

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, October 3, 1989 at 7:30 p.m.

**Present:** Joseph F. Janoski, Supervisor  
John Lombardi, Councilman  
Louis Boschetti, Councilman  
Robert Pike, Councilman  
Denise Civiletti, Councilwoman

**Also Present:** Patricia Moore, Town Attorney  
Irene J. Pendzick, Town Clerk

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

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

**RESOLVED**, that the Minutes of Regular Board Meeting held on September 19, 1989 and Minutes of Special Board Meeting held on September 25, 1989 are hereby dispensed and approved without objection.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Reports."

#### REPORTS

Jamesport Fire District-1990 Budget.	Filed
Wading River Fire District-1990 Budget.	Filed
Building Dept.-Monthly Report for September, 1989.	Filed

Supervisor Janoski: "Thank you Mrs. Pendzick. Applications."

#### APPLICATION & PETITIONS

Petition-24 Residents of Fairway Avenue area request action re: disturbance of dogs.	Filed
--	-------

Site Plan-Jamesport Motel-amendment to elevations on site plan.	Filed
---	-------

Site Plan-Village Crossroads-add new dining room, Route 25  
and Edwards Avenue. Filed

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Warren Kessler, 9/26/89-Opposes any change to the "Coastal  
Zone Management" law and observes that the maps are inac-  
curate. Filed

N.Y.S. Dept. of Environmental Conservation, 9/14/89-Notice  
of Complete Application re: Water Supply. Filed

Pierre Lundberg-Asks for a response re:inaccuracy of Coastal  
Zone Maps. Filed

Lizette Hand, 9/17/89-Expresses appreciation to the Ambu-  
lance Corps. for their prompt, kind and considerate assis-  
tance. Filed

John Martin, 9/22/89-Request approval of a six-month exten-  
sion for "Treated Wastewater Disposal" project. Filed

Frank Macksel, 9/19/89-Advises that a fence is needed at  
sump between Horton and Osborn Avenue. Filed

Barbe Bonjour-Letter of petition that Vail Leavitt retain  
deed and council be designated lead agency. Filed

Alice Graff, 10/1/89-Comments on the merits of Harold Smith  
stewardship of the Vail Leavitt Theater and observes that  
the Arts Council should focus its attention on saving the  
Suffolk Theater. Filed

S.C. Dept. of Planning-Advising if resolutions of objection  
re: Southampton Local Law #18-1989 or Southold Local Law #20  
1989 not received, it will be assumed there are none. Filed

Supervisor Janoski, "The time for the first public hearing  
has not yet arrived. I will recognize anyone wishing to be  
heard. Alice."

Alice Graff, Riverhead, "I wish to take this opportunity to  
extend my grateful appreciation relevant to several aspects.  
First, to you, the Board Members of our Town Board, for your  
unwillingness to rubber stamp any resolution especially when it  
has been noticed that a phrase or statement has been added and  
there has not been a discussion prior to the public meeting.  
Perhaps to some, it may appear disorganized. Rather, this  
demonstrates lack of coercion in my judgment. Also, it makes for

Supervisor Janoski, "Well he is not a commercial carter doing business in the town. So therefore, he is treated as a resident driving a truck and the charge, according to the fee structure, is two bucks. You have picked the proper time to raise that subject because the Town Board will very shortly reviewing the budget for 1990 and those fees and those fee structures is something that is always discussed as part of that review. So that what you're recommending is that a little different approach might be taken with the fees that are charged."

Dick Benedict, "I think there's definitely a loophole in the ordinance somewhere. Also, about a year ago, to get to another subject. About a year ago I talked to you about an eyesore on Route 58 which is Fran's Bait Store which is still surrounded by junk. You said something would take place there. I guess what you meant is they're going to build something there. It's still an eyesore. There's nothing being done there. It's just about completely surrounded now. You can still see the building but there's very little activity there. I don't really think we need that coming into the entrance of town. We've got enough eyesores in our entrances of town. Maybe you can look at that. Thank you."

Supervisor Janoski, "Thank you Dick. Is there anyone else wishing to address the Town Board. Yes, George."

George Schmelzer, Calverton, "If I had some fish, I'd bury them next to a farm or garden. That's a good source of nitrogen which doesn't leak. Anyway, I hear you're going to get about five and a half million for some low cost housing. Is that true?"

Supervisor Janoski, "Yes."

George Schmelzer, "Well, may I suggest that you have enough in the school district, that you put in the Wading River school district to spread this stuff out a little bit. Wading River school district is a rich district. You live there, you should know. Would you consider putting it there."

Supervisor Janoski, "It's not going to be much longer."

George Schmelzer, "Well anyway, you've got to spread things out. They've been lush for years. So anyway, if you put it in that district, half of the district is in Brookhaven. So let them share some of that. We're sharing everything here with Southampton and Brookhaven right here. I remember Brookhaven Town with the old zoning map and south of the river, they have D zoning within the school district that's part of Riverhead. That meant fifty foot lots. The rest of it was half acre and one acre lots. And when they approved that "sardine can" (I call it) they made sure it was all in Riverhead school district. And at that time the lawyer said only for retired people and that's all it

is. And two years ago, there was 210 kids coming out of there in buses. So maybe you could consider spending this five and a half million in Wading River even though you live there."

Supervisor Janoski, "George, where I live has nothing to do with it and I know that you like to have fun. Any time you'd like me to explain that program to you, I would be happy to do so and it is a case where a private business applies to the State of New York so that part of the cost of the house will be subsidized by the State of New York. The private corporation purchases the property. It is based on half acre zoning which is there for a majority of the property so that no additional density is given. They will be half acre subdivided lots. The state also provides about \$500,000 for what is called infrastructure costs to take care of the roads, water, lighting and that kind of undergrounding of electricity. And the choice of where they go is where the individual private businessman is able to purchase property within the community. And the success of his application to the State of New York which the town acts as a sponsor (and I think that is a pretty good word). So that's how the program works."

George Schmelzer, "Half acre zoning. You should have some half acre zoning in Wading River."

Supervisor Janoski, "Thank you George."

George Schmelzer, "Okay. On another subject. The Forge Dam. Somebody is monkeying with that. The natural level was determined in 1932 by a concrete water block where somebody is putting boards now. Really you should ask somebody, the Bay Constable to take them and they take them out and a few days later the boards are back. Do you know anything about that?"

Supervisor Janoski, "No George I don't."

George Schmelzer, "I'm just wondering who is putting the boards there. Maybe you better look in to it."

Supervisor Janoski, "Well George, we do look in to it and it's very difficult to catch an individual in the middle of the night who does that. Now, the Bay Constable is responsible is involved in it. The police are involved in it. We have people going down and replacing boards, taking out boards every time there is some particular problem there. Now, if you would like to patrol the area and perhaps report to us who is doing it, I promise you that upon your action...."

George Schmelzer, "Would you let me take the boards out myself?"

Supervisor Janoski, "No I wouldn't. As a matter of fact...."

George Schmelzer, "It sounds a little bit suspicious. By raising that plank at the Mill Pond really, artificially, it destroys people's private lands. Of course some of the environmental nuts might say, we need to make more wetlands."

Supervisor Janoski, "Well, the State of New York seems to have a very strong desire to control that river and land adjacent to it. Why don't you get in touch with one of those officials to see if they'd like to control the water level also?"

George Schmelzer, "You mean they're controlling it?"

Supervisor Janoski, "It seems to me that they have a great deal to say about the river."

George Schmelzer, "Well, you should know one way or the other. Do they put boards in or do they not? Did they tell you to put a board in? Have they put boards in to your knowledge? But then you don't want anyone to take the boards out."

Supervisor Janoski, "George, what is your point?"

George Schmelzer, "I want the water level like it should be, like it always was and not monkeying around with boards. It shouldn't have any boards there."

Supervisor Janoski, "Fine. I thank you for your opinion and we will take it under advisement."

George Schmelzer, "Do you have any knowledge of what's been going on other than what you just said?"

Supervisor Janoski, "George, this is a Town Board meeting. If you would like to talk to me at length about the river, I'd be happy to. Yes, there are people who disturb those boards in those facilities in those dams. We're aware of that."

George Schmelzer, "The public should know it. It's a public meeting. Maybe you don't want the public to know."

Supervisor Janoski, "George, come on."

George Schmelzer, "I live on the river. It messes up our land. Others too, when the water is two foot higher than it should be."

George Schmelzer, "George, your five minutes is up and I thank you for your comments."

George Schmelzer, "Well, I got other times when I didn't use my five minutes."

Supervisor Janoski, "You know after this meeting he's going to ask me: are you made at me? But George I want to thank you

a much more interesting and learning experience for us as members of the town. Second, I have requested that the Board provide town water to residents on a very short street within our hamlet area. Persons that have been paying water taxes for forty years. Working with Gary Pendzick, this water main has been recently completed. I am aware that the residents of this area are very pleased with the end results including the landscaping that is all but completed. I thank you Board Members and a special thanks to Gary Pendzick for all his efforts in this venture. Third, we are so very fortunate to have in our in employee, Monique Gablenz. This young lady has many responsibilities thrust upon her brain and has the ability to mete out these responsibilities by means of specific actions. Fourth, I do believe that one of the most important persons that the town has hired is Andrea Lohneiss. She has tremendous knowledge, truly an expert in her capacity as Community Developer. Andrea is a woman of surprising ability and possesses a most graceful manner. When you add these to the aforementioned qualities, our town's ambiance will improve. These two ladies are tiny in body structure but this does not diminish in any manner or form their stamina. They're not even clock watchers. Please accept my overall gratitude."

Supervisor Janoski, "Thank you Alice. Is there anyone else wishing to be recognized to speak on any subject? Yes."

Elaine Spero, Wading River, "I want to thank you for that wonderful Home Chore Program. I was to have battens put up today but because the hurricane was coming, he put them up the day before the hurricane. I'm in a 39 year old house and it was built by amateurs so I really appreciate that they came and helped me. That's all. Thank you."

Supervisor Janoski, "Happy to be able to and thank you. Is there anyone else wishing to be recognized to address the Board? Butch."

James Langhorn, Calverton, "Will we be able to address the Board at the time of resolutions?"

Supervisor Janoski, "This is the time to do that. On any subject on the agenda, you can address the Board right now."

Councilwoman Civiletti, "Can I just say something because I just realized what I just did. I quietly made a joke and made two people laugh up here and that had nothing to do with you. What I said was: "Oh good, I was beginning to feel like we were in the Twilight Zone because I've never seen a meeting that started with a meeting with two people getting up and saying thank you, you're wonderful"."

James Langhorn, "I am the chairperson of the Family Community Life Center that we are proposing to put up in Riverhead. And the reason I ask to speak now, seeing as I will

not be able to speak during the time of the resolutions, what I would just like to do..... Most of folks that are sitting here tonight probably have heard bits and pieces, probably have read and do not really know the stone facts of what's happening. I would just like to reiterate what has gone down thus far and read and make a point of record if possible, three letters that I have. The first letter is dated January 23, 1986 and I'm not going to read that one. Basically what it is is a letter from Mr. Ehlers, the Town Attorney, asking me.... Well this is the letter that I received when I received the original \$10,000. Again, it was dated January 23, 1986. And then I would just like to read three short letters here. Basically, the first one is dated 22 October, 1986. Mr. Langhorn: I have been directed by the Riverhead Town Board to request from the First Baptist Church a status report regarding the above captioned project. Upon the decision by the Riverhead Town Board to fund the initial cost of the Community Life Center, it was understood that the project report would be submitted previous to payment of the final voucher. I underline final voucher. I do not see any problems with this payment but this report must be forthcoming. Please contact me with any questions you might have. That's signed, Richard Hanley, Community Development Agency. That was the 22nd of October of 1986. January 20, 1987: Dear Mr. Langhorn: On October 22, 1986, the Riverhead Town Board (through this office) requested a status report regarding the above captioned project. As there has been no submission to date, I would ask that you keep the Town Board abreast of your progress by submitted a short summary of work completed to date. Notes of meetings would serve as purpose as well as any conceptual architectural drawings which I know are in final form. It is the sense of the Riverhead Town Board that until the Board is apprised of progress, they will not be able to recommend payment on this project. Now that is 20 January, 1987. Now, the final letter I'd like to read is May 19th and that one was also signed by Richard Hanley, Director of Community Development Agency. The last one I'd like to read is May 19th. It says, Dear Langhorn: Please accept this correspondence of a confirmation of our recent telephone conversation in which we discussed the necessity of the church establishing a not for profit corporation in order to receive additional town fund support for the above captioned project. I would ask that you inform me of the expected date of the formation of this entity. The accounting and funds spent to date indicate that the church has spent a total of \$6,977.62 of the \$10,000 already allotted by the Town of Riverhead. I would suggest that the church provide evidence that these funds lie in a separate interest bearing account that all interest gained remain in the account or be returned to the town. Please contact me with any questions that you might have. Now basically what we have done is we have come to the town and asked them to.... Basically what we have done is come to you folks and asked you for the remainder of the \$10,000. Now, we're not arguing that a resolution might not have been written up. What we are asking for is the remainder of the \$10,000. Because even though they might not be a contract, a written contract, these letters here

clearly state (as far as I can see) that the town has stated that they were going to give us the additional \$10,000. The letters show, according to the dates of the letters and the date that I originally received \$10,000, was prior to any of these letters. So according to this letters, we're requesting the \$10,000. Thank you very much."

Supervisor Janoski, "Butch, are those letters that you have, are they your own copies or are they copies to be submitted?"

James Langhorn, "No, these are my copies. You have them."

Supervisor Janoski, "Ok. They're part of the record as far as the spoken word. Is there anyone else wishing to be recognized at this time to speak. Did I see a hand go up? Yes, Steve."

Steve Haizlip, Calverton, "Mr. Janoski and the other Board members. Could I be enlightened as to what Mr. Langhorn is talking about that he would like for the town to donate money to the church or is this a federal grant of community funds that was put into the town and he is wanting to use that for some type of church activities?"

Supervisor Janoski, "Yes, it can be."

Steve Haizlip, "That's what it is?"

Supervisor Janoski, "It is a little bit of both. The monies which were first allocated to this project which is called a Community Life Center were from funds which the town received from the federal government as part of the Small Cities Block Grant Program. The town requested leave of the federal government to utilize those monies for that purpose which was to do preliminary work revolving around the project of the Center. And right now, they have formed a corporation so it is not monies going to the church but money going to a corporation which has been set up for the purpose of developing this Community Center. And what Mr. Langhorn is requesting the additional \$10,000 that the members of the corporation feel was promised them back in 1985 I believe was the year. 1986."

Steve Haizlip, "Ok. I'm cleared up then. It's not a donation to the church. It's a project that's going to help people of the community. Ok. Very good. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else wishing to be heard at this time? Then let the record show that the hour of 7:46 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, October 3, 1989 at 7:45 p.m. to hear all interested persons who wish to be heard regarding: Proposed amendment to Section 101.10.1/Parking, Standing, Stopping Prohibited"

Supervisor Janoski, "Thank you. The subject of this public hearing is an action being considered by the Town Board to put in place No Parking, Standing or Stopping on the northside of Main Street in front of property currently owned by Blackman Corporation which is their long standing building and center of operation but they have recently acquired the property next to it which was a paint store at one time and then became a stove and stone place. It has an oil tank on it so I think that you would recognize it and it is across from the Barbuka Deli on West Main Street. The subject is the implementation of No Parking, Standing or Stopping along that property on West Main Street in Riverhead. And Jessie, now is the time."

Jessie Goodale, Riverhead, "I've been paying attention to the litter in the Town of Riverhead for over two years. It behooves me to say that the town authorities cooperate very well with the litter program. Now as you know, the state roads, the county roads and the private roads are no responsibility of the Riverhead Town. So this amendment that you are posing is in fact, on a state road. We have had problems on state roads on our litter problems for our town and I have been in touch (many times) with our state officials as to what their responsibility is on taking care of the litter, garbage, debris, whatever on our roads (Route 25 especially) in the Town of Riverhead. And I can tell you that it's very little. They say in one instance, they'll say we don't do anything only up to the sidewalk. And I said who's responsibility is it from the sidewalk and they said whoever. Either a private owner, the town or whatever. But the assume no responsibility. So we have a problem on West Main Street. And about a year ago, there was a pickup load of garbage on the side of the road that stayed there for two months. They finally said they would remove it. I could have removed it but I made up my mind that they were going to remove that and they finally did. They didn't do a beautiful job. I had to finish the job but they did remove it but they haven't done anything since then. And a lot of you have noticed that West Main Street, and the people on the Town Board know that you have had calls and you've had problems and nobody seems to want to do anything or care about doing it. I have been picking up the litter in that location (myself) for about six months. And recently, I've been picking it up two or three times a weeks just to get a handle on how much litter and where it's coming from and what's happening. What is happening is we have deli and they're quite busy that deli but they operate 24 hours a day. Now, during the day there isn't too much of a problem because people go in and they buy something and away they go. Just as soon as it gets a little

lights out and the moon comes up, things change. They use the whole north side of Route 25, continuing property of Blackmans and it goes on down past what we know as the Danowski Weeping Willow Motel. His motel and his property ends about across the street the Blackman's last purchase of his property. Now, you're proposing to put No Standing, No Parking whatsoever along that area. I remember many years ago that the Weeping Willow had a lot of trucks that came there and they parked across the road. So I thought this might effect him. So I went into Mr. Danowski and I asked him. I said; will you have a problem if the town proposes and amends this ordinance and he said not at all. In fact, he said I'd like to see it down because it has been a problem. People go to the deli and they park across the road and they make parties out of it and they stay there and they throw cans. I have taken a survey, and across the road, there is between 50 and 75 pieces of litter per day. So nobody wants to pick it up. I went into the deli and I said: before the town proposes even an ordinance, why don't you go across the street in the mornings and pick the litter up and nobody will say a word and it will look nice for the day. I might as well have talked to the wall. So I went in to see the owner, the woman renting Blackmans next door which is the coal yard and I went in and said; will you come out and look at the litter in front of your property? He said I know it's there. Well, why don't you clean it up? It's your property and you're responsible for it. Not the deli across the street which you're mad at. It's your property. He said I could care less and I'm not going to do anything about it. Well, would you care if I clean it up for you? He said be my guest. We cleaned it up. It took us about an hour and a half. We cleaned it up. That lasted about a month and it was just as bad and he could care less. So we're at this standstill right now. So we felt and the Town Board felt that putting No Parking, No Standing on that long are of Blackmans. Now the only thing that I would ask and point out, that this probably has to be stated so that it's not there during the day because Blackman has a business and I'm not so sure (you better look into this) that parking in front of his place....."

Supervisor Janoski, "There here Jesse and I think they'll tell us about that."

Jesse Goodale, "They'll tell us about that. That's the only.... They're using this property. I know their tenant is using it during the day. So I would imagine, unless they have a place for the people to drive in and this will have to be curtailed. Just have it from six in the evening until six in the morning. Isn't there anything else you want my expertise?"

Supervisor Janoski, "You know what I'd like to hear you say, that you're in favor of this proposal."

Jesse Goodale, "Am I in favor of it? Yes, I am definitely in favor of it. And there's two or three owners of businesses along that area that I have talked to and not one of them is opposed to it."

Supervisor Janoski, "Thank you Jesse. Yes sir."

Jason Sossin, Blackman Corp., "Mr. Supervisor, ladies and gentlemen of the Board. My name is Jason Sossin. I am the Vice President of Blackman Riverhead Corporation. I'd like to thank the gentleman that preceded me. I don't know his name but his presentation was quite eloquent. It's quite obvious that we are or we do have a serious problem developing there. Obviously, we are in favor of any movement to curtail the accumulation of rubbish and the drinking, boozing and everything else that's going on there. However, I don't think it's being taken far enough. I think unless something drastic is done immediately to curtail the sale of alcoholic products after a given time frame, and I'm not talking where you can drive up there at any hour of the day and secure beer and take it across the street, drink it and carouse and throw the empty containers all over the place. I understand that there is drugs being passed very openly there. I recently have a private audience with the Supervisor concerning this matter. He indicated to me that at one evening, there was six sector cars that had to be sent in there to break up the congestion where they had closed off Route 25. And I think it is a terrible imposition on this town when nothing is done and this is permitted. I mentioned the possibility of SLA or the State being brought into this thing to try to reduce the element of sale in there. Putting the signs are an erroneous stop gap and I doubt very much if it's going to really to do anything serious. The individuals that are staying out there in the evening, I gather they don't come from the Town of Riverhead or certainly not in the Riverhead Village. And I doubt very much if that's going to curtail it. Unless very drastic steps are taken, we're going to end up with a degrading town. Now, the east section of Main Street, it has been straightened out. It is clean and it's well organized. We recently purchased the property adjacent to us where the fence company was. Peconic Oil is now one of the tenants in there. Candidly, we had contemplated refinishing the buildings and improving the sites. But to think of spending hundreds of thousands of dollars on that facility and to come out every night or every morning and find all that debris and hear what's going on. We have some of our personnel that occupies the homes just to the east of our property. I understand that they're calling for the police almost every night to go down there. The police have got to be frustrated with this. How long can they go down there just to kick them away. As soon as the sector car leaves, they're back again. Now something more has got to be done. You just can't sit here and say we're going to pass an ordinance. We're going to put up a signs on the highway, No Parking. That's not going to stop them. We need some serious attention to this thing. Now, we have had our own personnel go out there on a Saturday and a Sunday on company expense and we paid them the overtime, to clean up that debris. And as soon as we do it, the next morning we're back again. Now, I implore the Board here to seriously consider this thing. You've got to do something beyond just the signs. I don't know what else I can say to you. We've offered whatever support my firm can give you,

you have. Whether it's financial, whether it's moral, whether it's personnel, we still clean up the streets and it's done almost on a daily basis. I was in the facility this afternoon. Two of the windows have now been broken. They took beer bottles. They just flung them across and smashed the doors. To replace them or repair them is a minor thing but to have it done again and again, how long does it go on? I can't expect the Board to have a policeman stationed there, a sector car parked there for 24 hours a day. That's ridiculous. But unless you restrict the flow of beer or alcoholic products out of that store, this is going to go on and this is going to deteriorate. I don't know what else I can say to you."

Supervisor Janoski, "I'm happy to report to you that the town is taking additional action both through our enforcement offices and through the Police Department. The permit under which they operate has been enforced as far as the sale of alcohol on premises. There have been a number of reports to the SLA/ABC Board and we expect that... I'd rather talk to you privately because they're is going to be a case involving legal action. And I will tell you what's going on with that. But the ABC Board has been contacted on numerous incidents and we expect that some action will be taken there. As far as the litigation matter, I'd be happy to talk with you privately."

Jason Sossin, "Does the individual who owns that or running that luncheonette across the street, ( or call it whatever you will) does he own the property to your knowledge?"

Supervisor Janoski, "I believe he does."

Jason Sossin, "At this point, out of frustration, I'd almost be willing to go out and negotiate to buy that property and throw him the h--- out of there. That's how serious I believe this is."

Supervisor Janoski, "Well, you may have that opportunity soon once I tell you what is involved."

Jason Sossin, "If we can condemn the d--- property and get him out of there. I see that this parking lot is so jammed and the years that I've attended meetings here, I have never seen this many people in attendance at a meeting. I must applaud the town and all you people for coming out this evening. And I would assume at this point that 99.9% of them would vote for the ordinance. Other than that, you have my full cooperation and firm behind you."

Supervisor Janoski, "Well thank you. And it's interesting to know the condemnation remark that you just made, the owner of this particular business, we did condemn and tear down his former location for some very similar reasons. But you may have the opportunity soon to buy that property. Thank you. Is there anyone else present wishing to address the Board on the matter of the parking?"

Madelyn Regula, Riverhead, "I am up here on behalf of the Board of Directors of the Chamber of Commerce. We just want to express that we are in favor of prohibiting the parking and standing down in that area. I would like to add also, I don't know if the gentleman is aware, there are pinball machines in that deli in a separate room and it draws a crowd in the evenings, late in the evenings. I don't know if they need a permit for that or if in fact they have one. But I have been in the deli and that's one of the problems of attracting people down there. Also, not to mention the letter which I certainly agree with, I think it's hazardous and somebody is going to hurt with people darting out into the road in that area, particularly at night. And it is very unsafe to drive through there, particularly on a weekend night. So we just wanted to say we were in favor of it and glad you're working on it."

Supervisor Janoski, "Thank you Madelyn. Is there anyone else wishing to address the Board on the subject of the parking prohibition? That being the case and without objection, I declare the hearing to be closed."

**7:45 PUBLIC HEARING CLOSED AT 8:03**

Supervisor Janoski, "Let the record show that the hour of 8:03 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:00 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, October 3, 1989 at 8:00 p.m. to hear all interested persons who wish to be heard regarding: **Increase and Improvements of the West Main Street Lift Station/Riverhead Sewer District.**

(See Sewer District Minutes)

**8:00 PUBLIC HEARING CLOSED AT 8:07**

Supervisor Janoski, "Let the record show that the hour of 8:07 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, October 3, 1989 at 8:05 p.m. to hear all interested persons who wish to be heard regarding: **Special Permit Application of Ana & Richard Jankus.**

Supervisor Janoski, "Thank you. Is there anyone present representing the applicant?"

Richard Jankus, "Good afternoon. I would ask permission of the Town Board for a rental on 906 East Main Street. It's our own property. We bought it. Within the year we fixed the house and we'd like (again) permission to rent the house."

Supervisor Janoski, "The property is presently owned business?"

Richard Jankus, "It's zoned Business "C"."

Supervisor Janoski, "And you want to put it in use as a residence?"

Richard Jankus, "As a residence."

Supervisor Janoski, "That should do it. Thank you Mr. Jankus. Is there anyone else present wishing to address the Board on the matter of this application to allow a residence on business zoned property on Main Street? That being the case and without objection, I declare the hearing to be closed."

**8:05 PUBLIC HEARING CLOSED AT 8:08**

Supervisor Janoski, "There are about seven minutes remaining before the next scheduled public hearing. I will open the meeting once again to anyone who wishes to be heard on any subject, anything that's on the agenda, any resolution. Dick Benedict."

Dick Benedict, Fanning Blvd., "I tried to talk to John in the hallway but he tells me that he's not on the landfill committee any more. I made my monthly trek to the landfill and I know it's getting late and it's going to be closed or we're going to get an extension. As I was pulling out, I had four or five garbage cans on my half ton pick up truck and I gave the guy two bucks and went in. But as I was coming out, there was a guy towing (I'll make an estimate) a 30 foot boat full to the top plus the truck. So I stopped and asked the guy; what does he pay. He said; he's pulling it with a truck, he pays two bucks. He can get rid of that whole boat full of trash for two bucks. He said yes it's wood. It won't be too hard. And he proceeds to tell me about the corn man, whoever the corn man is, who's got a 20 foot flat trailer and he comes in there for two bucks too. So I realize that maybe there are some inequities but I think we ought to look into things like that. I went down there last year. I paid a buck. I had a four pound bag of blue fish skins. I didn't want them in my garbage can. The guy charged me a buck. He said you got a truck and he was right. I did have a truck. But there's something definitely wrong even though we plan on closing it up. It may get extended. It just doesn't seem right that he should fill a 30 foot boat up and tow it in there for two bucks."

very much for taking the necessary amount of time because the clock tells me that it is about 17 minutes past 8 p.m. and the Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:15 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, October 3, 1989 at 8:15 p.m. to hear all interested persons who wish to be heard regarding: **Increase and Improvements to the Riverhead Water District for Extension 35.**

(See Water District Minutes)

**8:15 PUBLIC HEARING CLOSED AT 8:22**

Supervisor Janoski, "That concludes the public hearings for this evening. Before we take up the resolutions, is there anyone wishing to be heard on any subject, on any matter? Steve."

Steve Haizlip, Calverton, "Mr. Janoski and the other Board members. I think if I went out here and swindled 10 or 15 cents somewhere or connived a little bit, I would be in court and I would be prosecuted to the fullest limit and to the utmost of everybody's ability to get a raise out of it. Now, what I'm referring to; it seems like that our U.S. government Congress and especially Mr. Downey and the Long Island Lighting Company and New York Telephone and other utilities in this state are stealing from us. Now, Mr. Willmott has brought this to the people's attention. I don't see no district attorneys. I don't see no state attorneys or generals. I don't see anybody swinging into action and he has fully stated that what they're doing, how much they're taking and they're getting away with it and I can't get away with it. So why should these officials get away. Now, I furnished you with a copy of the information and put my comment on it. I have asked you to try to help out the citizens of this town that's being swindled. I don't know but I have wrote these people. You ain't getting nothing out of them because that admits they're guilty. Thank you."

Supervisor Janoski, "Thank you Steve. Is there anyone else wishing to be heard at this time? Okay. Let us take up the resolutions."

**Resolutions #654-#690 found on pages 1094-1141 of the 1989 Resolutions Book.**

**#670 AUTHORIZES SUPERVISOR TO ACCEPT DEED RE: MANOR ASSOCIATES.**

Councilwoman Civiletti, "This is one where if someone were so inclined, they could say I told you so. This is accepting a deed from Manor Associates for dedication of property which will be used as part of a future highway in the Wading River Hamlet that was the subject of a great deal of studies and recommendations including two acre zoning and including also,

multifamily residence zoning use district. And this is something that was the subject of some litigation and something that (a year ago) I was willing to settle on something that would have looked a heck of a lot less nice. I move 670 with egg on my face."

**#674 AUTHORIZES SUPERVISOR TO EXECUTE DRAINAGE EASEMENT WITH AUGUSTA SCHNEIDER.**

Councilman Lombardi, "Mr. Supervisor, is there price in this one?"

Supervisor Janoski, "Madam Town Attorney."

Patricia Moore, Town Attorney, "The price has been negotiated for \$3,100."

Councilman Lombardi, "That's not in here, the \$3,100."

Councilwoman Civiletti, "Do you want to amend it to read that?"

Supervisor Janoski, "Okay. Motion to amend to put into the resolution the amount of \$3,100 in payment for the easement."

Councilwoman Civiletti moved the amendment which was seconded by Councilman Lombardi.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The amendment was thereupon duly declared adopted.

**#676 CONSIDERS FUNDS TO FIRST BAPTIST CHURCH OF RIVERHEAD.**

Councilman Boschetti, "This is the one. This is a resolution brought before the Board to consider an additional \$10,000 payment to be made to the Family Community Life Center, Inc. And should this payment be approved, it would be subject to the approval of the U.S. Department of Housing and Urban Development. So moved. I just want to make a comment here. In view of the fact that we had a speaker, Mr. Langhorn, I want to see that the letters that were cited, as far as I know and having been a member of the Board that sat in on the negotiations, those letters that were written after that meeting, to my knowledge and to my recollection did not reflect the intention of the Board when we met. At least not in the way I understood it at the time. However, you're citing of those letters I think was most appropriate because it certainly makes clear for me and I think everyone else how you came to believe that that \$10,000 was forthcoming. And I also think that it makes it very clear to me how you came to take an action that relied upon getting that additional \$10,000. Therefore, I'm voting yes."

Councilman Pike, "This has been one of those lovely little nightmares that lawyers like to tangle around with each other. And if I were to just put on my lawyers hat and look at the paperwork, I would say there is not a binding agreement. But there are other ways of binding people to doing something other than putting it in writing and that is to set up a pattern of action and reaction where people rely in good faith on what appears to be a consensus. It's clear to me that this was not done particularly well on the town side. You had to deal with three different Community Development Directors all of which had different amounts of time to deal with the project. But one could reasonably come to the conclusion in the process that you were right on track. Perhaps like most projects, it took a little longer. And like most larger scale projects it became controversial. But in the final analysis, I have to evaluate this based on something very basic. Do I trust two very important people; Butch Langhorn and Gwen Branch to have done something that they believed in, that they thought they were doing clearly in the joint interest of their church and this community? And when it comes down to it, this is not about anybody stealing a good idea. Good ideas have a thousand fathers. Everybody knows that. It's not about race. It's not about anything other than is it proper for the town to enter into agreements with the private market to do good things? And to not support this, would be say no to that and chill every other kind of private market initiative for developing a community resource. I don't think that's appropriate. And if I could come down to a final analysis, I think this is a town that's reached maturity so that we do not judge things on the color of skin but on the content of character. And on that basis, I'm happy to vote yes."

Councilwoman Civiletti, "Sometimes it's hard not to respond to different things that other people have said when they speak before you. I have to say that I wish what you just said, the last part of what you just said were true throughout the town. I think that there's such a thing as an implied contract in the law. It's been a long time since I dusted off my contract books. People are always complaining about lawyers and they complicate things but I'd like to think that if a lawyer had his or her hand in this when it got started, the agreement between the parties would have been committed to writing and we wouldn't be in the midst of this confusion right now. And there's a heck of a lot of confusion. I am very much inclined to say that it looks to me like certain actions or if not actions, failure to act on the part of the Town Board when you came back and said; what do you think. If the Town Board truly believed at that point in time, that it didn't have an obligation to you to dispense an additional or the balance of the funds, that you would imagine that the members of the Board would say, why are you showing this to us and be honest? Beyond making sure that the original ten thousand was spent legally, that was never the understanding. The understanding seems to be, and again haven't been on this Board at the time, I can only look at what is presented to me and that's something of a luxury. But it seems to me that there was

going to be this payment. I think that the community center, if it serves a whole community or actually whether it serves a whole community but a community center in the community is something that will help us go a long way in this town toward addressing issues that are at the crux of Mr. Goodale's litter problem and Mr. Blackman Corporation's problem with vandals. And that is the sort of deterioration that we need community wide of our youth due to drugs. And I think that one of the purposes, one of the central purposes of this center is this intergenerational, interaction of young people and old people. There's no question that it's needed. And there's no question in my mind that you guys really believe that this \$10,000 was coming and it looks like you should have believed this. Not having the advantage of sitting in this seat at that point in time, I don't know. I'm sort of sitting like a jury or a judge here and that's how it looks to me. I've got to say that after your comments at the Work Session when both Rob Pike and I sort of took the offense in terms of trying to explain what we wanted, what we were looking for and what the Board that we weren't sitting on was thinking about. I very seriously thought about abstaining tonight and leaving the responsibility for resolving this problem with the people who were on the Board and who were a party to this misunderstanding which would be the gentlemen on either side of me. But I want to vote and I don't want to abstain. I want to vote yes."

Councilman Lombardi, "Well, we're all putting our two cents in there. This has been going on for three years. It's been a lot of misunderstanding. I think communications on both sides have been a problem. I'm sorry that when we did sit down in 1985/86, that we didn't take notes on tape or had somebody there taking the minutes. I know this is a good project that you're going to try to get something done. I'm looking at ten to twelve million dollars and I wish everybody the best of luck and I'm going to support the \$10,000 because I think that we have to get this problem straightened. I think the communications were bad on both sides. I know because I was there and I understand that you did ask for \$20,000. The Town Board at that time did say to you that we would give you \$10,000 and for you to bring in reports when you spent your money. It took a little while to get all the reports. I believe it took close to a year and a half but you did come in. I just want to see the thing settled and I'm voting yes."

Supervisor Janoski, "Well we all have only the ability to see the world from our point of view. And in some areas my recollection and memory and point of view does not agree with what has been said but that is why we are entitled to have a point of view. I will cast my vote without any further comment in the negative, no."

#681 RELEASES LETTER OF CREDIT OF RICHARD MOHRING RE: MESTA VISTA WATER MAIN INSTALLATION.

Councilwoman Civiletti, "Can I ask a question? We recently met with Charlie Bloss about his drainage problem associated with this subdivision. Is this in any way, the most remote way, connected to that? I don't think that it would."

Councilman Pike, "The bond is for water mains."

Councilwoman Civiletti, "That doesn't have anything to do with recharge basins or anything like that?"

Councilman Pike, "On Mesta Vista we are thinking of releases the performance bond. We have been advised that there are some drainage problems. You have absolutely no control over what's going on in the drainage system."

Gary Pendzick, "That's right. Not in drainage. Only in the water system there and the service line that's installed."

Councilwoman Civiletti, "And that has nothing to do with drainage? Do we still have a bond on the drainage?"

Allen Smith, Attorney, "Yes."

Councilwoman Civiletti, "You represent this one Allen? Okay. If we didn't and we didn't have to release this right now. We have one on file right now for that one."

Supervisor Janoski, "Thank you Gary."

Supervisor Janoski, "I'm going to ask for a short recess which we will have right here and then we'll reopen the meeting."

TOWN BOARD MEETING RECESSED AT 9:00  
TOWN BOARD MEETING RECONVENED AT 9:05

Supervisor Janoski, "The meeting will come back to order. There is a motion concerning the application of Mr. Jankus."

Councilman Pike, "We had a hearing on the petition of Mr. Jankus to take a residential building which happens to be a business zone and allow him to use it as a residence. I would like to offer a short form of a resolution which perhaps will be perfected by the Town Attorney. But whereas, the application for special permit of this Town Board for the use of the premises of Jankus family as a single family residence be approved. Be it resolved that the application be approved and we'll wing it from there."

Supervisor Janoski, "I'll recognize Mr. Boschetti for another resolution."

Councilman Boschetti, "I'm offering a resolution from the floor. And before I get into the context of that resolution, I just want to say we voted on an application tonight regarding

funding of the Community Life Center which had the potential of dividing this community all because of misinterpretation and misunderstanding. I think that's very unfortunate. There were also some comments made tonight, and just to keep the record clear, I want everyone to understand that the Town Board did not see the correspondence prior to it being mailed and that is a staff function and we rely heavily on staff function because obviously we can't write, read and send out every piece of correspondence that goes out of Town Hall ourselves. That's what they're there for. I made a comment that I thought that the letters that did go out and which I have seen recently and read, did not accurately reflect what I thought the meeting resulted in back in 1984/85. Consequently, I'm offering a resolution so that further confusion will not result in any future negotiation or application that is to be funded by the Community Development Office. Consequently, I'm offering this resolution. That number one; the Community Development Office that is now headed by Andrea Lohneiss, who by the way, was not there when most of this correspondence took place. So we can't look to her. But I am going to ask this Board direct Andrea to write a letter to the Family Life Center indicating that this Board has no further obligation to you. That it be in writing and that there be no subsequent confusion regarding what we did tonight. Secondly, that the Community Development Office develop a policy that will be further reviewed and approved by the Board that will guarantee that all future funded commitments on the part of the Community Development Office will be made in writing. And that only written commitments will be honored in the future. And I think that would put an end, hopefully to any future confusion as to what was said, what was approved and what wasn't and I make that resolution."

Councilwoman Civiletti, "Discussion. I applaud your objective here and that is that things ought to be clear and I think that maybe what we ought to do rather than have Andrea write a letter as you suggest saying that there is no further commitment on the part of the Board to do any further in connection with this project. Or maybe in addition to doing that, what we ought to do is also entertain a resolution tonight that authorizes and directs the Supervisor to execute a contract spelling out the terms of this because otherwise we're maybe like doing it again. We're authorizing this ten thousand dollars. Maybe we should also authorize and direct the Supervisor to enter into a contract with the Family Community Life Center that spells out when the money is going to be paid, what strings are attached. Because you know when you're dealing with government, there are strings are attached. There is one that is subject to approval by Housing and Urban and Development Corporation. So that those things are clear and we're not in the same boat three months from now. Maybe we should improve upon what we did in the past. I think that's what you're getting at."

Councilman Boschetti, "That would serve the same objective that I'm after and I think everyone here is after. So that this

kind of thing does not happen again. I certainly have no problem with doing it that way."

Councilman Pike, "As to the existing payment? As to the \$10,000 payment?"

Councilwoman Civiletti, "As to the second \$10,000."

Supervisor Janoski, "I would suggest that perhaps this is so complicated that we might want to work on this at a Work Session and develop a resolution for a future special or regular Town Board meeting. But what is your advice counsel?"

Councilwoman Civiletti, "We don't have to do a contract. I'm not suggesting that we have to do a contract. What I'm suggesting is it would, as history has taught us here, be a better practice for us to do a contract. By simply authorizing and directing the Supervisor to enter into a contract with regard to dispersing this \$10,000, might be a smart thing to do. Given the problem that we got ourselves into by not spelling things out. And that's what Lou is getting at."

Councilman Pike, "There's two things. There's this \$10,000 which is, as far as I'm concerned, is settled and done with that condition. And then there's perspective. I heard Lou say was perspective."

Councilman Boschetti, "That's correct."

Councilman Pike, "You're adding to that; let's look at this \$10,000 so that I would like to put the ten thousand to be tonight. As far as perspective stuff, I think his idea is a great one but perhaps we ought to write it down before we pass it. Just to continue this lovely debate, the practical question I have for Lou is that your first resolution says this is it. My practical question is what if HUD says it doesn't qualify?"

Councilman Boschetti, "Well, obviously we have to abide by HUD since it's their funds. If it doesn't qualify, maybe that's a good point. Maybe that should be explained so that they understand what that means. It is subject to HUD approval."

Supervisor Janoski, "I will suggest.... Excuse me Butch. I will suggest one more time that this is a complex question and I would really prefer that this be deliberated on not from this podium but it be worked out with counsel as well as with the sponsoring members of the Town Board so that we can see in writing just exactly what we're saying. Butch, did you wish to be recognized?"

Butch Langhorn, "Yes please. I am the chairperson of the committee of which we are discussing. I would like to, for the record, if this is going to happen at a work shop, work session, (please) I would like to be notified that it is going to be

worked at so I can be here because there has been sometimes where things have been discussed and I felt that I should have been here and I was not notified of it. So if this is to occur, I would appreciate a telephone call that it is going to occur. And one other thing I would just like to say and I would rest my case, is that I understand what you're saying about getting the final approval from HUD. I do understand that. But I do not understand the point where I think we have it here in writing where the town has said yes; we will give you the \$10,000. So if HUD doesn't say this qualifies, then I think you will see me coming back to the town. If they say no money is available, that's not my problem. The town said that they were going to give us \$10,000. Thank you."

Supervisor Janoski, "Thank you. So there is a motion which is moved and seconded with a discussion going on. I have recommended that we do this in a more....."

Councilwoman Civiletti, "Are you moving to table?"

Supervisor Janoski, "I am not going to.... I am suggesting to the Board that this be done through a process of consultation with counsel and that we do have discussions at Work Session so that we develop a resolution which fits what it is the Board is attempting to do. I am not going to interfere with the Board's consideration of it. But if there is a vote taken on it, I will not vote for it."

Councilwoman Civiletti, "I would just once again reiterate that I think we ought to authorize the Supervisor with regard to this \$10,000, with regard to this \$20,000 commitment that seems to have been made and seems to be the consensus of this Board, saying that we have agreed to pay the balance of that \$20,000 which is this second \$10,000 payment. And what our resolution says is subject to HUD restrictions and regulations because it's HUD money and we don't have the power to dispense of it outside of their regulations. And we can authorize the Supervisor to do that tonight the same way we authorize him to do a drainage easement agreement. The details of which will of course work out subsequent to this hearing at meeting with the advice of counsel. I mean that's just the way it's always done. I think this whole discussion underscores the point that we're doing it again. We are passing a resolution authorizing; yes that legally obligates us but we're not spelling out the terms and conditions of it."

Supervisor Janoski, "What are the terms and conditions?"

Councilman Pike, "Here's where I don't understand the retrospective thing."

Councilman Lombardi, "Pat, you are our attorney. Could you direct us which way to go please. You are our attorney."

Supervisor Janoski, "Advise."

Patricia Moore, Town Attorney, "I don't think that's quite right. I would advise you... As far as whether or not you have an obligation, it is my opinion that you do not have an obligation other than you act by way of resolution. And the only obligation you have was the original \$10,000. The second \$10,000 is purely a policy question that the Board has to deliberate among themselves and decide based on your knowledge of the history."

Councilwoman Civiletti, "I just authorized it tonight."

Patricia Moore, "That's right."

Councilman Boschetti, "That's not the question anymore."

Councilman Pike, "Denise seems to want to modify, limit... I don't understand it. I don't understand what you're getting at Denise."

Councilwoman Civiletti, "What I'm getting at is that we write.... I think it was what Lou was getting at also. Yes. Lou was addressing perspective. But we did in fact put a little tag on this saying subject to HUD approval. And I think that spelling out what the condition is and that there is a condition and putting it in writing between the two parties so that if Mr. Langhorn comes down here tomorrow morning and says okay, give me the check; we're now going to say well, wait a minute. We have to go to HUD and next year this time Mr. Langhorn will be down here saying where's the check. So I think that it would benefit us the way it certainly would have benefited us five years ago to put this contract in writing. That's all I'm saying. As far as directing Lou's original resolution directing the Community Development Agency to send out a letter, I don't have a problem with that. What was the second part of that Lou?"

Councilman Boschetti, "To draft a written policy so that there would be written commitments."

Councilwoman Civiletti, "To always put it in writing and have a written policy and I'm willing to vote on that right now too. I maybe should not have brought this up as the subject of discussion of this resolution but introduce a separate resolution. I don't know. I'm willing to vote on yours and then make a motion. But I think it would be worth while to do."

Supervisor Janoski, "Why are we doing this now? We all knew we were going to vote on this authorization this evening. It would have been a good idea maybe to discuss it yesterday. But any how, there is a motion and a second."

Councilwoman Civiletti, "Well, I'm spontaneous."

Supervisor Janoski, "That's true. There is a motion that's been moved and seconded. Are you amending that motion?"

Councilwoman Civiletti, "No. Let's vote on that and I'll move a separate motion."

Councilman Pike, "Restatement of the motion."

Irene Pendzick, "The Community Development Office be directed to write a letter that there be no further obligation to the Family Community Life Center and that all future commitments of the Community Development Office be in writing and only those in writing will be honored."

Councilman Boschetti, "Thank you Irene. I couldn't have said it better myself."

Councilman Pike, "The problem I have with this is a very real one because these folks expect, and I'm honoring their expectation for \$10,000. That is totally unrelated to whether HUD approves of this or not. HUD wasn't in the middle of this thing. So that I'm not willing to vote for something that says to them; if HUD just says look. It doesn't meet regulation letter "Z", that we're out of the game. If a letter comes back from HUD says no, I'm not willing to say to them we don't owe you a cent. I feel at least a moral obligation to reconsider the whole thing and decide whether out of town funds we ought get them off the hook that we (in part) put them on. So I'm not willing to cut off a legal obligation which is what the first half of that resolution does, so I vote no."

Councilwoman Civiletti, "I'm looking at the resolution we adopted earlier because...."

Councilman Boschetti, "Mr. Supervisor, I know this is irregular but I must ask. If that is the intention of everyone on this Board, that was not my intention. If it's the intention that this resolution will preclude them from further seeking redress regardless of HUD's decision, that was not my intent. And if that's the way it's being interpreted, then I want to restate the resolution."

Supervisor Janoski, "Once again, I would suggest that this be done in a calmer atmosphere. I'm sorry. I would suggest that this be done at a different setting so that the words can be written down so there is no misunderstanding about what is being proposed here. I understand that there is a message trying to be given to people in the audience tonight and I think the people in the audience understand that we're trying to set some rules and standards here. But let's work it out calmly with advice of counsel so that there isn't any misunderstandings."

Councilman Boschetti, "Joe, then begging your forgiveness because I know this is very irregular but then may I remove the

first requirement of a letter being drafter relieving us of any future obligation until this matter is solved. But the second part would still be valid because it will take time for the Community Development Office to develop a policy of written commitment. So I would offer that and withdraw the first part of it because that was not my intent."

Supervisor Janoski, "So the question before the Board is simply direction to the Office of Community Development to prepare a policy regarding allocation of funds in writing."

Councilman Boschetti offered resolution #689 which was seconded by Councilman Pike.

Councilwoman Civiletti, "Now, I would like to make a motion for a resolution authorizing and directing the Supervisor to enter into the contract I'm talking about, a contract with Family Community Life Center, Inc. Because and for the record, the second resolved paragraph of the resolution that we adopted resolved that the disbursement of this grant shall be subject of the approval by the U.S. Department of Housing and Urban Development as an eligible expenditure of the Community Development Block Grant funds. And that's not to say that at some future point some other funds could be used, but that's part of the resolution that we adopted tonight. If that was not understood and that is understood as a result of all this confusion, then we accomplished something. But that ought to be made clear so that we don't get into this same situation. I think we ought to do what we're directing Andrea to do and that's commit it to writing and that's the purpose of my resolution. So moved."

Supervisor Janoski, "Sorry to keep you folks here but I just want to make sure I'm understanding what I'm hearing. My point is that I don't mind what you're saying as long as you're not saying if HUD comes back and says we can not give you the money, the issue is resolved. As long as you're not saying that, I'm in agreement. If HUD comes back and says we can not use this money for this project, you have not heard the last of the Riverhead Community Life Center, the First Baptist Community also."

Supervisor Janoski, "Mr. Benedict. We're breaking all the rules, let's break them all."

Councilwoman Civiletti, "How are we breaking the rules? By making motions? I thought that was...."

Dick Benedict, "Taxpayer in the Town of Riverhead."

Councilwoman Civiletti, "Mr. Benedict, and I'm sorry but a moment ago when I asked for a discussion on a question that was moved, you said you can't have discussion until it's seconded. This isn't seconded and we're not only having discussion among the Board members but comments from..."

Supervisor Janoski, "It's not seconded? I'm sorry. Is there a second. Are you moving it?"

Councilwoman Civiletti, "I moved it. Is there a second?"

Supervisor Janoski, "Is there a second?"

Councilwoman Civiletti, "Okay. Then it's a mute point."

Councilman Lombardi, "Nobody seconded it because we don't know how many times you're going to pull back the second. So I'm not going to second it until I find out it's right."

Dick Benedict, "So far I've heard it's Small Cities funding, it was HUD funding which is one and the same. I don't know if it qualifies for Small Cities. I know we have public hearings. I know there's guidelines. I know it's got to be designated a target area. I don't believe any of this was done. They're particular project was not brought up at any public hearings that I was at for Small Cities funding as a recommendation. Now, I heard you explain to Mr. Haizlip that it was coming from HUD funds. The resolution I heard said HUD funds. Now if they don't qualify, how do they get the money? Taxpayers don't fund churches or community centers unless it's town funded. Second of all, I understand what they're up against but I can't see HUD giving these people \$10,000 for a \$12,000,000 project. As a taxpayer of the Town of Riverhead, if it's HUD money, I don't really like it. I'll go along with it if they qualify. If it's taxpayer's money, I'm against it. Thank you."

Supervisor Janoski, "Thank you. There's no resolution. Is there anybody else who wants to be recognized? I think I'm going to do something very quickly. I'm going to adjourn this meeting. Without objection, I adjourn this meeting."

There being no further business on motion or vote, the meeting adjourned at 9:15 p.m.

IJP:nm

  
Irene J. Pendzick  
Town Clerk