this Saturday and to again look at the property. I met with Mr. Fellows and myself and also Mr. Troop, who's a nearby neighbor and has expressed some interest in the application. I brought with me a copy of the navigational matter. It effects the area. This is a map of Flanders Bay. The usual navigational chart that Dr. Menendez and Mr. Prusinowski used to get up and down the Bay. The property that we're talking about is in Flanders Bay between Aquebogue woods and the Brush's Creek. There is already a dock there somewhat to the east and that's a picture of it right there that looks like a pencil point and this one doesn't go out as far as that one.

So that really we're talking about something pretty much close ashore and what Mr. Fellows would like to do is tie his boat up there he's not creating a marina, doesn't want to rent slips, he just wants to tie up his outboard so he can get aboard without going into a canoe and going from the canoe onto his outboard. For some reason, only mother nature knows the bottom of Flanders Bay and Peconic Bay is shallow on north shore and digs on the south shore and in order to get to two feet of water, you have to go out approximately seventy-five or one hundred feet off of Mr. Fellows home. Once you get to that depth, you can go out another couple hundred feet and it stays all the same.

Mr. Baier on behalf of the Advisory Council was there on Saturday and he walked out to where the end of the dock would

PUBLIC HEARING - continuedRobert Tooker continues:

be in his hip boots at low tide. Mr. Fellows spoke to me about his application and asked if I would come and speak on his behalf and I said that I would be pleased to do so. Some pictures had been taken and submitted to the Corps of Engineers and to the Town to show the property and whoever had done the pictures and the work I think I understood that the project was of greater scope than really in effect is the case. After looking at the property with Mr. Baier, Mr. Fellows agreed that he would be able to get to his boat if the dock extended out from mean low water, seventy-five feet. At that particular point, the beach between mean high and low water is roughly sixty-five feet because it's a very gradual slope in the water which would put the dock from mean high water out, oh approximately one hundred thirty-five feet. I have had a map prepared which shows the dock in this location.

The end of the floating dock would be one hundred thirty-five feet from high water and it would be seventy-five feet from mean-low water after Mr. Fellows and I met with the Advisory Council. Mr. Troop who is a neighbor, also met with them and he made the additional request that Mr. Baier, that Mr. Fellows considered moving the dock somewhat to the west so it would be out of the line of site from his house. I discussed it with Mr. Fellows, Mr. Fellows indicated his son was his next door neighbor, he didn't expect he'd complain and he would be willing to move it over to the west and improvise a plan.

The purpose of this hearing is to make sure that nothing transpires that would be inconsistent with the ecological and environmental needs of the Town. Before I came tonight to take a look at the wetlands flood plan and drainage ordinance of the Town, and under 107-5C it says under those uses which are permitted after review by the Town Board. Number one, docks, the very first thing and in the preceding section, it says,

'The following operations and uses are permitted in the watercourses, coastal wetlands, tidal marshes, floodplain lands, freshwater wetlands, watersheds', and so forth, subject to the provisions of the prior section and those include:

'Boat anchorages or moorings.

Uses accessory to residential or other permitted primary uses adjoining lands or waters, provided that they are consistent with the intent and objectives of this chapter',

which I submit that owning a house was originally a summer bungalow and which has become the residence of the Fellows', mooring of a boat is consistent with the primary use and whether it be anchored or moored, it's a similar use. I don't believe the new location, the dock would be visible from any of the normal places of occupancy of the next door neighbors and there are no — to the next door neighbors to the east there are no neighbors to the west. I spoke to you tonight after I had finished and he can fill you in on the details of his

PUBLIC HEARING - continuedRobert Tooker continues:

conversation on Saturday. If you have any questions of me, I'd be pleased to answer them and Mr. Fellows is here, of him as well."

Councilman Menendez: "Mr. Tooker, one question. Has Mr. Fellows considered the possibility of a real good cold winter that will clean house on his deck?"

Robert Tooker: "Yes."

Councilman Menendez: "It will wipe it right out. Is he going to be prepared to rebuild it every year?"

Robert Tooker: "Yes. He doesn't plan to build a dock that will go out in one year. But if it should, he's prepared to re-build it."

Councilman Menendez: "Well I've never seen a dock stay in Peconic Bay yet when it's all ice."

Councilman Prusinowski: "I have a question. Being involved with farming and all the environmental agencies, does the proposal have to go in front of the State Department of Environmental Conservation."

Robert Tooker: "Yes it does."

Councilman Prusinowski: "Okay."

Robert Tooker: "The application has already been submitted to them and they have also inspected the property."

Councilman Prusinowski: "They have, okay. But before you can proceed, you must get a home rule message basically, this is what, this is clear, it's up in my mind."

Robert Tooker: "We have to obtain the number of permits, one of them is a permit from the Town of Riverhead and that permit issues only after the advice of the Conservation Advisory Council. As a wholly separate matter, we have to get permission from the New York State Department of Environmental Conservation."

PUBLIC HEARING - continued

Councilman Prusinowski: "Well I'm just looking at the steps because we're first."

Robert Tooker: "As a section, a third approval is necessary to get from the Corps of Engineers."

Councilman Prusinowski: "Because sometimes when you go in front of the DEC, they'll tell you to go back and get the permit first and so forth and so on."

Robert Tooker: "No, I understand and the Corps of Engineers also sends it to four other agencies. And before they will issue theirs, there are certain federal agencies that they want to hear from as well as the New York State DEC."

Supervisor Janoski: "Thank you. Joe Baier, I would ask you to make your presentation."

Joseph Baier, Wading River: "I'm the Chairman of the Conservation Advisory Council and everything that Mr. Tooker in effect has said, is what has transpired. On this particular application, you have as part of the record a memorandum which we sent to the Supervisor and Town Board indicating what our first inspection was on April 18th. That was a Saturday when four of the members including myself visited the site and looked over the application. At that time, we did not meet with Mr. Fellows. The following Saturday, Mike Velys and myself were the only two fellows available. We did meet with Mr. Fellows and Mr. Tooker and afterwards we did talk with Mr. Troop who is a neighbor and has some concern about the structure. At that time, and in accordance with what Mr. Tooker said, Mr. Fellows is willing to reduce the length of his application from a reference point that we established on the beach of approximately one hundred thirty feet from an existing wooden groin from the southern end of that groin approximately one hundred thirty feet which would take it eighty-five feet in the water from low tide point, that would be the end of that facility.

It is the opinion of our Council that we don't wish to obstruct or prevent someone from having the normal use of their property, but when we did look at this particular application as it originally stood, it did appear to be quite excessive. From our discussions and from listening to Mr. Tooker tonight, we are satisfied with one hundred thirty feet and we are also quite glad that he's willing to move it to the westerly end of his property.

I would add one thing and this is unofficial and I found this out several weeks ago, the Department of Environmental

PUBLIC HEARING - continuedJoseph Baier continues:

will probably approve the application. It is a tidal wetlands application and the facility doesn't interfere with an existing tidal wetlands and therefore it would get approved. That's unofficial as far as the state is concerned.

As the application stands amended from Mr. Tooker's testimony to you, we would approve the facility as proposed."

Supervisor Janoski: "Is there anyone else present wishing to address this issue? Yes ma'am. Would you please state your name and address?"

Gloria Keller, "Our property borders the west side of Case's Creek. My husband wanted to be here, but he has the flu with 102.3 fever, and he couldn't be here but he wrote this letter and I would like to state first I sympathize with Mr. Fellows and I certainly have nothing against him personally or his family, but we really felt that after reviewing the whole thing we felt obligated to write this and present it to the Board. My husband had written a letter to Mr. Tiso, the area engineer, which I have copies of should you choose to read them, but this is after this letter.

I find now that I must change my objection to the dock and float from the one stated in my letter to Mr. Tiso of the Corps of Engineers. In that letter I expressed my total and complete objection to the dock and float as they were proposed.

Number one, this is when it was to be a three hundred foot dock. I stated that only considerable curtailment of the project would make it more acceptable.

After revisiting the proposed site and the surrounding area during the weekend of April 26th and 27th and meeting with Mr. Baier and other concerned parties, I was lead to understand that Mr. Fellows would modify his original proposal to one of lesser proportions.

My position now, inspite of any such modifications is one of absolute unalterable opposition to any dock or float being constructed in that cove by any one at any time.

I respectfully submit the following reasons on which my position is based:

1. The portion of the cove east of Cases Creek is rather heavily built up with many houses quite close together. These houses have been there many, many years far predating the zoning ordinance. I'm sure the families residing there purchased their properties to enjoy the beach, the water and the natural vistas afforded to them to the fullest. Only one property has a dock encroaching into the cove.

Do all the other owners know something about the ravaging effects of winter ice that Mr. Fellows doesn't?

PUBLIC HEARING - continuedGloria Keller continues:

Do they care more about the natural unobstructed beauty of their beaches and of the entire cove and shore line than Mr. Fellows does?

As a matter of fact, I don't remember another dock along the entire shore all the way eastward to the Town Beach. And I suspect these are few, if any, east of that beach too.

Please do not permit this cove to become the exception to the restraint practiced by the general public of not constructing such intrusions into their public domain.

2. As I stated above, only one dock has been built over these many years, to encroach into the cove. That dock is in a state of disrepair apparently due to its partial destruction by winter ice. It is an eyesore now and has the potential of becoming a safety hazard if more pilings are dislodged by the ice of future winters and they float out into our water ways.

Your people don't need any more eyesores or hazards than they already have.

3. The portion of the cove west of Cases Creek where Mr. Fellows would construct his dock, is very sparsely built upon. It has only two houses now, with a third, our own, soon to be located there. As a result, this area and the beach front in particular has been left almost entirely in its natural state. It is without the intrusion of mans so-called improvements.

To honor that naturalness, I am making an effort to place our house to impact as little as possible on it. Primarily by placing it considerably further back from the water front than the required one hundred feet, while still trying to take advantage of the westerly view which is not pure and uncluttered.

Mr. Fellows' dock would slice a wound through the very heart of that purity.

4. It is my understanding that the previous owners of these properties (Nelsen and Gliutenkam) wanted to subdivide the average into many, many small parcels when they decided that the market was "right". They were prevented by various governmental agencies, from doing so and were permitted to subdivide into only five parcels, thus, limiting the ecological and environmental impact on the area. The proposed dock would violate the spirit of those previous decisions I ask you to now support that spirit by adding your voices to the public defense.

I thank you for this opportunity to present my position in this proposed project. I trust that the position and its reasons will be given full consideration in your deliberations. Thank you."

Supervisor Janoski: "Is anyone else present wishing to address this? Yes sir."

PUBLIC HEARING - continued

Roger Troop, 710 Peconic Bay Blvd, RD #2; "That is my sister, Mrs. Keller. Again with all due respect to Mr. Fellows, I know how he must feel. When you have waterfront property and it's right there in front of you and you have to take a little boat out to your boat, it doesn't seem very fair. I never knew why, to this day, he didn't buy that whole parcel of land because I think he was there twenty-five years ago and he knew the value of it and I think it just was unfortunate that he didn't get the bulkhead and the whole thing because he really deserved it because he was there first. But we have it and we're a big family and unfortunately there's no way we can let them even use that bulkhead.

I did have the opportunity with my brother-in-law to take a look at Dr. Cardinale's dock. That's the one that Mr. Tooker pointed out that looked like a little pencil point. It looked like a little pencil point on the map, but if you go there in person and I'm speaking with an artist's eye, because that's how I make my living, I came out to Aquebogue because that view is priceless and I think you people who were born here and raised here really don't know how wonderful you really have it because it's very special. But if you take the opportunity to go to and look at Dr. Cardinale's dock and I called the Doctor and spoke to him, he told me what the ravages of the winter can do to it. It's right now a skeletal eyesore. It's a pencil point on the map, but in person, god it's awful. I don't know what to say except that I do know that any encouragement on that particular wonderful beach would really be a crime and that's why I do have to oppose it. I thank you."

Supervisor Janoski: "Is there anyone else wishing to address this application?"

Robert Tooker: "Mr. Janoski, I had a few comments. First of all in response to Doctor Menendez's question about Mr. Fellows familiarity with the area, Mr. Fellows did in fact for seven or eight years, build a dock there every summer and then take it down and next winter he'd put it back up again. That was before the days of permits.

Secondly, the dock that belongs to Dr. Cardinale has been there twenty years and I don't know what efforts have been made to keep it in condition, but it is not a dock that's disappeared. It's been there a long time. It's the ravages of twenty years that's worked on it. And some intention, Mr. Troop said that he was an artist. He had submitted to the Corps of Engineers photograph I don't know if they ever came. Those photographs, these are the set that I have, some show considerable construction which wasn't at all what Mr. Fellows requested, nor what the amended application consisted of. I'm looking particularly at the one that says west view shore beach. I think it's the third or fourth one down. The one I have has some red pencil

PUBLIC HEARING - continuedRobert Tooker continues:

marks across the property showing where it would go. There's a boat in that picture and the dock would end five feet beyond that boat right here. That's why I spoke to you about the substance of what the application was. This picture was taken at low tide, by I believe Mr. Troop. As you can see, there's quite a run of beach there. I think there's sixty or sixty-five feet between high and low water and that's where his boat ends up at low water. And the stake was put where Mr. Graff suggested was five feet beyond that in addition, the whole business would be moved some thirty feet to the west and I wanted to point out to you and I'm glad that I did since you have those things, the pictures, of course, are accurate, but the drawings do not exactly reflect what the application was or what the amended application was."

At this time, the Town Board looked at the photographs.

Mr. Troop from the audience; "If you look at the picture from my home, you'll see where the boat is from the home and you're still going to see quite a bit of dock."

Supervisor Janoski: "Mr. Troop, you're out of order. I will certainly give you an opportunity to address this Board. Mr. Troop?"

Roger Troop, 710 Peconic Bay Blvd; (Showed the Board photographs in relation of boat to his house and Mr. Fellows boat.).

Supervisor Janoski: "Is there any further comment regarding this question? Mr. Tooker?"

Robert Tooker: "Yes, I have one last suggestion. It might be valuable for the Town Board to come down and look at the property. Either with Mr. Troop, Mrs. Keller or with Mr. Fellows. I think if you looked at it, you could envision what the circumstances are."

Supervisor Janoski: "Thank you Mr. Tooker. Any other comment? Mr. Troop?"

Roger Troop from the audience; "I think we should have been given a copy of this new survey and so forth and so on."

PUBLIC HEARING - continuedRoger Troop continues:

Seeing it for the first time is not quite the way it should be done. I went through all the trouble of having this thing mailed to us before, so we have plenty of time to review it. Now here all of a sudden in one night, it gets thrown at us. I don't think it's quite the way to handle it. Mr. Tooker do you agree?"

Supervisor Janoski: "Just a minute, Mr. Tooker. I'm not going to allow a debate to take place between the audience and yourself. Certainly the material in question must be delivered to the Town Board and that has been done. I would say that perhaps it might have been a good idea as a matter of fact, I had been informed that you were informed of the draw back in footage. And as a matter of fact, I had heard that you had relinquished your opposition to it, but — did you want to make some comment Mr. Tooker?"

Robert Tooker: "Yes. I can tell you exactly why it wasn't sent to Mr. Troop. Mr. Fellows and I met at the property on Saturday, Mr. Baier inspected it. Mr. Baier inspected it also with Mr. Keller and Mr. Troop and we had discussed with Mr. Baier the proper distance into the water that the dock should go and we had arrived at what Mr. Baier and Mr. Fellows and I had thought was the proper distance. Subsequent to that, Mr. Baier and Mr. Velys discussed the matter with the neighbors and spoke to me subsequent to that and said would Mr. Fellows consider moving it to the west. That request had been made by the neighbors and I discussed that yesterday with Mr. Fellows on the phone and he said yes. We then prepared the new map, had it prepared for us and I received it this afternoon at 3:00 and I brought it with me tonight. If I had more time, I would have mailed it. It was my understnading that the amended map was consistent with the wishes of the Advisory Council and the neighbors and it wasn't until I got here tonight I realized it was not. It was not delivered to Mr. Troop because it wasn't delivered to me until three this afternnon."

Supervisor Janoski: "Thank you Mr. Tooker. Mr. Troop would you like to address this? Would you please come to the microphone please? I ask you to do that for the public record because we record it."

Roger Troop: "I'd like to say one thing. When Mr. Tooker got up here and indicated before that Mr. Fellows and his son, Glenn had the property and wouldn't mind moving it over west, when I looked at the new survey, it was just about

PUBLIC HEARING - continuedRoger Troop continues:

barely moved west still pretty much on Mr. Fellows property number one. Number two, I still see the recreational float beyond the new proposed dock and Mr. Tooker didn't even mention anything about a float before. I know that when we talked to Mr. Baier, we didn't give our approval of disapproval. We indicated, could it be moved west. That was the only statement we made. Thank you."

Supervisor Janoski: "Thank you Mr. Troop."

Councilman Prusinowski: "Mr. Tooker, I have a question of you. Mr. Fellows intends to have a recreational float beyond one hundred thirty-five feet?"

Robert Tooker: "That's correct."

Councilman Prusinowski: "Pier. Okay, or you should say proposes to have a float."

Supervisor Janoski: "Is there any other comment?"

No one else wishing to be heard and no further communications having been received thereto, Supervisor Janoski declared the hearing closed at 9:35 P.M.

Supervisor Janoski: "I noticed Mr. Hurley is still in the audience. Do you have any further comment on the . . ."

Denis Hurley: "No I don't."

Supervisor Janoski: "Then we will re-open the hearing regarding the community development funding. Is there anyone wishing to comment on that application? Pat Stark?"

Pat Stark, Co-chairman of Townscape; "Supervisor Janoski, Members of the Town Board, I would like to add to the positive approval of the Community Development Funds to

PUBLIC HEARING - continuedPat Stark continues:

revitalize Riverhead Town. I would especially like to see the Town pursue a serious revolving fund program. Many towns have used this type of program to make their Community Development money go much further. We have done it in some way, but I think if we pursued it in more serious program, we would get much more money out of our federal funds. A revolving fund is one which a home or site for rehabilitation is rehabilitated and then sold. That money is then used to buy another home or site appropriated for rehabilitation and the same money is re-used over and over again. And that's what I'd like to see done, if possible."

Supervisor Janoski: "Any further comment?"

Mardi DiPierro, "Director of the East End Arts Council, which is specifically located on Main Street in downtown Riverhead as the center of its service area for the five eastern towns because of the HUD fund, community development funds for the purchase of a historic home and its restoration and use for the public as an arts center, as is the school of music, next door, carriage house, behind and the little schoolhouse on the property just behind it. I speak particularly for the innovative use of the HUD Funds, knowing that some of the members of the audience have already this evening addressed some of the very basic needs that human beings have.

There are also needs people have for those activities which appeal to the spirit that make you proud of the community in which you live and which have indeed in the past few years made Riverhead a model to other east end communities and also to an area greater than that because I hear feedback from all over the State of New York. And it was read in public relations releases through the New York Times and Newsday of many of the accomplishments of Riverhead Town made through the use of the HUD funds. Particularly, I think that what we can say that there's been comments this evening about the fact that not many people have turned out to speak. I think that if people are unhappy with what you're doing, you'll find them beating down the doors.

I think what we find here is that a great many people are pleased with what has been done and wish for more of the same. I think indeed what we heard in comments here tonight is people have suggested in other areas where they want similar programs to be done, also to reach other people closer to home. So I think what we have to interpret some of the silence to mean is that there is a great deal of pleasure from those who have received the benefits and realize that this revitalization of Riverhead or as I like to call it, the Riverhead Renaissance that's going on is due largely to this imaginative use of the HUD Funds.

PUBLIC HEARING - conitnuedMardi DiPierro continues:

We propose that you continue and extend for as long as possible and for those administrative salaries which this grant covers as well which has offered the leadership and the community participation wich really counts which has happened here which has been very active community groups that have worked along with and advised constantly on use of these funds. Thank you."

Supervisor Janoski: "Thank you. Anyone else wishing to address the Board? Please state your name and address."

Alice Summerville, Linda Avenue, Riverhead; "I'm one of the "silent people" in Riverhead. I would like to speak that the federal program be continued and in the last couple of years, the upgrade of Riverhead has really been great. I love living here and I really want it to continue. And the Townscape committee is doing a really great job and I hope to see in the near future that the downtown Riverhead area really meets their goal. Thank you."

Supervisor Janoski: "Thank you. Any further observations? Yes Sir."

Neil Tiger, Managing Attorney of the Riverhead Neighborhood Office of the Nassau-Suffolk Law Services: "I represent a number of individuals, a number of organizations, they're a neighborhood base. Some of these members have already spoken. I'd like to summarize what those members have stated and I'd like to talk a little bit about what those silent people that we just heard about are thinking and maybe explain a little bit about why they're silent and why the people who are talking for the most part tonight are not people in the income classification of low and moderate income. The reason that there is not an influx of voices from the low and moderate community is because the low and moderate community and more specifically the black community in Riverhead, does not feel that if it opens its voice, that its words will be listened to. That is a great difficulty. It's a great difficulty. It's a matter to which I have already sopken with Mr. Scheiner and Mr. Scheiner had agreed that he would make himself present at any meeting that we would set up. I would ask the Supervisor and the Board if they would be willing to meet with members of organizations of low and moderate income community at a meeting hall other than this. Perhaps the possibility of meeting at a church where a great many of the low and moderate income community feel a lot more relaxed at home.

PUBLIC HEARING - continuedNeil Tiger continues:

We have discussed the proposals for Riverhead. And we have reviewed the monies the Town has received and what it has done with them and we are not particularly pleased. There are some areas where we feel the Town has made a good start. There are other areas where we feel that the Town is actually in violation of federal regulations. There has not been enough activity in the neighborhood strategy areas. They're listed in a plan, but if you talk to the people in those poor communities and you start knocking on doors, they'd never know that they were in a neighborhood strategy area because they haven't seen anything.

The question of parking which is in the downtown area which is not in a neighborhood strategy area is in fact a violation of 24CFR section 570-.201C7 Parking Facilities can only be placed in neighborhood strategy areas (tape ended). (Tape began) are both in the public record and the amendments sent to HUD, that there will be an equal raise under the HUD regulations proportionality. I don't know if the Supervisor of members of the Board are familiar with the proportionality requirements, I believe Mr. Scheiner is.

To re-cap it briefly, in your housing assistance plan, you include a one chart known as housing needs. The housing needs submitted by the Town of Riverhead for Year I of their Small Cities Program showed a housing need of 11.5%.

With the inclusion of 115 units for the elderly the actual housing for the elderly rises over the three years, this plan to 50.2% to the housing, that gentlemen is a no no. It is far in excess of the needs that were listed by the community which is an indication that either the community was in gross error when they decided the needs or they are now trying to load themselves over on the elderly to the expense of large and small families. And we are going to — we would like to be able to work with the Town on rectifying this and insuring that there is adequate housing for those who are not elderly for those with small and large families.

There is also a question that our client groups feel that in certain instances that they are being isolated from the Town, that they are really not welcome in the Town, and they would like to see the institution of some type of transportation from the out-lying areas which a lot of low and moderate income people are being forced to move. Something similar to busses being provided for senior citizens. It's an appropriate use of federal funding. We'd like to see it used for that.

My client groups would also like to see more money spent on neighborhood parks and for additional facilities located where children between the ages of six and fifteen could get to without having to cross Route 58 without having to go from the Greens all the way through Town to Stotsky Park. Not many three year olds can do that, gentlemen, I'm sure you all agree.

We also believe that it would be appropriate to spend some of the money to a job training program. He wants to start raising the tax base of the community, then you have to look toward employing your under employed and your unemployed. We'd

PUBLIC HEARING - continuedNeil Tiger continues:

also like to see more publicity for programs that are specifically geared for low and moderate income families, and I've also suggested that to Mr. Scheiner.

We would like to see the support of this Board and the Community Development Office of neighborhood based organizations. It is possible for neighborhood based organizations to get federal funding along with the Towns grant to provide for certain activities that the town itself isn't eligible for and this may in fact be one way for both the needs for the low and moderate community and the additional needs for the general population of the Town of Riverhead to be met. And we would hope that we would be able to work closely with the Board, the Supervisor and Mr. Scheiner's Office on that. There is a problem because we believe that the monies that have been spent on the downtown area are disproportionate to the needs of the low and moderate income community. We have a great deal of difficulty adhering to the percentages of low and moderate income persons displayed in both the initial application and in the latest grantee performance report. We have a great deal of difficulty understanding how \$140,000 in Stotsky Park is going to benefit low and moderate community? Does that mean, gentlemen, that we are excluding everyone from Stotsky Park who is not low and moderate income?

Townscape is listed as over 50% low and moderate benefit. The demolition and acquisition program is listed at 100% low and moderate benefit. The commercial property acquisition is listed at 40% low and moderate benefit with no indication that it has provided a single job for any low or moderate income person. Again the violation of HUD rules.

The industrial site which is just listed as the industrial site acquisition without any mention of the type of industry that is to come in is listed as being 75% of low and moderate income family beneficial. This is also a violation of HUD rules, because there must be specific industries named and specific jobs listed for members of the low and moderate income community.

Our client groups are also concerned with water extension. They would like to see the water extension that is supposed to have gone into Horton Avenue and Belltown and they would like assurance that they are not going to be charged for hook-ups to the individual houses or for any special assessments that the Town might direct. They would expect that these charges for low and moderate income families should be included in the block grant funds.

They also believe that as far as the single-family rehabilitation program is concerned, this also should be concentrated in the neighborhood strategy areas. Again this is how the housing and urban development department perceives their regulations."

Supervisor Janoski: "Sir, I don't want to cut you off, but we do observe a five minute rule here. I will allow you a little more time."

PUBLIC HEARING - continued

Neil Tiger: "Thank you. They would request that the funding in Year III for an industrial site acquisition should be postponed for your four, your five, or your six when there is a specific industry in mind and is geared toward employment of the unemployed and the under employed as required by the federal regulations. We would hope that our groups will be able to work with the Town Board, the Town Supervisor, and also with Mr. Scheiner's Office. Mr. Scheiner has given us every indication that he is willing to work with us. We hope that you gentlemen are, and we think that we can resolve this to the benefit of the Town as a whole. Thank you."

Supervisor Janoski: "Thank you. Is there any other further comments on this hearing?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 9:53 P.M.

There being no further business on motion and vote, the meeting adjourned at 9:54 P.M.

Irene J. Pendzick

IJP/vlv

Irene J. Pendzick, Town Clerk