

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead, at the Riverhead Town Hall on Tuesday October 7, 1986 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Victor Prusinowski, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman

Also Present: Richard Ehlers, Town Attorney

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

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

RESOLVED, that the Minutes of Regular Board Meeting held on September 16, 1986 and Special Board Meeting held on September 22, 1986 are dispensed without objection and be approved.

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

The resolution was thereupon duly declared adopted.

BILLS

Bills submitted on abstract dated October 7, 1986 as follows:

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

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

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

The resolution was thereupon duly declared adopted.

1077700
Supervisor Janoski, "Let the record show that a few of our department heads are with us this evening. Nice to see Dick Ehlers safely back from New York City. Reports Mrs. Pendzick."

REPORTS

Recreation Dept.-Month of September, 1986. Fil

Supervisor's Office-Tentative Budget for 1987. Fil

Town Clerk-For month of September, 1986. Fil

Jamesport Fire Dept.-Budget for 1987. Fil

Police Department-Month of August, 1986. Fil

Recreation Department-Month of August, 1986. Fil

Conservation Advisory Council-Minutes of 9/24/86 Meeting. Fil

Environmental Quality Review Board-Application of Parvis Farazhad is a Type I Action requiring lead agency and McLaughlin & Danowski application is a Type II Action. Fil

Planning Board, 10/7/86-Application of McLaughlin & Danowski Funeral Home recommended to be approved. Fil

Open Bid Report-Josica Drive Water Extension. (See Water District Minutes) Fil

Open Bid Report-Union Square Water Extension. (See Water District Minutes) Fil

OPEN BID REPORT - TRUCK WEIGH STATION - SANITATION DEPT. Fil

Bid Date: September 29, 1986 at 11:00 a.m.
3 Bids Submitted

#1 NAME: TOLEDO SCALE
ADDRESS: 29325 CHARGRIN BLVD., CLEVELAND, OHIO
TOTAL BID: \$122,905.00

#2 NAME: EMPIRE SCALE & SYSTEMS
ADDRESS: 4248 RIDGE LEA ROAD, AMHERST, NY
TOTAL BID: \$107,340.00

#3 NAME: CARDINALE MANUFACTURING
ADDRESS: P.O. BOX 151, 203 E. DAUGHERTY, WEBB CITY, MISSOURI
TOTAL BID: \$117,485.00

10/7/86
REPORTS Continued

OPEN BID REPORT - BODY ARMOR - POLICE DEPARTMENT

File

Bid Date: September 24, 1986 at 11:00 a.m.
2 Bids Submitted

#1 NAME: MANNO UNIFORM AND SECURITY EQUIP. CORP.
ADDRESS: 3876 MERRICK ROAD, SEAFORD, NY
TOTAL BID: \$38.50 extra outershell
\$47.00 quilted outershell
\$344.00 add. outershell w/2 mesh t-shirts

#2 NAME: STANDARD LAW ENFORCEMENT
ADDRESS: 957 WILLIS AVENUE, ALBERTSON, NY
TOTAL BID: \$54.95 extra outershell
\$59.95 quilted outershell
\$313.95 add. outershell w/2 mesh t-shirts

OPEN BID REPORT - 4 PATROL CARS - POLICE DEPARTMENT

File

Bid Date: September 29, 1986 11:15 a.m.
1 Bid Submitted

#1 NAME: RIVERHEAD DODGE, INC.
ADDRESS: 642 EAST MAIN STREET, RIVERHEAD
TOTAL BID: \$9,300.00

OPEN BID REPORT - FLASHING SIGNALS - HIGHWAY DEPARTMENT

File

Bid Date: October 6, 1986 at 11:00 a.m.
2 Bids Submitted

#1 NAME: JOHNSON ELECTRICAL CONSTRUCTION CORP.
ADDRESS: 263 CALEB'S PATH, HAUPPAUGE, NY
TOTAL BID: \$5,800.00

#2 NAME: HINCK ELECTRICAL CONTRACTOR, INC.
ADDRESS: 160 IRISH LANE, ISLIP TERRACE, NY
TOTAL BID: \$11,500.00

Irene J. Pendzick, "That concludes Reports."

Supervisor Janoski, "Thank you. Applications."

APPLICATIONS AND PETITIONS

Village Green at Baiting Hollow-DEIS. Fil

Parviz Farahzad-Special Permit, subdivision in industrial "A" area. Fil

Fred Hill (Philger Realty & Suffolk Old Farms)-Change of Zone from Agr. "A" to Res. "C", Middle Road and Reeves Avenue. Fil

L.W.C. Realty-Site Plan (feather building, Edgar Avenue). Fil

Petition-7 Residents of John Wesley Village objection to Benjamin condo units. Fil

Deirdre Fedun-Special Permit for professional offices. Fil

Swan Lake Golf Corp.-Site Plan for deck off building. Fil

49 Letters of Petition protesting condominium complies of Alvin Benjamin signed by neighbors. Fil

Supervisor Janoski, "Correspondence."

CORRESPONDENCE

Planning Board, 9/23/86-Recommends Robert Nichols special permit be approved. Fil

Madeline Moher-Objects strenuously to Benjamin Condo units. Fil

Helen Massmann, 8/1/86-Asks that Benjamin units be denied. Fil

Mildred Lewis, 9/22/86-Asks that Benjamin units be denied. Fil

N.Y.S. D.O.T., 9/25/86-Reiterates that Benjamin site is in L.I.E. right-of-way for extension of expressway. Fil

Lillian Obenhauer, 9/23/86-Strongly objects to condo units. Fil

Elise Hauburger, 9/30/86-Lists objection to condo units. Fil

Vivian Bell, 10/1/86-Objects to condo units, suggests a park. Fil

Roanoke Homes Civic Assoc.-Question DEIS Re: Sewer Treatment of Application of A. Benjamin. Fil

Marie Straub-Objects to Application of A. Benjamin. Fil

CORRESPONDENCE Continued

Gerald Monk, Carolyn Bremeyer, Mary Benzeger and Walter and Helen Loomis-Objection to Aldersgate becoming a public road if Benjamin application is granted. Fil

Tony Bullock-Copy of Sen. Moynihan's statement to NRC. Fil

Joyce Hettrick-Doesn't want additional moratorium in Manorville. Fil

Supervisor Janoski, "Thank you. Under Unfinished Business:

UNFINISHED BUSINESS

Dubois Smith-Site Plan, farm equipment sales, East Main Street.

Atrium Group-Special Permit, 2 residential homes in industrial area.

Rollin Hargis-Special Permit to add 23 units to existing park.

Justin Purchasing-Special Permit for 20 couple residence on Sound Avenue.

Robert Entenmann-Special Permit and Change of Zone for 222 units.

M.H. of L.I., Inc.-Special Permit for single family residences on Sound Avenue.

John & Elaine Villano-Site Plan, warehouse, Pulaski Street.

Baiting Hollow Development Corp.-Phase II, condo units.

Joseph & Linda Sullivan-Special Permit for 32 mobile home lots.

Peconic Ambulance-Site Plan for garage on Edgar Avenue.

Augusta Schneider-Special Permit for 162 condo units, Route 58.

Robert Nichols-Special Permit for residence in industrial "A".

Anthony Kahn-Site Plan for prefab storage building s/s Middle Rd.

McLaughlin & Danowski Funeral Home-Site Plan to add chapel.

Victor Pafundi-Site Plan for 39 unit motel, S. Jamesport."

Supervisor Janoski, "The time for the first scheduled public hearing has not yet arrived. I will recognize anyone who wishes to be heard on any subject at this time. Mr. Nohejl."

PERSONAL APPEARANCES Continued

Bill Nohejl, Wading River, "Correct me if I'm wrong. When you get a gas station permit in the conditions, is one of them that you must supply free air and water? I thought there was one."

Richard Ehlers, "I believe the county legislature (last year) passed a law in the County of Suffolk that you had to provide air."

Bill Nohejl, "I thought one of the conditions when you have your permits,..."

Richard Ehlers, "If it's a recent application, I think we did in one of them."

Bill Nohejl, "Yes because a number of gas stations around town you have to put a quarter in to get air. And I thought that was one of the conditions stipulated in getting the permit."

Supervisor Janoski, "From who? Where do you get the permit?"

Richard Ehlers, "Is this the Hess station you're talking about?"

Bill Nohejl, "The special permit. At times, I would as Irene to look up under this like the Metro and that and look under what the conditions were at that time."

Supervisor Janoski, "Are you talking about the permits that were granted some time ago."

Councilman Lombardi, "We never put that... We discussed it. It was discussed."

Bill Nohejl, "No. I've heard it read here. I mean I would like to look into it deeper because they are charging a quarter."

Councilman Prusinowski, "I think the Suffolk County Legislature passed something to that affect and I thought it was always a state law that the gas stations are supposed to make it available to the motorists."

Bill Nohejl, "Alright. So if it's a state law, they supercede the town and the county and now their charging."

Councilman Prusinowski, "And the county supercedes us."

Bill Nohejl, "So what can we do about it. Because I went to (the other day)...."

Councilman Prusinowski, "Consumer of Affairs."

Bill Nohejl, "Consumer of Affairs."

Supervisor Janoski, "Are you saying Bill that we have passed site plan approval or special permit approvals with the condition?"

Bill Nohejl, "I believe I've head it, right."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Do you ever remember writing anything like that?"

Richard Ehlers, "We did discuss it."

Supervisor Janoski, "But do you remember writing anything like that?"

Bill Nohejl, "I believe I heard it up here."

Supervisor Janoski, "We will look into approvals that have come through and check to see if that is in fact the case."

Councilman Lombardi, "Bill I remember that a couple of years ago I brought up because there was gas stations not giving air and I had brought that up and I said that the gas station should supply air and that's where it went."

Bill Nohejl, "You might be right John but I'm under the impression that I've heard it read up here as one of the conditions."

Councilman Lombardi, "They were just pumping gas and not giving out any air."

Bill Nohejl, "Now it's charging a quarter. Also, Lou and I went to Wading River last Thursday. Since that time, Lou, that front building by the ice cream factory had a catastrophe last night with the wind that tore the roof off, knocked half the side out on the front and all the front doors, where the front doors are going to be; that's all twisted and wrecked. Now, I am stressing very hard that this country rural be revamped. Because what is going on there now is not right. It's too close to the road. I'm not saying that the site plan is not what country rural I anticipated it to be. At the time of the hearing of country rural, I suggested a 75 to 100 foot setback from the road which would give the country rural."

Supervisor Janoski, "What do you do if you only have a 200 foot deep lot?"

Bill Nohejl, "Well there again, I would rethink and maybe allow a strip for something the lot does not accommodate that or cut the...."

Supervisor Janoski, "Bill, I'd like to have a deep discussion with you on this matter. Quite honestly, I drive by that every day. I go to Wading River every day and I see a building that's set back 50 feet which is the requirement for every zone in the town. There is nothing that I can identify in Wading River in that strip in that particular area that is set back any further. The difference is that there is no incursion into that front setback. There's not going to be any parking there as there is with the shopping center."

Bill Nohejl, "I understand that."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "So you know when you start to separate out buildings and that's what this mandates; that you start separating out the square footage into separate buildings. Then you've got to give to get. And you can't have a 75 foot setback and still the separation of the building. You could do it with a strip shopping center. If we let them build a strip there, there's no question that you could probably get that setback but you know. I'd be happy to play with that site plan to see if there was a better way to do it."

Bill Nohejl, "Well you see now why I'm saying that it should be revamped because of the property, this was a unique parcel where it was close to the road that didn't have the depth. I grant that. Now there's other parcels that are going to come along that road that's going to have a 500 foot setback like it's equal to King Kullen because that's the zoning along there; 500 foot."

Supervisor Janoski, "Well what I've discussed is the minimum setback of 50 feet and that we tried to develop a mechanism so that if you have a deeper lot, then you would increase that setback."

Bill Nohejl, "I would hope that that would be the case. Then you would have your country effect."

Supervisor Janoski, "In CR there's a number of changes that are in the works in that particular zone. It was (I think) a very nice experiment. We took a giant step. It's a h--- of a lot better than the Business "B" and Business "C" which existed there. So we're making progress. It's not perfect. We're cleaning it up a little bit. It's an experiment. I described it as being a laboratory zone; trying different things. But the projects which have come forward; Appel, the one that we're talking about, are a lot better now than they would have been, other than the little strip shopping center down in Shoreham because that was the threat of what can be there. And I think it's a lot better than that kind of development. It's a step forward. It's not all the way to the goals that we want them but we're trying."

Bill Nohejl, "Like you say the strip shopping center in Shoreham. I know what you're talking about and also you've got to take the other parcel in Shoreham in Maple Commons. That is a beautiful setback off the road. And that is what I envisioned country rural to be like."

Supervisor Janoski, "Well that's what we envisioned it to be like also. There are some unique circumstances in that. It is one building with small lot coverage, existing stand of trees which add tremendously to the look of that. Mature trees. What you're going to have here in Wading River is land that had been cleared some years ago and they're going to have to plant trees and over the years those trees are going to grow but it's going to take some time."

Bill Nohejl, "You take the King Kullen shopping center. As you go past it you hardly know that that King Kullen shopping center is in there because it's set so far back from the road."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "And we, right now, require less parking, asphalt, for a shopping center than we did when King Kullen was built. So if we were doing that shopping center today, there would be a larger buffer area. So there's a number of things that we're trying to do on the board and we're making (I think) significant progress. None of it perfect but we keep on moving forward."

Bill Nohejl, "But where you have the deep parcels, I suggest that you use the setback. May I have a copy of the resolution?"

Supervisor Janoski, "Absolutely. And you have very nicely gotten us to the first public hearing. Let the record show that the hour of 7:47 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, October 7, 1986 at 7:45 p.m. to hear all interested persons regarding: The Application of Shorewood Water Corp. to extend its franchise.

Supervisor Janoski, "Thank you. Is there anyone present representing Shorewood Water Corporation? Mr. Tony Tohill, Esq."

Anthony Tohill, Esq., "Good evening Mr. Supervisor and members of the Town Board. My name is Anthony Tohill. I'm an attorney here in Riverhead at 12 First Street. I represent the applicant in connection with this extension #3. The Shorewood Water Corporation has been in existence for the last 41 years supplying water immediately west of the Town of Riverhead since 1977 and they have been in the western most section of the Town of Riverhead in the Wading River area. This application for an extension as with extension 1, 2 and 3; involves the drilling of no new wells in the Town of Riverhead. Again, the extension is promoted by the immediate need of a particular property owner on Long Pond Road. There is a subdivision there as you well know, which awaits public water. There is a water problem in that area as many of you know; high iron contents that are unacceptable to the Suffolk County Health Department. The intention is that with respect to the area covered by extension #3 which is heading south from extensions 1 and 2 all the way to the Main Road and the Crazy Clown area and west to the Town of Brookhaven and Town of Riverhead line. Then east along the main road a distance of approximately 3,000 feet to include a small residential subdivision that is immediately west of the motel area and north of the Main Road. That would be the area that would be included. There is no immediate intention to reach the small residential subdivision that's been there for many many years; Kay Court, Kay Road, Calverton Court, Laurin and Gerald. I think that's the four. There's a fifth perhaps too. On that, the economics are a little bit out of hand unless between and the time there should be an expansion in that particular direction, a specific direction, somebody else should come along (an industry or whatever) and help to under-write the economics of getting that far with that much pipe. But immediately, the intention would be to bring the water down Long Pond, down Wading River Manorville Road as far as the need or demand exists. Ultimately,

PUBLIC HEARING ContinuedAnthony Tohill, Continued

candidly, it's going to go (on a short term) back into the Town of Brookhaven into the Panomoka area; Ridge, Scout Trail all up in that area north of Panomoka, north of Long Pond. The needs then or the demands are different depending upon whether you're on the north end of this proposed extension or on the south end. On the south end it will not be as immediate. Robert Reed who is the proprietor of the company and has been all along, he's here tonight and will answer any questions that you might have. We were hoping that if there were any possibility at all, given the particular needs of a property owner on Long Pond that there would be a resolution as promptly as possible."

Supervisor Janoski, "Thank you Tony. Would you like to elaborate on the needs that you referred to."

Anthony Tohill, "In the Long Pond area? I'm not aware of the specifics on the subdivision that's on Long Pond but there is another subdivision south of Long Pond where there's high iron content in the water. The Health Department will not approve the wells."

Supervisor Janoski, "Thank you. Is there anyone present who wishes to comment on this franchise extension application? Mr. Nohejl."

Bill Nohejl, "I am the person who has that subdivision on Long Pond Road. And I tested for water, I drilled four different wells. A high iron content was up around 11/12 percent and no way would the Suffolk County Health Department approve that. I drilled deeper, went down and went down to 260 some odd feet, it was still 5.8 percent. And I was told that I must get public water because they knew of the Shorewood Water Company in the area and it's feasible to put in public water instead of putting in each one a private well. They would not approve any iron content on the subdivision of more than .3 percent and I had 5.8 and the area around there is known for high iron. And in order to put a filtering system in for iron, I think it would be about 15 hundred dollars plus about 4 thousand a well which would come to about 55 hundred dollars. And in time, those wells would form iron on them and block up. So I'm very much in favor of this. Thank you."

Supervisor Janoski, "Thank you Bill. Is there anyone else present who wishes to be recognized for the purpose of commenting on this application? Cathy Casey."

Cathy Casey, Wading River, "I just would like to ask, how long is this franchise going to be good for? Hadn't you thought about that?"

Supervisor Janoski, "Mr. Town Attorney."

PUBLIC HEARING Continued

Richard Ehlers, "The application is for an extension of their existing franchise. They currently hold a franchise there. And Mr. Tohill can perhaps, indicate the duration. But I can tell you that it terminates upon the happening of one or two events. One; in the event that they sell their water company, they must offer it first to the Town of Riverhead who has an opportunity to meet that bonafide price. Secondly; it would terminate in the event that the town were to determine to extend the Riverhead Water District into the area covered by their franchise and it would then be purchaseable by the town at the book value as placed on the appurtenances by the public service commission."

Anthony Tohill, "My answer is 40 years."

Richard Ehlers, "That's correct. 40 years."

Cathy Casey, "Forty years. Well...."

Richard Ehlers, "It wouldn't be an extension of that earlier 40 year period. The 40 years commences back when the franchise was granted in '77 I believe. So it would be more realistically 30 years from today."

Cathy Casey, "Ok. Just one more question. At what point does the town foresee purchasing?"

Supervisor Janoski, "There are no plans existing at the present time for an extension of Riverhead Water District to south of 25A."

Cathy Casey, "In other words, you're telling that I will never see a municipal water district in that area?"

Supervisor Janoski, "I didn't hear me say that. What I said is the town does not at the present time, have plans to extend the water district south of 25A. We do have plans to extend north of 25A which is going to be a multiple year project as you can understand. Now once we're completed with that, someone may suggest and it could possibly be (no one sitting here) that we extend south of 25A with Riverhead Water District. One of the reasons that I personally support this extension is because we do not have the plans to do so but there is a need to provide a city water (if you will, that's a word used out here) system in that area."

Cathy Casey, "Not very reassuring for me but at any rate, I thank you very much."

Supervisor Janoski, "I don't understand what your concern is."

Cathy Casey, "Well I feel, quite frankly, that the south side of 25A should certainly be considered (and I'll throw in a figure) in 10 years to become part of it. I mean I'm looking and I'm saying fine. If it's not 10 years, maybe it should be eight, maybe it should be 12."

10/27/86
PUBLIC HEARING Continued

Supervisor Janoski, "Supervisors only think in 2 year periods and Councilmen think in 4 year periods. What I'm saying to you is the day will come when Riverhead Water District the consideration of extending it down there. But right now, we have a job to do in that other area and it's not that we're choosing them over you. It's just that you can put in as much pipe as you want but you have to have water coming through that pipe and our well is going to be in Wildwood and we will work west from there. So it's a matter of practicality."

Cathy Casey, "Thank you."

Supervisor Janoski, "Thank you Cathy. Yes."

Steve Haizlip, "I want to second what Mr. Nohejl said of this here rust problem and it would be more economical to put in wells from the franchise. I am going through that same thing myself; rust and wells wearing out, filters clogging up and that's why I keep yelling that I'd like to get some municipal water."

Supervisor Janoski, "Thank you Steve." Do you have your hand up Mr. Kasperovich? Well you are recognized sir."

William Kasperovich, Wading River, "Will I be interrupted by the next public hearing?"

Supervisor Janoski, "Well you know Bill, thank you very much. You're right. I'm going to recess this public hearing and note that the hour of 7:57 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, October 7, 1986 at 7:55 p.m. to hear all interested persons regarding: Adding Section 103-4(I) dumping of land clearing and demolition debris prohibited, effective immediately with exemption by filing of a building permit with the Town Clerk and obtaining a temporary permit. Excluding dumping of debris resulting from casual home maintenance and landscaping.

Supervisor Janoski, "Thank you. Mr. Town Attorney would you like to give us an eloquent description of what is that is being proposed?"

Richard Ehlers, "As many of you who have following the Board's meetings over the past several years are aware. The State Department of Environmental Conservation has been directed by the legislature of the State of New York to close all landfills in Nassau and Suffolk County by 1990. That means that our existing landfill at Youngs Avenue which is in the quote deep recharge area, can not be expanded. We paid, over the past several years, permit application requests to expand the landfill both for general household garbage and also for what

PUBLIC HEARING ContinuedRichard Ehlers, Continued

is called a land clearing and demolition debris landfill. We understand as of our most recent meeting, that they do not yet have the necessary regulations promulgated for the demolition debris landfills because they're afraid they will be converted into household garbage landfills. As a result of that, we're stuck with the size of our landfill that we currently have. And it's been projected that with the current quantity of land clearing and demolition debris which is coming into the landfill along with the household garbage, there will be an insufficient capacity to meet the needs of the town through the 1990 period. You must also keep in mind that in 1990, we're supposed to have on line a resource recovery system. And it would certainly be prudent to try to extend the life of the landfill slightly past that time since there's no guarantee that we will have such a facility in operation by that date. So there is a proposal before the Board to amend the Town Code to prohibit the dumping of major land clearing and demolition debris at the landfill. Now, obviously we have a problem in drafting that. We don't want to prohibit casual landscaping, casual yard maintenance, fall tree season where you have the leaves on the ground. That will still be permitted to be accepted at the landfill. What we're trying to prohibit is the large scale clearing of land or large scale development. Indeed if you're the owner of a one lot, single lot that you wish to develop for a residence, you may apply with a copy of your building permit for that single residence to the Town Clerk and receive a temporary waiver. The theory there being that one home clearing, one land clearing is not significant enough to have an impact on the landfill capacity. The hope is also that as we discourage the land clearing items in the landfill, people will go back to what they had been doing before the price of oil went down which was letting people onto their property to cut the woods down and use the trees for perhaps firewood or something else and not just bring them to the landfill because that is currently the cheapest way to dispose of them. We also understand that you're able to get from Suffolk County an open burning permit if you're clearing a large of land. We suggest that you make that application to the County authorities. There is also the possibility of private landfills handling the materials and there is also the possibility of the development of a chipping operation. So those all would be possible solutions. Our current problem and the town's current problem, is the capacity at the landfill and it just won't hold up given the current amount."

Supervisor Janoski, "Did you mention that other towns have passed similiar ordinances?"

Richard Ehlers, "Yes. The Town of Southampton as you may be aware if you're familiar with the press has a similiar ordinance. They're also higher dumping fees in some of the other towns which causes out of town material to be attracted into our town."

Supervisor Janoski, "Thank you Dick. Is there anyone present wishing to speak on the public hearing regarding the dumping of land clearing debris at the Riverhead landfill? Steve."

PUBLIC HEARING Continued

Steve Haizlip, "There's only one question that I would like ask and that would be; by 1990, when they say by 1990, are they giving the grace of the whole entire year to December 31st? Or do they want to have it January the 1st? Because I know how those legislatures up there work and how they (with the mercant language) put wording. It's a trap. Just like they answered Mr. Nohejl. It says the station will provide air and that's all. It doesn't say they can't charge. So that's what I'm saying here."

Supervisor Janoski, "By January 1990."

Steve Haizlip, "So December 31st 1989 would be the cut off."

Supervisor Janoski, "It's by 1990. Now, discussions that I've had with various legislatures whom you know and love, they admit that there are going to be towns that can not possible meet that dead line and that there will have to be an extension. As long as there is demonstrated a good faith effort on the part of the township to meet that mandate of closing the landfill and going to resource recovery or some other accepted means of disposing of the solid waste."

Steve Haizlip, "Well my interpretation would be if you have something that expires in October, you can go to the 31st. So when they say by 1990, I would to go to December 31st."

Supervisor Janoski, "And we probably will. Thank you. Remy."

Remy Bell, Riverside Drive, "I'm glad to see the Town Board take initiative on this issue. I am one who is against the 1990 landfill law by the state. I think because the state has not taken an active roll to participate with the towns to solve our problems, they've more or less left it in our laps, I think this is one step that should be done. I do agree with the resolution. One question I also have is; is there any effort on the town's part to stop the state and the county from bringing in their debris into our town landfill? That is road materials, debris they pick up on the high-ways."

Supervisor Janoski, "They do pay for it. That's not included and there was a problem at one time. We do charge them. But that is not included in this proposal. Being that you raised the subject, the Town Board of the Town of Riverhead passed a resolution several months ago stating that we believe that other alternatives should be provided to the eastern towns. That we should not be forced into resource recovery because that creates a whole host of other problems. But we are under mandate of law to chart this course and keep on, hoping all the town that there will be some change of heart in the legislature in Albany."

Remy Bell, "I'd also like to say that I agree with the Southold plan with the wood chipping devices. I think the town should look into that as a way to alleviating the large debris."

PUBLIC HEARING Continued

Supervisor Janoski, "As I told my favorite legislature who you know and love, that when he comes up with some money, I will be happy to recommend to the Town of Riverhead that we investigate that alternative. The D.E.C. has not yet indicated support or their acceptance of that as an alternative. So we will see what happens."

Remy Bell, "Well I'm here in support of the town. I'm not here to make this a forum for myself. I do have views on the D.E.C. and I don't agree with their mandates and not following up some sort of state funding to the towns. Thank you."

Supervisor Janoski, "Thank you. Well, I'm going to have to... Is there anyone who wishes to continue this subject matter because I'm going to recess it and we will open it up again. Let the record show that the hour of 8:06 has arrived and the Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publication of posting that a public hearing will be held on Tuesday, October 7, 1986 at 8:05 p.m. to hear all interested persons regarding: The Proposed Amendment to the Town Code, Section 101-3(A) Adding a stop sign at the intersection of Washington Avenue and Peconic Bay Boulevard.

Supervisor Janoski, "Yes. Sure."

Richard Ehlers, "For those of you, it's called the South Jamesport stop sign that we discussed a couple of months ago. When we were researching, we found that they put this stop sign up without any Board resolution several years ago. So now it's an opportunity to amend the code to properly call for that stop sign."

Supervisor Janoski, "Is there anyone who wishes to address the Board on the stop sign proposal at that particular intersection? Steve, you really have something to add here? Ok."

Steve Haizlip, "As long as we're on the subject of stop signs for this one particular crossing, I'd like to know and ask the question; what happened to all the signs that use to be posted many years ago (most recently) full stop? Whatever went with the word full? Now that word means a lot because I see people on the expressway coming off and it's only a second and they go."

Supervisor Janoski, "How do you feel about this intersection and the installation of the stop sign? Let's get that out of the way first. Do you support this?"

Steve Haizlip, "Well I support it and I support it with the word full."

PUBLIC HEARING Continued

Supervisor Janoski, "Ok. Now it is the State of New York and your favorite legislatures who determine what the signage of the state should be. In their wisdom, they have come up with the current stop sign which says simply stop. Now that means to me, full stop. But if you need some extra wordage, fine. They also came up with some other ideas but all signage within the state is approved by the state and it's all uniformed throughout the state and they've done away with that particular sign."

Steve Haizlip, "Well all I can say is the word stop has given many policemen demerits because they determine like seconds a stop and they go. The police don't. He wants you to sit there maybe thirty seconds as a full stop. So in that particular case, it's matter of interpretation for the word stop. So ok. Thank you."

Supervisor Janoski, "Thank you Steve. You're down on record as being in support of the installation of this sign. Is there anyone else who wishes to address the Board on the matter of the installation of the stop sign on Washington Avenue in South Jamesport? That being the case and without objection, I declare the hearing closed."

8:05 PUBLIC HEARING CLOSED AT 8:10

Supervisor Janoski, "Ok. We have about 4 minutes until the next scheduled public hearing. So why don't I go back to the dumping of debris. You had your hand up sir. Would you like to be heard?"

Brice Bucholtz, Jamesport, "On the capacity of the dump, who figured that out? What's left and how long it's going to last."

Richard Ehlers, "It's been calculated by several engineering firms. Young and Young did a topographical map as recently as eight months ago and that was forwarded on to ERM-Northeast and they did calculations as to what was left in that space. It's problematic as to what the exact capacity is because the D.E.C. has no current regulations on how high you can go. And obviously, if you can put slips over the entire area that we own where we've stopped land filling, we could have more capacity. But in our tentative description with the D.E.C., they've been indicated that they will not approve any major increase in the overall height of the lifts in the vicinity of the area where you come into the landfill. So if there were to change the regulation in the most favorable way, perhaps we would have enough capacity. But given their current feelings on the subject, it doesn't appear that they're going to grant us any ability to go higher. We've also tried to go out and we've not met with success on that. But part of the problem is they just are faced with this Long Island Barrier Law that it doesn't give them any room to maneuver they say. And we have spoken to the Senators and we've spoken to the Long Island groundwater commission members. And they say; yes there is room for the D.E.C. to maneuver. So we're kind of caught in the middle."

Brice Bucholtz, "But they're not after them to go higher then? The town's not after them."

1077780
PUBLIC HEARING Continued

Supervisor Janoski, "Anyone who reads the papers, can read about Islip or Huntington who are faced because the D.E.C. and their unwillingness to cooperate, to work with the township. The prospect of shipping their garbage by truck to Scranton, Pennsylvania, at very very high cost. We are, right now, protecting the town against that eventuality as best we can."

Brice Bucholtz, "Are you going to ship the demolition and the clearing to where?" It's affecting those people."

Supervisor Janoski, "Well demolition is not usually the resident of the Town of Riverhead who disposes of garbage. It usually is a developer who is in the business to make a profit."

Brice Bucholtz, "Half the things we took down in the town, the town took down here in the last couple of years. You folks had them removed. Where do you go with that then? Do you have to ship that to..."

Supervisor Janoski, "We intend to be a little exempt."

Brice Bucholtz, "Exactly. You're exempt. We're in business and we've got to go to Huntington or something."

Supervisor Janoski, "Well this place in Brookhaven."

Brice Bucholtz, "You guys do it on holidays too."

Supervisor Janoski, "We've got a problem. And really, we're reacting to the 1990 law. We're reacting to the experiences of the towns in the west and shipping garbage to Pennsylvania or Ohio. We have a limited amount of space. And these are the things the town is going to have to do. And it's as simple as that."

Brice Bucholtz, "So it's just going to be closed. That's it. That's what they want to do with it. Special permit, single, one hauler..."

Supervisor Janoski, "That's the proposal. Whether the Board agrees after this public hearing, of course is not set in stone. But certainly I would think that everybody's got to recognize that we have this problem and this is a possible solution."

Brice Bucholtz, "And the town's not interested in chipping or anything? Didn't Southold do that?"

Supervisor Janoski, "Southold is running a composting operation."

Brice Bucholtz, "Well they chipped for a while."

Supervisor Janoski, "They have a hundred and fifty thousand dollar machine that spins around and around and chews up branches and trees. It doesn't take trunks. Just the branches really. There is a possibility of a chipping operation. There's been some initial discussion by private industry. That is a good possibility and certainly there's a market for that kind of capability."

10/7/86
PUBLIC HEARING Continued

Brice Bucholtz, "And burning. The town is not interested in burning? They could have burned the storm damage. The state would not let them do that?"

Supervisor Janoski, "If we wanted to burn something, we would need the same permit that private individuals would need and that's a permit from the County Health Department."

Brice Bucholtz, "Not the state?"

Supervisor Janoski, "No. Suffolk County Health Department."

Councilman Prusinowski, "This is just for the demolition. We can't burn garbage anyhow."

Brice Bucholtz, "Not garbage. Stumps, trees. Is there a copy of these studies anywhere that you can look at where they got the numbers on the capacity?"

Supervisor Janoski, "Sure. You have don't you Irene? The ERM study. Ok. The Town Attorney and Town Clerk."

Brice Bucholtz, "Thank you."

Supervisor Janoski, "Thank you. Mr. Kasperovich, once again you hark in in the recess of this public hearing and the opening of the public hearing on the special permit application of Augusta Schneider. Is there anyone present representing the applicant? Mr. Smith. Oh I'm sorry. Would you like to read the notice of public hearing?"

7:55 PUBLIC HEARING RECESSED AT 8:15

PUBLIC HEARING - 8:15 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, October 7, 1986 at 8:15 p.m. to hear all interested persons regarding: The application of Augusta Schneider for alteration of certain wetlands at premises located at the n/w corner of Northville Turnpike and County Route 58.

Supervisor Janoski, "Is there anyone present representing the applicant? Mr. Smith."

Allen Smith, Esq., "If you would like Mr. Supervisor, we have a presentation that includes slides and some exhibits. You might let Mr. Kasperovich speak."

Supervisor Janoski, "Well if you would, if there is no objection from you as council, I would be happy to recess the meeting and get the other two completed before we open yours. Fine. Ok. The hearing is recessed and I will once again open up the public hearing on the dumping of debris. Mr. Kasperovich I have the pleasure and honor of recognizing you."

8:15 PUBLIC HEARING RECESSED AT 8:16

7:55 PUBLIC HEARING RE-OPENED AT 8:16

Mr. Kasperovich, "Two nice things in the same moment is overwhelming; concession from Mr. Smith leaves me speechless."

Councilman Prusinowski, "Two former supervisors."

Supervisor Janoski, "I'm not a former supervisor yet."

Mr. Kasperovich, "May I bring to your recollection that on several occasions in the past, I have spoke on the need to insegrate our waste at the garbage dump. Now, here we come to a situation where there's a large volume. It's obvious. It comes from a noticeable location. And so the problem is somewhat simplified to come to a solution. However, this to me is a stop gap measure. The D.E.C. has been forcing us to be ultra conservative in the manner of operating the dump. And consequently, have consumed a tremendous volume of space that has now become precious. And this should be a concern to the consuming of volume of space because we only have so much to go. No. The tree that stands out in the field and drops its leaves and the branches decay and the tree decays and the roots decay and it all goes back to mother nature earth. Nobody is concerned. But when you uproot the tree and bring it into pieces, it all becomes a smelly undesireable pile of garbage. So again, I say we come faced with the point of segregating the waste. And I say that the waste that is not delaterious to the recharging area, the steep charge area that you just referred to, that we be allowed other landfills where we can accomodate material. Material especially that is native to the earth. And in the landfill itself, we permit a tremendous amount of dumping that is not delaterious to the area. Now, we also do not take strong issue with the methods that the D.E.C. imposing on us to consume this volume. Especially in the winter months. So I say, we are proposing here a stop gap measure and we should expand this to be all inclusive to encompass the entire problem for the entire period remaining. It's a good idea and it's a good approach. I say it's in the right direction, the right attitude. But it's short of the entire problem and I say we have come face to face with that problem and we should fight it to the fullest extent. And whatever we can accomplish, to accomplish. I think I make the point clear that we have a town dump, we have other places in our township that the land is not particularly useful at the moment. Places that no developer is clammering at your door to allow to be developed. Places that things are generated by mother nature or things that are inert and staple that you have to reach a long way to say that it's going to damage our groundwater. That we reach out for more volume of space and at the same time, conserve the volume that we have. So I'm in favor of this but I also oppose it that it's not far enough reaching. Thank you."

Supervisor Janoski, "Thank you Bill and have you ever visited the State Department of Environmental Conservation in Stony Brook?"

PUBLIC HEARING Continued

William Kasperovich, "They have done everything what you fellows have already done."

Supervisor Janoski, "I thought maybe you had never been there. Oh well."

William Kasperovich, "Yes, they know me quite well down there."

Supervisor Janoski, "It was just a thought Bill. I'm sorry."

William Kasperovich, "Pretty much the same tone as you gentlemen use."

Supervisor Janoski, "I thought that maybe I could write out instructions or directions for you as to how to get there and you could visit them. Ok. Thank you Bill. Is there anyone else present who wishes to address the Town Board on the matter of the dumping, the banning of dumping of debris at the Riverhead landfill? That being the case.... Oh Steve. Didn't you already speak on this Steve. Well just a minute. Just hang in there. Is there anyone who has not spoken who would like to address this burning issue? No one having indicated that they would like to, Mr. Haizlip, you have the floor again."

Steve Haizlip, "Mr. Bell brought up a recollection there that I wanted to bring up. And that was; I attended a seminar here a while back and the gentleman that's running for congress on the democratic and he used to be a state assemblyman I believe and he was going on to brag about how much you get in taxes and where you cut and so forth on. But not at one time did he ever say anything about supplying money for the veterans exemptions and what have you."

Supervisor Janoski, "One of the things that you have got to ask (Bill) Steve as a citizen, is every time somebody passes a tax exemption, ask them who makes up the difference."

Steve Haizlip, "That's what I was going to come to now. Now the D.E.C....."

Supervisor Janoski, "What does that have to do with the dumping of debris?"

Steve Haizlip, "Well the next statement. Just listen."

Supervisor Janoski, "Ok. I'm sorry."

Steve Haizlip, "The D.E.C. is proposing a big bond issue. They want the voters to put it in. Now when this big bond issue gets approve and they get this huge amount of money, are they going to be forthcoming to help with these landfills and help you out."

Supervisor Janoski, "No. That's for toxic waste clean up."

PUBLIC HEARING Continued

Steve Haizlip, "Well we get that there too."

Supervisor Janoski, "I hope not Steve."

Steve Haizlip, "According to Abrams, he says...."

Councilman Lombardi and Councilman Prusinowski, "Our land-fill is clean."

Supervisor Janoski, "You can't believe everything you hear. Thank you Steve. Is there anyone else present who wishes to address the Board on the matter of banning of dumping of debris. That being the case and without objection, I declare the hearing closed and I'm going to re-open the hearing on the matter of the application for franchise extension for Shorewood Water Cooperation."

7:55 PUBLIC HEARING CLOSED AT 8:25

7:45 PUBLIC HEARING RE-OPENED AT 8:25

Supervisor Janoski, "Is there anyone present who wishes to address the Board on that matter? I had a feeling Steve. I had a feeling. Well why don't we get this gentleman who has not yet spoken and then I'll recognize you next. Excuse me sir. Clem, would you see if you can track down Allen Smith. Not this Allen Smith but the other Allen Smith because we're going to need that room open so we can dim the lights when Allen puts on his slide presentation. Thank you. I'm sorry."

Charles Wood, Wading River, "Good evening. I support the extension of Shorewood Water south of 25A in Wading River for a couple of reasons. One being that when Mr. Pendzick (Gary Pendzick) came to Wading River to speak about the extension of the water district to Wading River, he said that probably within 3 years, everybody in the Town of Riverhead in Wading River north of 25A would receive water from the Riverhead Water District. But that left the people south of 25A without city water and there are problems south of 25A. For instance a piece of land I have there, has 11 times the amount of iron that is acceptable by Suffolk County. So imagine there are many people south of 25A that would be interested in getting city water there. The only reservation I would have is that it be, even though I support the thing, I would hope that it would not be used by anybody south of 25A to come up with some sort of development. I'll just say it. A trailer park or something. If this helps somebody to build a trailer park south of 25A, then I would rescind my recommendation for public water in that area. But in general, I think the people south of 25A need public water. Thank you."

Supervisor Janoski, "Thank you Charlie. Mr. Kasperovich."

William Kasperovich, "I promised myself laying in bed in that d--- hospital that I would give you my five minutes and then go home and watch t.v. and yet I can't do it. I'm sorry. But if I don't speak up, I can't live with my conscience. So I'm betwixed and between. I spent considerable time with a large cooperation which I can't name for the record but you gentlemen know who my

William Kasperovich, Continued

employer was for many years, looking for water that had high iron content in order to bump it up and use it in the process of producing a catalytic analyz. And a lot of people who were enticing us and taking us to dinners, put your installation here, put your installation there and nobody cared that if you take this catalytic analyz with a very fine hair brush and draw the circle of a dime on you hand, by the time you complete the circle, you're dead. Nobody cared. They just had land. They didn't know what anybody else wanted. Ok. So we had a piece of land nobody else wanted. We zoned it in a particular way. There's a big tadoo about why we made such a large industrial zoned area in the Wading River section, in Calverton, in Manorville. Hours and hours of discussion and heated arguments about this. Now, all of a sudden, the developer finds that he can tap into a pipe line and get himself a source (probably) of probably the water being fed to residents for 50 miles around. And all of a sudden, this becomes a big thing and an absolute necessity. Now, what I don't like and what forces me to come up here is; that when I asked the owner of this Shorewood Water Company did he size his pipes for further extensions than the franchises he already had, he told me (and this was at the Wading River Civic Association Meeting) they did not. Now all of a sudden out of the blue, the pipes are big enough to make extensions. So I start to wonder now. If a guy will lie about one thing that serious, he will lie about other things. And so I immediately focus in on what's going on. Now true, the water is good. True, the well water that is not chlorinated and we, in our water district, are still tolerating the highest allowed amount of chlorine. We also draw the best water from the same source. Now for every inch we allow in franchise to private company, we hold back a mile of potential growth of our water district that we need in the Wading River/Manorville/Calverton area. We allow this to expand, then we are holding back all the other people that are waiting for the water district to come west. And so we can do a good thing in one direction, but we are holding back thousands of people that are in need and clammering for municipal water and that makes me hesitate to extend further franchises to the Shorewood district. Thank you gentlemen."

Supervisor Janoski, "Thank you Bill. Is there anyone else present who wishes to address the Board on the matter of the franchise extension of the Shorewood Water Cooperation? That being the case and without objection, I declare the hearing closed."

7:45 PUBLIC HEARING CLOSED AT 8:32

Supervisor Janoski, "Mr. Smith do you want to?"

Allen Smith, "If you want to take a five minute break?"

Supervisor Janoski, "God I'd love to. Ok. I will recess the meeting."

TOWN BOARD MEETING RECESSED AT 8:32

TOWN BOARD MEETING RECONVENED AT 8:40

Supervisor Janoski, "I will open your public hearing and you have the floor."

8:05 PUBLIC HEARING RE-OPENED AT 8:48

Allen Smith, Esq., "For the transcript, the name is Allen Smith, attorney. I represent the applicant; Ms. Augusta Schneider. I will make a brief overview presentation and Mr. Bowman who is the environmental engineer who is working on the particular project, will make a presentation on the substance of what is before you. You have before you an application pursuant to chapter 107 of the code of the Town of Riverhead which deals with wetlands and the filling thereof. In approximately August of last year, Ms. Schneider began the process of making a plan for the development of the property which is on the north side of County Road 58 west of Northville Turnpike. The parcel involves a number of wetlands that are depicted on the map that Mr. Bowman will reference in a moment. The ensuing 13 months were occupied with various presentations and various schemes relating to the placement of structures on a parcel that are permitted in the two use zones that cover this particular property. The property to the north or the top of the site plan is zoned residence and the bottom or south is zoned office service. The difficulty is with the property to the south, the office service district area and several configurations have been attempted on that parcel to place the permitted building at the allowed square footage and other considerations without interfering with wetlands. What Mr. Bowman will present to you is his analysis of the changing of one area which is depicted in yellow such that the building may be placed where it is shown and the augmentation or creation of the two areas that are depicted in green. The area that is depicted in blue is on the site and it is not proposed that anything be done with those areas other than to leave them in their natural state. I'll introduce Mr. Bowman who can work from the other microphone and he will present to the Board the techniques of this particular application."

Supervisor Janoski, "Thank you Allen. Mr. Bowman, would you like the lights dimmed now. Not yet Leroy."

Charles Bowman, Pres. Land Use Co., W.R., "First of all I'd like to give you a brief overview on what we have attempted to do in regards to this project. Charles Bowman, president of Land Use Company. It's an environmental consulting firm in Wading River. We've taken this whole property and first of all, we did a natural resource inventory. That is we studied the property. We identified the wildlife resources on the property. We identified the wetland resources on the property, topography. And in conjunction with Young and Young, we developed a plan, a number of plans along with engineers and all sorts of people of different professions to come up with a plan that would take those natural resources and protect them if possible. This plan is (what I believe) the best plan in that regard. As Mr. Smith said that the problem really came down to the southern part of the property. There is a depression there and it could be characterized as a kettle hole depression that contains some wetlands vegetation. That wetland lays in the middle of the area that's slated to be developed. We again, looked at the

Charles Bowman, Continued

Sawmill Creek wetland system which is in blue which includes a buffer area and that was a primary importance on this property. That is where most of the wildlife resource is, probably 95% of the wildlife resources lie on this property. The wetlands are of high value in that area. The Sawmill Creek, this is at the head of it and so what you do here affects the entire Sawmill — Creek ecosystem, water quality, wildlife resources. So what we did is made our first priority to protect that resource. We made sure that all buildings and all impervious surfaces were laid out at least 75 feet from the edge of that wetland. And in blue, you will notice here that we have a 75 foot buffer all the way around from the edge of the wetlands which is indicated here. In that area, we also take into effect, a large area of uplands that actually runs out into the creek if you will. It's almost like a little peninsula that sticks out. We have proposed to protect that whole area of wetlands and uplands. And this area here is a very high value area. It's a peninsula (as I said) that sticks out into the wetlands and you have all sorts of wildlife utilizing that because they're near the water on both sides. Another thing we tried to do is a second priority, is project to this size, generate large amounts of stormwater from rain falling on impervious surfaces, roofs, roadways. We have taken that and propose to channel all that road runoff into really what can be characterized as an artificial wetland. We are proposing to create a pond, two ponds. A large one up at the north end that is going to take into account an area of wetlands that is already on the property which has a tree line. This area of wetlands in here, is a result of overland flow from the farm field. I don't know if you've all been on the property. But the northern part of this property is a farm field. A lot of the rain that falls on that farm field or a percentage of it travels over land. It would end up in this depression of lower elevation. Because it ends up there, it tends to stay moist. It's known as a perched water table and you'll get wetland plants growing there. If the drainage patterns were changed on the farm field that prevented that overland flow, it's most likely that this area in here would dry and you'd start getting upland species coming into it. So what we proposed to do is construct our pond which is about 1.1 acres in size and include this two tenths of an acre existing low lying area to create (again) an edge effect like we have down here. You'll have one more wildlife utilizing the property when you have an edge next to water, upland vegetation next to a water resource. The boundaries of the entire pond will be planted with emergent and submergent wetland vegetation. The slopes of the pond will be stabilized with erosion control blankets. We've submitted a report to you that includes all or some of the construction details. But these ponds are utilized throughout Long Island and throughout the east coast for stormwater recharge. They create an esthetically pleasing landform, they attract wildlife. They are much more productive than your ordinary sump which is so commonly used on Long Island. They hold water. They're designed to hold water. They can be designed to hold fish to provide recreational fisheries. They can do many things that the sump can not do. In conjunction with the 1.3 acre area that we are proposing to create, we come back to the southern part with the little kettle hole that is about a half acre in size lot. Now, we looked at that piece

PUBLIC HEARING ContinuedCharles Bowman, Continued

and because of its proximity to the road and its historic proximity to residential dwelling which is next door, we felt that that was of limited value as far as a wildlife resource. It does contain wetland vegetation. There's no doubt about that. But being that close to the intersection of two major roads, does not lend itself to a wildlife resource of significance. So what we proposed to do was fill that in for construction and at the same time, create another stormwater management pond wetland system about two tenths of an acre in size down in this corner. Again, it would serve the same purpose. It would filter pollutants from the stormwater. It would prevent sedimentation. It would attract wildlife and it would be of some esthetically pleasing benefits to the community. This southern one also contains the characteristics that it has an overflow if needed, into Sawmill Creek. The upper one is larger enough that it can store all the water that is necessary for that area. We've had lots of comments on whether this is feasible. Whether this is done. And I can answer the Board that yes it is done. And besides our company, there are many companies that do this not only here on Long Island but Florida, the Carolinas. Long Island is just catching up to this type of technology, if you will. What it is using vegetative methods to accomplish what engineers in the past have used structural methods to do. We have some slides here that I'd like to show you. A pond that we have made and perhaps if you have any questions as far as how we're going to do this, please ask them right away. Because I know I'm probably forgetting a lot of what I could be saying. We have some renderings of a pond that was to be constructed in Southampton and it's been approved now and will be constructed in (I'd say) about a year. This is to give you a general idea of what that pond will look like. The uppermost pond. Basically you have sections of deep water. The depths of the pond vary to allow for circulation. We keep the side slopes, the edges of the shoreline of the pond rather shallow. That way we can get emergent vegetation such as rushes, growing in there and get a natural shoreline. That natural shoreline is then again used by your wildlife in the area. These emergent plants take about two or three years to mature. So the first year you plant them, the next year you come back, it doesn't look like this picture. It will take about three years to get it there but there is... We had a lot of success in doing that."

Councilman Boschetti, "Is this a recreation? Is this a brand new pond or is this a relocation of an existing pond?"

Charles Bowman, "No. This would be a brand new pond. The brand new pond is constructed in this manner and this is a simplified version of it. But you dig a hole and if you don't intersect groundwater which we haven't done the studies necessary on this one, know whether it's going to be groundwater pond or we're going to need a liner. When we need a liner, we're not down deep enough to groundwater. So basically you're just digging a hole as if you're going to do a swimming pool. You take a pvc liner which (once again) is commercially available and used for all sorts of purposes and you lay that down in the hole. On top of that, you bag fill clean material, clean sand. We have the liner shown here and on top of that your clean sand. The purpose of the sand is two fold. One; to pre-

PUBLIC HEARING ContinuedCharles Bowman, Continued

vent objects, kids throwing sticks, people walking on it, whatever of puncturing the liner. The second is to give us a soil base so that we can plant emergent and submergent vegetation. As you see here, we would have a stormwater culvert that would come into the pond. That culvert would come directly from a sedimentation base and that is back here. The sedimentation base and it would trap all the heavy solids after first heavy rainfall. Then the water would go into your pond to feed it. The ponds would have to be prefilled of course. And the upland section upland of the liner would be planted in wetland vegetation first. Some of the sheer shrubs and trees and then it would be changed to all upland species. Wherever views of the pond, you would use wildflower mixes or other low growing vegetation. This type of system has worked for just ponds for esthetics sake and also for ponds for stormwater recharge itself. You'll notice that the liner only goes up to about where the wetland vegetation ends. So if you get water rising above that from a very heavy rainfall or a number of rainfalls, it hits the top of the liner and then will recharge into the ground like the standard sump above that point. That way your level will be maintained. If you don't have any questions, I'd like to show you a couple of slides. And during that time if you have any questions, just give a shout."

UNIDENTIFIED MAN from audience, INAUDIBLE.

Charles Bowman, "That is correct. Every time it rains it will. We'd have to fill it initially. And then every time it rains and on Long Island we have enough rain that it would maintain it without any problem."

CHARLES BOWMAN THEN PROCEEDED WITH A SLIDE PRESENTATION OF VARIOUS CONSTRUCTIONS CREATED ON WETLAND SITES AND THE IMPROPER AND PROPER WAY IT WAS DONE.

Charles Bowman, "That's it. If you have any questions, I certainly would be happy to answer them. I feel we have a real good program as far as protecting the wetlands that are on the property. I think it's going to do a lot for the Sawmill Creek ecosystem. I think the loss of that half acre piece is minimal when you put it in the context of the rest of the program that we're proposing. The rest of the program assures the integrity of the wetland system in that area. And I would hope that you would approve the whole program. Thank you."

Supervisor Janoski, "Thank you Chuck. Anybody have any questions? Mr. Pike has a comment."

Councilman Pike, "Chuck, can you describe the fundamental differences between the area marked blue and the area marked yellow?"

Charles Bowman, "The area in yellow is the area that's proposed to be relocated. That area could be characterized as a kettle hole. It contains desiduous wetland vegetation. The area in

Charles Bowman, Continued

blue indicates the area that would be protected by the natural buffer area that we propose and also contains the existing wetlands and uplands along Sawmill Creek. The area in blue represents about 15.2 acres which is about 32% of the entire property. So the installation of that buffer area which includes uplands, it's not just wetlands, there's a significant amount of uplands in it, will do a tremendous amount for protecting that creek. The blue green area is the areas that we propose to create wetlands. The area to the north is the large pond about 1.1 acres. The wooded low lying area that exists in the farm field right now which is about 2 tenths of an acre, we're told 1.3 acres and the lower southern pond area that we propose to create which is about 2 tenths of an acre."

Councilman Pike, "Just focusing your attention on the area in yellow which seems to be one of the areas of greatest concern, have done a wildlife or just any indigenous animal inventory for the area?"

Charles Bowman, "We have and for the whole property. And the reason for that is it's very difficult to go into one one half acre site and say this is used by four grey squirrels, one racoon and one fox because the animal populations don't work that way. There may be some that inhabit that area directly but there's many others that may be forage in it for food resources, some that pass through. So when you look at a property, you have to look at the wildlife resources of the whole property. And in that regard, I can say that that small area because of its proximity to the roads, is not high valued as a wildlife area. It is a wetland. There's no doubt about that. But as far as wildlife resources because of the proximity to the road and its historic residential use right next door to it, you would not find and we did not find indications that it was heavily used by wildlife. We did not count the actual animals that lived there."

Councilman Pike, "To the extent that it is with making it a working assumption that it is, if you filled it, what would be the response of the animals that were actually physically buried by the filling process?"

Charles Bowman, "Well what would happen with most of the populations of wildlife, those ones that were mobile, if you will, the mammals and the birds and maybe some of the amphibians that were quick enough, they would move off that site and into the area that adjoins Sawmill Creek, the 15.2 acre area. You would probably, if you wanted to use the word conserve or save, 90% of the wildlife resources in that site just because they have a place to move to. If this was all asphalt around that area and they had no place to go, the answer to that question would be quite different. But they have a place to go and we're assuring that (again) 15 acres of the property in the future will always be there."

Councilman Pike, "Focusing again on the wildlife, not the wildlife, the plant life in the yellow area. In my mind I've been on the facility and at this point it's certainly not wet. Do you have any idea of what direction that particular area, if it were left to its own devices, would be headed for? I know there's a concept called succession of wetlands. And if left to its own devices, where would it head?"

Charles Bowman, "There is... What happens in that area is that you're down near the intersection of the groundwater because the elevation has dropped so low. Because of that, the area is seasonal wet. When you go in there at different times of the year, it may be dry, you may find water in it. It could be bone dry some years as that water table rises and falls. If we have dry conditions for a number of years, what you'll find is, and also as the leaves fall and debris builds up in it, the elevations changes and you'll find upland vegetation eventually moving in and taking over. That's why a lot of these kettle hole ponds if they're old enough and I mean old by millions and millions of years, that historically what happens is that they fill with debris. They go from a pond to a submergent wetland or a emergent to a tree shrub wetland and eventually to an upland. But again over the course of millions and millions of years."

Councilman Pike, "What would you anticipate for this thing?"

Charles Bowman, "If it was left alone, it would stay as a mature destiguous wetland for certainly longer than we'd know but that is given dry periods. It could be gone very quickly. And that is especially true of the northern wetland system that is way above the ground level of the groundwater."

Councilman Pike, "There's been some concern over the creation of any of the ponds that they would become stagnate. Is there a system for making sure that doesn't happen?"

Charles Bowman, "We do it in two ways. One; is we have different depths in the pond. The different depths create different water temperatures. When you have different water temperatures, the water naturally circulates. The other way to do it which is proposed for both these ponds is, have a pump, an airator for especially the summer months that would be run. What it does is it blows the water up in the air as a small stream. The water collects oxygen when it's coming down, going up and coming down. And it feeds the ponds and they work quite well."

Councilman Pike, "Thank you Chuck."

Supervisor Janoski, "Thank you Chuck. Allen, do you have anything further? Ok. I now open up the hearing to anyone present who wishes to be heard. Dick had his hand up George. I'll recognize Dick."

PUBLIC HEARING Continued

Dick Benedict, Fanning Boulevard, "I just want to know, I guess the purpose of the public hearing, aren't freshwater wetlands controlled by any county or state agency in the state of New York? And doesn't Riverhead Town have freshwater wetlands map and somebody that draws up this map? And wasn't there an environmental impact statement filed on this particular piece of property? What do we have to say tonight that could alter anything that the D.E.C. could say?"

Supervisor Janoski, "Did you want to say yes?"

Richard Ehlers, "They applied to the C.A.C., the Conservation Advisory Council for the alteration of the wetland as it is shown here. They have the opportunity to appeal that decision by the C.A.C. by the Town Board and that's what this public hearing is all about. They have not yet prepared an environmental impact statement because until we know what will happen with the configurations of the wetlands, it was difficult to configure the project that they propose."

Dick Benedict, "Wouldn't it be by the same token, be a little presumptuous to assume that they're going to appeal when they haven't even given a decision yet, the D.E.C.?"

Richard Ehlers, "You have to understand. The C.A.C., the gentlemen from the C.A.C. are sitting in the front row here which Mr. Bartunek is the Chairman."

Dick Benedict, "Are there any government agencies that are going to say if they can fill in a wetland or not no matter what we say?"

Richard Ehlers, "The Town Board is holding the hearing concerning the wetland to the north and to the south. The large wetland to the left that they propose to leave alone, I understand, is a state wetland and they have no opportunity to alter that subject to a rather extreme procedure."

Dick Benedict, "Why is that wetland different than the one in yellow?"

Richard Ehlers, "Because that one is mapped by the state."

Dick Benedict, "In other words, half acre or two tenths of an acre is not significant?"

Richard Ehlers, "Mr. Bowman could probably answer that."

Charles Bowman, SPOKE FROM AUDIENCE, INAUDIBLE.

Dick Benedict, "Or county or Riverhead Town?"

Charles Bowman, "No. The state and the county."

Dick Benedict, "Riverhead Town will..."

PUBLIC HEARING Continued

Councilman Pike, "That's what why we're here."

Dick Benedict, "... will have the final say on this one if the public hearing goes against it or for it? So the rest of it won't have anything to do with it. The D.E.C. and the environmental impact statement will take care of everything else?"

Supervisor Janoski, "The blue area."

Dick Benedict, "Ok. Thank you."

Supervisor Janoski, "Thank you Dick. George."

George Bartunek, C.A.C., "I think that the question that we before us right now is to decide whether the kettle, and I think everybody agrees here that this is a kettle depression and obviously we're agreeing that this is some form of wetland if I'm not mistaken. The decision that we have to make is whether this is a significant enough wetland to preserve. Or indeed if we want to modify the wetland, turn it around to the southwest which I think I would probably agree would be esthetically appealing. But the problem here is a principal we have got to contend with. Whether we can actually invade, modify the natural wetlands, we have not had any imposition since the freshwater wetland inventory was completed in 1980 or '81. And we haven't legally lost any freshwater wetlands yet. This would be a first. And this may set a precedent which we may possibly regret in the future. There have been some things; a recent newspaper article about this particular wetland. This is what I'm going to concentrate on; is the legitimacy of the wetland and what the significance of this project is."

Supervisor Janoski, "George you're talking about the area in yellow?"

George Bartunek, "I'm talking about the area in yellow. The natural kettle basin."

Supervisor Janoski, "George, why don't you give us a definition of what a kettle basin is."

George Bartunek, "Well, a kettle basin is formed as you have the recession of the glacial ice about 18 thousand years ago and as blocks of ice would calve from the foot of the acre, these chunks of ice would be buried by pluvial sands, outwash sands from the melt water streams. Then as the block of ice would melt, it would simply leave a depression in the sand, the outwash sand. I think that's generally agreed what has actually formed this particular kettle, this basin that we're talking about here. The other channels, if you want my opinion of how the tributaries that we're talking about here in blue have formed, they were probably proglacial streams that form from the pluvial action of the glaciers as it was melting. The kettle, it seems to me, was isolated on those stream channels at the time of natural formation. What has been said about this wetland in a recent article as I was going to say in News-Review about two weeks ago I believe it was stated, it made the implication it was generally

PUBLIC HEARING ContinuedGeorge Bartunek, Continued

agreed that this was an area that was used for duck farming operation. Not this particular kettle basin though. Not the one that is mapped in yellow. To the west, yes. It's mapped in blue. That was used for the duck farming operation. But not the kettle that's in yellow. I was in this yellow area over the weekend and I took 4 samples just to prove to myself that I was not digging into something that was actually duck sludge or something like this. And I dug into this near the center of the kettle basin and I went down a foot and a half with clean peat. There is no enough evidence and I've seen duck sludge when we've walked some of the other proposed developments for example down in Jamesport. So I know what this sludge material will look like or kill. Underneath this you have clean deer field sands which is an indicative sand or a sand here in Suffolk County that is usually associated with wet areas, with wetlands. So there is no evidence that this has ever been used for any duck farming operation or anything like that. It is a natural wetland. If this area had been modified, bulldozing or modification as has been done in the blue area for the duck farming operation, you would see the growth of fragmities in the kettle depression which you do not. There is no fragmities at all in there. The only significant modification to this wetland is that the previous owner dumped a lot of cans and bottles into the area. These are mostly broken bottles and rusting cans. In a matter of ten or fifteen years, they will probably have just disappeared just by natural decay. As also as has been suggested, that maybe this kettle area or this depression as we could call it, has been used for drainage possibly from Route 58 or from Northville Turnpike. And there is no evidence that I could see or that has been mapped during the freshwater inventory that indicates there is any kind of a conduit that goes into this wetland. If there ever was any drainage from Route 58 or from Northville Turnpike, it would be down to the south or possibly in to the conduit there might be leading into the blue area. But not into this particular depression. In contrary to a quote that was in this article also; the C.A.C. does not take a stand that it is necessarily the neatest ecological resource known to man. We don't. That is not the stand that we're taking. We're not saying that it's the most wonderful wetland site that we have ever come across. And you don't find us going down there on Saturday afternoons and watching the sun set over that particular depression. Alright. So what is on this particular area? This was mapped as part of a large wetland area. As matter of fact, the number of designation was 4009 located down in the southern part of the property. And this was inventoried as a flooding desiduous tree area. I feel, after what I have learned in just the last couple of weeks about this particular depression, that that categorization of this particular area is not correct. I'll explain myself here in just a couple of minutes. At the time of the inventory and the inventory date was actually June 16th, of 1980, the reason why the entire thing was not inventoried and why it was inventoried as a desiduous forest area contiguous to this wetland, is because the people who were doing the inventory couldn't actually get into the lowest depression because it was flooded. It was flooded by groundwater. And the comment that was made there at that time was; that there were ducks in the low wet area. And I don't think they were necessarily the white Long Island ducks that were grown to the west there. I'm pretty

George Bartunek, Continued

sure they were talking about wild ducks. Recent investigation by myself, Ed Kemnitzer and a professional biologist or botanist. As a matter of fact, at a quarter of seven this morning, you may not believe this, I was in this depression looking at some of these plants. And in addition to what I found with the bogmat vegetation of being a foot and a half deep, that is not typical of what you would find with a deciduous forest soil. That is not your typical A horizon. This is a perfect example of bogmat type of sediment of the basin you would expect in a wetland. In addition to what was mapped during the wetland inventory, now I'm just talking about the perimeter around the standing water, of June 16th of 1980, what they found around the perimeter of this standing water, was sourgum. And I'll just mention some of these wetland species since Mr. Pike asked that question. These are some of the things that we found in this particular area. Sourgum which is typical of low lands and swamps, coastal pepper bush. These are the dominant species. This is what is predominal in this basin right now. This is typical of swamps and sandy soils. Swamp maple which is the predominant deciduous mature forest around this particular area. It's typical of wet woods and swamp lustrife which is typical around pond edges and wet ground. Additional species which we've found just very recently are; swamp azalea which is typical of wet thickets and woods, willow trees which are typical of wetlands again, sphagnum moss. This is very important because this is a typical type of vegetation and I'm not the botanist. I'm not the expert in this field. This is what I saw this morning with this person; this expert botanist and this is what Ed Kemnitzer is also a botanist will tell you. This is characteristic of bogmat type of vegetation. Water whorl which is a plant typical of wet places. Burr marigold typical of swamps again, willow herb typical of wet ground and there were various sedges, grasses which are also typical of wetland species. All the evidence that we have for this particular depression indicates (again) that we have a wetland here. Maybe not the most significant wetland that we could find in Riverhead, but it's certainly as it's turning out, it's turning out to be somewhat of a significant wetland in the opinion of maybe pollics which is what we could say here. The members of the Riverhead Conservation Advisory Council realize that we must accept the fact that Riverhead will continue to be ordered. We have no argument with that at all. As we also realize that there are few locations left throughout the town that are still in a natural state which were created during a recessional period of the glacier which was 18 thousand years ago or whatever the time was. Giving the limited areas still unaltered by farming or development, we feel that every effort should be made to preserve these sites, especially along corridors such as we have here with Route 58. We have a chance here to preserve a natural area as open space and we think we should take advantage of that particular opportunity. Finally, we'd have to consider that quite an expenditure of monies and human effort was put into the freshwater wetland inventory that was done in the late 1970's and the early '80's for the specific purpose that such freshwater wetlands would indeed be preserved from alteration or modification. Thank you."

PUBLIC HEARING Continued

Councilman Prusinowski, "George is this particular spot in yellow, is that in that inventory? Is it on the map?"

George Bartunek, "It's included in the inventory. It is part of the map. But on the inventory it is shown as a wet deciduous forest or something like that but it is included in the mapped area of this particular wetland. As a matter of fact, well that would be something that we'd have to get in to. It's actually most of the entire southern piece is part of that mapping. So it's not just the kettle. It's not just the one on the yellow and the part blue but also the entire."

Councilman Prusinowski, "For the record and the long and short of it is; you're recommending to the Town Board that that... Well I'm going to ask him because I want to know what it is either way. You're saying that... What is it you're recommending of the long and short of it for the yellow spot?"

George Bartunek, "We are recommending the preservation of the yellow area as it exists presently in its natural state."

Councilman Pike, "George if you were doing the inventory now and the old label was inappropriate, what would it be more appropriately labelled?"

George Bartunek, "Probably bogmat would be what I would choose. Number two on the listing of classifications. Bogmat vegetation."

Councilman Pike, "Did you get an opportunity to take a look at any other wildlife species that might be there?"

George Bartunek, "I didn't see any this morning. I couldn't see much of anything. I hadn't had a cup of coffee or donut or anything. No. I didn't see any wildlife in there this morning. You know that kind of wildlife around an intersection that is as busy as 58 and Northville Turnpike, it's kind of likely that wildlife is going to stay hidden and their not going to be looking for me."

Councilman Pike, "Do you have and you might defer if you don't have an idea, but do you have any idea why some of the trees that are in the middle of that kettle hole are dying or dead?"

George Bartunek, "Yes. I would say that they are dying not from the lack of water if that's what you're suggesting."

Councilman Pike, "I thought it might be the presence of water."

George Bartunek, "I would say that they are dying possibly from age, just old age or possibly from the existence of water. I had to go down three feet to be honest with you, to find the water table. But the reason for this low level of the water now, of course is because we had a very dry winter and this will come back. As was said by Chuck and it will be standing water again. It's not something that's going to..."

PUBLIC HEARING Continued

Councilman Prusinowski, "Is the downstream system now open all the way to..."

George Bartunek, "Sawmill Creek?"

Councilman Prusinowski, "Is the system that goes through there? Because when it passes through the duck farm (George) it was interrupted when they were in business because they had to divert the water into an airational lagoon and go through a system which had a tendancy to back the water table up. Because I remember in 1980 we had high tables there and we had drainage water going in there which probably added to a higher water table than you have today. Now I believe the airational lagoon is closed down because the duck farm is out of business. I presume the water table is permitted to flow in its natural state now."

George Bartunek, "Well I'm not a hydrologist and I'm not going to pretend to be but it seems to me that the amount of water I'm not going to comment on."

Councilman Prusinowski, "I don't know. I'm just asking that question."

George Bartunek, "I don't know enough about the system to make comment on it."

Councilman Prusinowski, "Right. Because I know that they allowed the D.E.C. would allow you only so many gallons per hour to be from those systems. We have one on our duck. I think we're only allowed like 800 thousand gallons a day or something. And that would have a tendancy I know, to even back up our system a little bit. But I think it's closed down because they're out of business."

Councilman Pike, "George, on another subject that I had asked Chuck previously, I'm interested in the natural succession of this site, if you will. I've been all over the site too and also went down three feet before I started hitting water and it occured to me that what we might have here is something that is just riding up and down with the water table. That it would not continue fill and dry out as it has in the last 6 years. That it might cycle back the other way. And I wondered what your thoughts were on that? Do we have..."

George Bartunek, "I think everybody agrees that is what will happen. That if you have a fluctuating water table dependant on the type of percipitation you get in the winter time and the spring time. If you get a heavy rainfall like we had in 1977 when we had a lot of flooding situations like this, somebody would go in there and say; my gosh, what a wetland we have here. How could this ever be mapped as just a wooded area. As a matter of fact, I don't understand how it was mapped as a wooded area during the freshwater wetland inventory. Given the facts and the field notes that I have right here shows that it was a wet area when they went in there."

PUBLIC HEARING Continued

Councilman Pike, "One last final tough question on the police level. You take a wetland of this nature and describe it as accurately as you can. Are you saying that, you or the C.A.C. can not imagine the circumstance under which the filling of a wetland like this would be advisable."

George Bartunek, "I think that we (the position) have to take in the town, we have to get to look at all of the wetlands into totality; 400 plus wetlands that we have inventoried. And I think our consensus of opinion of everybody who is on the C.A.C. feels that we have to take the ordinances that we have for protection of the wetlands and that's a line that we would try to discourage to have somebody cross from any modification of the existing wetlands. I would personally say, that the wetland could be modified and to be made esthetically more appealing. I can't disagree with that. I've been to Disney World. I have been to Malibu. Those are nice places to visit. And when I have been to places like Malibu or I've been to Disney World, I have felt like I was in an artificial environment which is what we're talking about creating here. The reason I like Riverhead and why I like the North Fork is because it is real. So we're talking about taking something real and we're talking about changing it into something artificial."

Councilman Boschetti, "George before you go, you said that the subject depression area has been inventoried. Would you explain as Chairman of the C.A.C. just what the wetland inventory is and how you understand the significance."

George Bartunek, "The law, the state conservation law, I don't quite remember what the number was, it came out in 1975 or '76 or something like that. It gave the towns the prerogative to have control over their own wetlands. To pass ordinances would allow the town to prohibit the filling of wetlands, development around wetlands and things like that. And the Town of Riverhead took the opportunity and got the monies together in order to undertake this freshwater wetland inventory in the late 70's. And because of that, we, the town now has control over wetlands that were in this inventory process. Now what the process involved was defining certain wetland vegetation species. They were outlined in this state law and the town following exactly the same regulations and definition of wetland species and that's what we use for the characteristics of the wetlands that we have mapped. What we have done is we have defined, located wetlands that are larger than an acre in size. Those are the wetlands that were surveyed by aerial photographs and those are the ones that were inventoried. That is not to say that we do not have control over wetlands like this one that might be smaller than an acre. But we concentrated during the inventory process on wetlands that were larger than an acre in size. If somebody comes along and we have not inventoried an wetland that might be .5 acres in size and they just obliterate it, we probably wouldn't have any control over what was actually there. We wouldn't have any knowledge of what was actually there."

10/7/80
PUBLIC HEARING Continued

Councilman Boschetti, "Does that inventory in your opinion, denote an official recognition of this area of some sort?"

George Bartunek, "That's what the Town Board accepted."

Councilman Boschetti, "So your answer to this would be yes?"

George Bartunek, "The answer is yes."

Councilman Boschetti, "Thank you George."

George Bartunek, "The wetland inventory was accepted."

Supervisor Janoski, "You were going to say something different?
Ok."

Edward Kemnitzer, C.A.C., "I have a couple of comments on some things that have gone on before. First for Councilman Pike, you might expect that some of the faster trees might get out too along with some of the more mobile animals. Secondly; I'd like to ask Mr. Bowman how long does it take for a 50 year old tree to grow? I think everybody can figure that one out. And thirdly;..."

Supervisor Janoski, "What's the answer?"

Edward Kemnitzer, "Probably only 15 years in a man made pond. Thirdly; there's a small pond on Linda Lane East that has about two foot of water in it every Spring and dries up by mid summer. It's another category that we call a vernal pond. And in some ways, this is similar to that. It wouldn't surprise me if almost every Spring with heavier rains, we might have some standing water there. These vernal ponds serve as good breeding grounds for frogs. Come in every Spring and you'll get literally thousands of frogs coming out of that pond, other amphibians also. And I almost tripped over a box turtle yesterday morning. My prepared comments which I hope... I'm sure they're different than George's. This Sunday we have the Riverhead Country Fair and there's going to be a running race in the morning and I will be participating and I will be racing, competing. And one thing that is going to happen to me about mile 3 or 4 of this 6 mile race is that I'm going to get very tired and I'm going to think about quitting. And I have a thought that usually comes back into my mind when I want to quit and it goes something like this; it says don't let the rats of doubt eat away your resolve. It was with great resolve that Chapter 107 was added to our Town Code and I would like to read to you (the Board) and the residents present here the intent of Chapter 107. And I quote: The Town Board of Riverhead finds that rapid growth, the spread of development and increasing demands upon natural resources are encroaching upon, spoiling or polluting or eliminating many of its water courses. Coastal wetlands, tidal marshes, flood plain lands, freshwater wetlands, water sheds, water recharge areas and other natural resources and processes associated therewith which if preserved and maintained in an undisturbed and natural condition, constitute important, physical, social, esthetic recreation and economic assets to existing and future residents of the town. Chapter 107 was written and adopted to afford our generation and future generations the opportunity to enjoy our wetlands and the wooded surroundings. As I travel down Route 58 from the terminus of the

Edward Kemnitzer, Continued

Long Island Expressway to Aquebogue amid the montage of fast food fast service while you wait signs, the surviving stretch of wooded wetland affords broken relief. Is this wetland with 30 to 50 year old swamp maple and sourgum trees that this developer would like to nibble away at. This developer proposes to bulldoze a mature wetland and replace it with a while you wait wetland. Any ecologist knows that fast food wetlands are not possible. I can think of no good reason why the residents of Riverhead should let their natural wetlands be destroyed for the financial benefit of Ms. Schneider. This is the not the last building lot in Riverhead but this is one of the last wooded areas along Route 58. We're in a long race to preserve our wetlands. One that hopefully, will last beyond my life time. If we let the rats nibble away at Chapter 107 in this case, by the year 2000, Chapter 107 will have no lands to protect. Thank you."

Ann Miloski, Calverton, "I really have nothing against development and progress. But I can't see filling in a natural pond to make an artificial pond. I think they can work around the natural pond. And if you remember over by the Long Island Cauliflower Block when they closed off, they covered a natural pond and that's where we had all the trouble and we had to put in a sump. That property was before your time Mr. Janoski."

Supervisor Janoski, "That's not a pond Ann. It's a depression that gets wet on the bottom every few minutes."

Ann Miloski, "I know the area you're talking about."

Supervisor Janoski, "But it's not a pond."

Ann Miloski, "I think it shouldn't be changed from its natural state especially if it has clean sandy bottom because it will have good drainage when it rains."

Supervisor Janoski, "Is there anyone else who wishes to be heard? That being the case and without objection, I declare the hearing closed. Thank you Mr. Smith. Thank you Chuck, members of the C.A.C. Thank you Mr. Kasperovich for not saying anything."

8:05 PUBLIC HEARING CLOSED AT 9:51

Supervisor Janoski, "Well, ladies and gentlemen, we are going to read, do the resolutions by title. As a matter of fact, I'd like to do the voting by those who object without any name votes. What is it Allen. Just go right ahead. We're going to start the resolutions. We're at the resolutions Bill. I don't want to... I've got one that says yes and one that says no. I will give you...."

~~WILLIAM KASPEROVICH SPOKE FROM AUDIENCE AND REMARKS WERE INAUDIBLE.~~

Supervisor Janoski, "You have the floor Mr. Kasperovich. Take the microphone."

William Kasperovich, "I would ask you if you would give me about 10 minutes tomorrow morning."

Supervisor Janoski, "Me?"

William Kasperovich, "And any other councilman..."

Supervisor Janoski, "Quite honestly, Bill, tomorrow is going to be a very busy day for me. I'm leaving for Washington tomorrow night. I am, not yet at this moment, packed to go to Washington. So I don't think so. Maybe next week after we get through this one."

William Kasperovich, "Then I'll appoint the Board....."
SPEAKING FROM AUDIENCE, INAUDIBLE.

Supervisor Janoski, "Do you want to? You don't have to recognize him. Would you like to have the floor?"

William Kasperovich, "Yes."

Supervisor Janoski, "Go right ahead. You have 5 minutes Bill."

William Kasperovich, "My purpose for..."

Supervisor Janoski, "Excuse me Bill. Sue I'm going to ask you one more time not to conduct interviews in this chamber. Now if you want to speak with members of the C.A.C., go out into the hallway. Thank you. Bill I'm sorry."

William Kasperovich, "I wish to put on record at this meeting the name of Julius Virella who you gentlemen employed as a meter enforcement officer, that you have made a bad decision. After numerous lengthy and most trying occasions to be informative, influential, mannerly, to show the man the error of his ways in permitting himself to accept the influence and direction of the peddlers and merchants in the town to work and do his job the way he is doing it. My alternative to doing what I'm doing tonight is to bring the man into court and make him face a judge. I want to consider what that I know have reasonable valid and verifiable evidence. This isn't going to help the township. I'm using this man as an example that two years ago I warned you about this type of thing and it is sorry to say, come to pass. We can not have a good town, a friendly town. A Main Street where we want to come to and permit people in uniform to go about the streets in the manner that this man is doing, this is what I wish to put on the record. The reason I asked you about tomorrow morning is because tomorrow morning I have to appear in court for one of his illegal acts. For some of his extreme improper conduct."

Supervisor Janoski, "Did you receive a parking ticket Bill?"

William Kasperovich, "I received something on a piece of yellow paper that represented two years of influence that did not come to pass."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "I don't quite understand what... Why am I asking you this question? I'm sorry Bill."

William Kasperovich, "I put it on record. That's what I wanted to accomplish. I didn't do it quite well because this thing bothers me and I get upset about doing things like this. But I think to let it go past and not wanting to confront and hurt a particular individual, I will let go pass and issue a situation that is harmful to the entire township. This, I don't want to be. So I feel this is a must and thank you very much for letting me come up here."

Supervisor Janoski, "Thank you Bill. Is there anyone else before we take up the resolutions who wishes to address the Board? I was only kidding. Bill Nohejl." Now you're Steve Haizlip. That is Bill Nohejl."

Steve Haizlip, "I'll follow suit."

Bill Nohejl, "Just on one of the resolutions. Where is this Salt Box Realty Company?"

Supervisor Janoski, "Wading River is virtually the last piece of property in the township on the south side of 25A at the Brookhaven border."

Bill Nohejl, "That would be right next to the funeral home, east of the funeral home?"

Supervisor Janoski, "East of the funeral home."

Bill Nohejl, "Right in that farmland there." Ok."

Supervisor Janoski, "We are not going to act on that resolution. We're going to table it because as of yet, there is not a formal application because the.... It's in the Building Department but it just hasn't gotten its way over to the Town Board."

Bill Nohejl, "What type of business?"

Supervisor Janoski, "It is a multy facility, complex very much like the one in Calverton only larger acreage."

Bill Nohejl, "The same as where?"

Supervisor Janoski, "Calverton."

Bill Nohejl, "You mean where the..."

Supervisor Janoski, "One in Calverton and one very much like the one in Wading River that we were talking about earlier."

Bill Nohejl, "Thank you."

Ann Miloski, "Could you repeat that please. I didn't hear that."

1077700
PERSONAL APPEARANCES Continued

Supervisor Janoski, "Where is it you mean?"

Ann Miloski, "What type of a building is it going to be?"

Supervisor Janoski, "Four buildings, if memory serves me right. It is in a zone called country rural. It allows for re-tail use. I don't recall the number of subdivisions of the buildings but there are 4 buildings that are situated on a lot of, how much acreage? Four acres."

Bill Nohejl, "You said this is next to the funeral home?"

Supervisor Janoski, "East."

Bill Nohejl, "Adjacent to the funeral home."

Councilman Prusinowski, "Right on Route 25A as you're going into Rocky Point."

Steve Haizlip, "On September 25th, NRC hearings here."

Councilman Prusinowski, "The hearing that was here."

Steve Haizlip, "Ok. I didn't know if you were with me for a second there. The NRC hearings, they had it here September 25th. I was present at night. Now, the hallway and everything at there was all crowded up. The mike was up here on the table and it was just barely audible. And what I'm recommending possibly in the future if we have another large hearing like that, maybe a speaker or something can be put out there so we can hear it. I'm just telling you the trouble we had."

Supervisor Janoski, "Steve what we did as a community service to the east end was to allow this room to be used for the hearing. I don't know of any obligation on the part of the Town of Riverhead to go out and start amplification systems when the NRC has a hearing. We wanted to make the room available. We thought that there should be a public hearing and there was one. What is really important is that the judges hear what the people have to say because that is the purpose of a public hearing and why the judges are here. The room is (I think) a nice comfortable room more than the County Center and I believe it holds more people. And even if they were over there, they would have had exactly the same problem with the people outside the room and not being able to hear. So we tried to provide the room as a public service. I apologize for anyone who was in the hall."

Steve Haizlip, "Well we had the same trouble when they had the hearing on the racetrack that time too with the hallways filled and so forth. The people out there couldn't hear it."

Supervisor Janoski, "You're right and we try to foresee if it's a very controversial issue and very often I know a number of occasions we have rented the High School auditorium. We really did not foresee the crowd that was here on that racetrack."

PERSONAL APPEARANCES Continued

Steve Haizlip, "Alright. Last note. On September the 16th, we had the other hearing. On September 19th, Mr. Blass got in touch with me. So the word must have got out. So it pays to speak up."

Supervisor Janoski, "It usually does. Well thank you. Is there anyone else? Ann, I had a feeling. That's why I was looking at you. You can always tell."

Ann Miloski, "I have to tell you my name again. My name is Ann Miloski and I'm from Calverton and I'm here tonight to speak about an issue that is very deeply disturbing to us and that's the zoning. Our town is rezoning parcels of property piece by piece and ignoring our Master Plan book which was approved by the Town Board approximately in 1973. We assume that the Master Plan was put into effect not only for orderly growth and progress but also to protect the property owner. It is not right that an individual or developer come in with petitions of people who bought property at a later date and ask to have adjacent property re-zoned to suit their purpose. This is creating a hardship on the existing owners instead of eliminating it. We realize that you are studying this matter. But in the meantime, there are too many parcels being spot zoned and getting variances that are not helping to enhance our town which we are very proud of. Thank you for your attention and we hope you will give rezoning one of your top priorities."

Supervisor Janoski, "Ann, before you move from the microphone, I want you to give me an example of spot zoning by this Town Board because that is a very serious charge that you just made."

Ann Miloski, "Well, should I say strip zoning?"

Supervisor Janoski, "Well don't say spot zoning because that happens to be illegal."

Ann Miloski, "Well then I'll have to change it to say strip zoning."

Supervisor Janoski, "Example."

Ann Miloski, "Well an example is like you want to take our parcel there and change it to country rural. Well that's picking out one parcel of property that's zoned Business B, right?"

Councilman Prusinowski, "It's not one parcel. It's a whole area."

Ann Miloski, "Well I don't want to go into that deeply. I will review at a later date. But anyway, with the country rural zoning like you're proposing...."

Supervisor Janoski, "Ok. What I'm saying to you Ann is this guy sitting right here is a member of the press. If he goes and prints in the paper that you said that this Town Board is spot zoning which happens to be an illegal act, do you think that's a good idea?"

1077700
PERSONAL APPEARANCES Continued

Ann Miloski, "Alright. We'll change the wording so that sounds better."

Supervisor Janoski, "Well not sounds better. Do you think we are conducting ourselves illegally?"

Ann Miloski, "Do you want me to answer you?"

Supervisor Janoski, "Yes. Yes."

Ann Miloski, "No. I'm not going to answer. I don't feel that you should take parcel for parcel. I feel... Alright. Let's say this. I feel that you should either put a moratorium on all of Riverhead and revise the existing plan or follow the plan that we are now using and adhere to it and have people abide by it. Now in our area I know of a new home that was put up. And after the house was built, they had to go for a variance because they only had 27 feet from the property. Now that should never have happened and I can tell you exactly why it was done and what's going to happen later because they had enough property there to put that house on the property."

Supervisor Janoski, "When the town government approves a building permit, those setback requirements are checked out. And if the builder in the process does not comply with the site plan and the building permit requirements and then goes for a variance that has..."

Ann Miloski, "But when the foundation went in, at that time that's when it should have been stopped if the town was doing their job. I know when our house was being built, there was somebody there every time. So I mean...."

Councilman Prusinowski, "Well Ann you know sometimes people start to do things illegally before the inspectors get there. And often the case, I've seen here in the last 6 years, a lot of things happen like that. Then the builder comes in and starts screaming and yelling at us. You guys are picking on us. You guys are picking on us. It's like when I went to get a permit. And with your business with the Health Department, if you decide to do something and you know it's against the Health Department regulations and the thing is I'm going to start selling beer here. The Liquor Authority comes up with the law is the law. We went through this too in our business. I'll say one thing right now. There's only one zoning code that matters in this town and that's the zoning that's in the book. The Master Plan is a very nice plan done in 1973. Ann, this is 1986. Things are a lot different. And the fact of the matter is, your property values are not going to decrease. Your property values now are worth more than they were in 1980. I wish my family still owned our farm because 3 years ago it was worth less than it is today. The fact is the property values around here are not decreasing and I defy anybody to tell me that they are. Because the fact of the matter is, more people are trying to move out to the east end than ever before. I was just in the health spa. They're pricing themselves whacko on North Road in Southampton. You know what they are getting around here for property if you put your place on the market? You know how much you can get for it today?"

PERSONAL APPEARANCES Continued

Ann Miloski, "I'm not worried about that."

Councilman Prusinowski, "Well that's what it comes down to. It comes down to the value of your property. And when you say, that the zoning or the rezoning is going to effect the value of your property, you're saying I'm going to be hurt."

Ann Miloski, "I didn't say anything about the value of property."

Councilman Prusinowski, "Ann, it comes down to the value of your property."

Ann Miloski, "No it does not."

Councilman Prusinowski, "It does."

Ann Miloski, "It does not. We've been there for 40 years. We like where we are."

Councilman Prusinowski, "I know you have. I know you do."

Ann Miloski, "And when you talk about country rural, if you go to Wading River where it was made country rural; am I right on those 4 buildings or 3 buildings that are between the ice cream store and the Fink's farmstand. That's country rural?"

Councilman Prusinowski, "One example."

Ann Miloski, "Was it country rural when they came in for their permit?"

Councilman Prusinowski, "Yes."

Ann Miloski, "Well you tell me where all these people are going to park in that little area?"

Councilman Prusinowski, "They have parking in there to be provided for."

Ann Miloski, "How many lots."

Supervisor Janoski, "What ever the code requires."

Ann Miloski, "If you go in there, to me, that is not bettering the zoning. That is going to down with the zoning."

Councilman Prusinowski, "Well it's a matter of opinion. I drive... Ann, let me tell you something. I go west every day now for the paper and I'm going to say it again. I've said it a thousand times. You can kick me all you want but I've lived in this town. I can say what I want and I've also lived in this town my whole life and I have an opinion that matters. And I'm telling you that what they do in Brookhaven town is not the way I want to see Riverhead developed. Now if we want to have the old way of strip shopping centers... Listen. You go from Rocky Point to

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PERSONAL APPEARANCES Continued

Councilman Prusinowski, Continued

Port Jefferson, there must be a thousand shopping centers that look the same. I know she does. And the thing is, we're not trying to hurt anybody. We're trying to plan the town. So 20 years from now 30 years from now, people are going to come back today and we did the right thing. The argument that I'm getting a little tired of hearing because I'm going to take it very personal from my family's point of view. I don't want to hear any more people saying my property value has been hurt in this town because the property value... I'm not saying just you. The property values in this town have doubled since 1980. Doubled."

Ann Miloski, "It just so happens that I'm not out to make money. If I was out to make money..."

ANN MILOSKI AND COUNCILMAN PRUSINOWSKI SPOKE SIMULTANEOUSLY CREATING AN UNDECIPHERABLE CONVERSATION.

Councilman Prusinowski, "But generally a lot of people, it comes back to that. You're hurting me financial and I don't think that's the case."

ANN MILOSKI AND COUNCILMAN PRUSINOWSKI SPOKE SIMULTANEOUSLY CREATING AN UNDECIPHERABLE CONVERSATION.

Supervisor Janoski, "Ann, why are you standing here because the zoning of your property is Business B. Right? It's Business B right now and you don't want it to be Business CR."

Ann Miloski, "Not if it's going to turn out to look like Wading River. If they're going to be able to go for variances and have less parking area."

Supervisor Janoski, "Ann, everyone has the ability to apply for a variance and there's no way that you or I can ever stop it. It's like going to court. You have the right to go to court. And an impartial jury, I'm sorry, Board makes a judgment on what they believe is the right decision. And that is a given god right in this country. So we're not going to stop that and I don't think you want to. Now what we are trying to do in your particular neighborhood is not allow McDonald's or other fast food restaurants, to stop gas stations and garages and used car sales and new car sales and boat showrooms, that kind of a development from your very nice rural area. The little project in Wading River may not be perfect but it's a h--- of a lot better than that and that's what we're trying to do for this town. Thank you. Is there anything else?"
Ok."

Irene Pendzick, "Resolutions."

Supervisor Janoski, "Yes. Titles only."

RESOLUTIONS:

#545 RESOLUTION CALLING PUBLIC HEARING RE: EXTENSION 23-B (4-H CAMP TO THE RIVERHEAD WATER DISTRICT

(See Water District Minutes)

#546 RESOLUTION CALLING PUBLIC HEARING RE: EXTENSION 23-B INCREASE & IMPROVEMENTS TO THE RIVERHEAD WATER DISTRICT

(See Water District Minutes)

#547 RESOLUTION CALLING PUBLIC HEARING RE: EXTENSION 32-J (SOUTH JAMESPORT) TO THE RIVERHEAD WATER DISTRICT)

(See Water District Minutes)

#548 RESOLUTION CALLING PUBLIC HEARING RE: EXTENSION 32-J (SOUTH JAMESPORT) INCREASE & IMPROVEMENTS TO THE RIVERHEAD WATER DISTRICT

(See Water District Minutes)

#549 BOND RESOLUTION AUTHORIZING \$54,500.00 FOR FAUS IMPROVEMNTS

Councilman Boschetti offered the following resolution which was duly adopted by Councilman Pike.

BOND RESOLUTION DATED OCTOBER 7, 1986.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$51,775 SERIAL BONDS AND \$2,725 CAPITAL NOTES OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY SAID TOWN'S SHARE OF THE COST OF THE SO CALLED FAUS/NEW YORK STATE DEPARTMENT OF TRANSPORTATION DANGEROUS INTERSECTION AND STREET RECONSTRUCTION PROGRAM IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the class of objects or purposes of paying the Town of Riverhead's share of the cost of the so called FAUS/New York State Department of Transportation dangerous intersection and street reconstruction program in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued 51,775 Serial Bonds and \$2,725 Capital Notes of said Town pursuant to the provisions of the Local Finance Law.

RESOLUTIONS Continued:

Section 2. It is hereby determined that the maximum estimated cost of such class of objects or purposes is \$54,500, and the plan for the financing thereof is as follows:

- a) By the issuance of the \$51,775 serial bonds of said Town, authorized to be issued pursuant to this bond resolution; and
- b) By the issuance of the \$2,725 capital notes of said Town authorized to be issued pursuant to this bond resolution. Such capital notes shall be sold at private sale and all further powers in connection with the details and the sale and all further powers in connection with the details and the sale thereof are hereby delegated to the Supervisor the chief fiscal officer, in accordance with the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, the proceeds from the sale of such capital notes will be provided prior to the issuance of the bonds herein authorized or bond anticipation notes. Said capital notes shall constitute the down payment required by Section 107.00 of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20 (c) paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to see bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. The validity of such bonds, capital notes and bond anticipation notes may be contested only if:

RESOLUTIONS Continued:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. Upon this resolution taking effect, the same shall be published in full in The News Review, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 8. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on October 7, 1986, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting, and that, pursuant to Section 99 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public and that public notice of the time and place of said meeting was given at least 72 hours prior to said meeting to newspapers and/or other news media circulating within and serving the Town of Riverhead and that further notice of the time and place of such meeting was given to the public by posting in the following places:

RESOLUTIONS Continued:Location of posted notice

Town Clerk's Bulletin Board
The News-Review

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town of October 7, 1986.

Town Clerk

(SEAL)

#550 SALARY REASSIGNMENT OF RICHARD BOKINZ

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

WHEREAS, the CSEA contract permits reassignment of employees on the Salary Structure when requested by the CSEA Union, and

WHEREAS, The CSEA Union has petitioned this Town Board to review and reassign the salary of Richard Bokinz.

NOW, THEREFORE, BE IT RESOLVED, that the salary of Richard Bokinz be reassigned on the salary schedule from Group 10, Step 5 to Group 10, Step 7 at an annual salary of \$21,275.91, and

BE IT FURTHER RESOLVED, that the effective date of this salary increase be October 6, 1986.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes,

The resolution was thereupon declared duly adopted.

#551 ACCEPTS RESIGNATION OF JAMES A. CLINTON AND APPOINTS MARYANN WHIDDEN TO THE POSITION OF DRIVER/DELIVERER WITH THE MEALS ON WHEELS PROGRAM

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

WHEREAS, by letter, James A. Clinton did resign his position of Driver/Deliverer with the Meals on Wheels Program, and

WHEREAS, MaryAnn Whidden had previously applied and been interviewed for this position.

NOW, THEREFORE, BE IT RESOLVED, that the resignation of James A. Clinton from his position of Driver/Deliverer be and is hereby accepted hereby accepted effective September 12, 1986, and

BE IT FURTHER RESOLVED, that MaryAnn Whidden be and is hereby appointed to the position of Driver/Deliverer effective October 6, 1986 at the hourly rate of compensation of \$5.00.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued:#552 AUTHORIZES TOWN JUSTICE TO ATTEND ASSOCIATION OF MAGISTRATES CONFERENCE

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

WHEREAS, the Association of Magistrates shall be sponsoring a conference in Ellenville, New York, October 19 through 22, 1986, and

WHEREAS, Justice Robert Leonard has expressed a desire to attend said conference.

NOW, THEREFORE, BE IT

RESOLVED, that Justice Robert Leonard be and is hereby authorized to attend the Association of Magistrates Conference in Ellenville, New York, October 19 through 22, 1986, and

BE IT FURTHER RESOLVED, that all expenses are to be fully receipted upon his return.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#553 TRANSFER FUNDS - HIGHWAY DEPARTMENT

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

RESOLVED, that the Supervisor be and is hereby authorized to transfer the following.

<u>ACCOUNT</u>	<u>FROM</u>	<u>TO</u>
D5140.480 Off Street Parking	\$1,300.00	\$1,300.00
D5140.430 Traffic Paint		

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#554 APPROVES SPECIAL PERMIT OF ROBERT J. NICHOLS

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

WHEREAS, by application dated August 18, 1986, Robert J. Nichols, Jr., did apply to this Town Board for a special permit to construct a single-family residence in an industrially zoned area, at premises located West of Wading River Road, Wading River, New York; and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation; and

RESOLUTIONS Continued:

WHEREAS, by letter dated September 23, 1986, the Planning Board recommended that the special permit be approved; and

WHEREAS, on the 16th day of September, 1986, this Town Board held a public hearing wherein all persons wishing to be heard were heard; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a Type II action without significant impact upon the environment; and

WHEREAS, based upon the Town Board's review on the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the special permit applied for will be a Type II action without a significant impact upon the environment pursuant to the State Conservation Environmental Law.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board determines that:

- a. The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood;
- b. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;
- c. The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use;
- d. Such use will be in harmony with and promote the general purposes and intent;
- e. All residential structures that are erected within this parcel shall be constructed using materials and techniques that will reduce interior noise levels in accordance with the recommendations of the Code of Federal Regulations (24 CFR 51);
- f) A covenant shall be recorded with the Suffolk County Clerk's Office covering the premises which is the subject of this application with a certified copy filed with the Town Clerk before this resolution becomes effective and which covenant is to bear the notification as follows: "This tract is proximate to Grumman Peconic River Airport and that the area may be subject to noise from the operation of that facility. ; and be it further

RESOLVED, that the premises covered by this special permit shall be maintained in conformity with such plan which may from time to time be approved by the Riverhead Town Board; and be it further

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this resolution to Robert J. Nichols, Jr. and the Riverhead Building Department.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#555 AUTHORIZES REIMBURSEMENT OF TRAVELING EXPENSES JUVENILE AID BUREAU

RESOLUTIONS Continued

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

RESOLVED, that Vincent Ciolin Jr. be reimbursed \$542.44* for expenses incurred by members of the Riverhead Kids Wrestling Program who competed in the New York State Championships Tourney at Binghamton University on May 30, 31 and June 1, 1986.

FURTHER RESOLVED, that accompanying bills relating to the aforesaid expenses be submitted by the Juvenile Aid Bureau, be filed in the Office of the Town Clerk and taken from PA3120.400.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#556 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to amending the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of October, 1986, at 7:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending the Riverhead Town Code, Section 108-3E(1) as follows:

E. Application procedure.

(1) Any application made pursuant to the provisions of this definition shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall be referred to the Planning Board, which will transmit its recommendations to the Town Board within sixty (60) days ~~of referral~~ from the date of final State Environmental Quality Review Act (SEQA) Compliance. Upon Application, the Town Clerk shall provide to the applicant a sign to be immediately posted at the property indicating that a special permit application is pending before the Riverhead Planning Board. Thereafter, when a public hearing is scheduled by the Planning Board, the Town Clerk shall forward by certified mail a copy of the public hearing notice to the applicant, wherein the applicant shall then fill in the date and time of the public hearing on the sign heretofore posted at the subject property. Before, the Planning Board can deny or approve said special permit application, an affidavit executed by the applicant must be filed with the Town Clerk stating that he has complied with the posting requirements above outlined.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, TOWN CLERK

RESOLUTIONS Continued;

*broken lines indicate deletion
 **underling indicates amendment

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#557 AUTHORIZES TOWN ATTORNEY TO ATTEND SEMINAR

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

WHEREAS, American Law Institute-American Bar Association (ALI-ABA) is sponsoring a seminar on Hazardous Waste, Superfund and Toxic Substances in Washington, D.C., from October 23, 1986, through October 25, 1986; and

WHEREAS, the Town Attorney, Richard Ehlers, has expressed an interest in attending said seminar.

NOW, THEREFORE, BE IT

RESOLVED, that Richard Ehlers be and is hereby permitted to attend the ALI-ABA seminar in Washington, D.C. from October 23, 1986, through October 25, 1986; and be it further

RESOLVED, that expenses for registration, travel, meals and lodging not to exceed the amount of \$800,00; and be it further

RESOLVED, that all expenses are to be fully receipted upon return.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#558 RE-APPOINTS WALTER MASON AS A 90-DAY TEMPORARY LABORER

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

WHEREAS, Walter Mason was appointed to the position of temporary Laborer with the Buildings & Grounds Crew; and

WHEREAS, said appointment did expire August 19, 1986.

NOW, THEREFORE, BE IT RESOLVED, that Walter Mason be and is hereby re-appointed to the position of 90-day laborer with the Buildings & Grounds Crew retroactive to August 19, 1986.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#559 APPROVES SITE PLAN OF DONALD A. DENIS, JAMES R. REEVE AND WILLIAM W. ESSEKS

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

RESOLUTIONS Continued.

WHEREAS, a site plan and elevations were submitted by Donald A. Denis, A.I.A., agent for Donald A. Denis, James R. Reeve and William W. Esseks, for an office building to be located at Route 25, Aquebogue, New York; and

WHEREAS, this Town Board has reviewed the site plan dated July 3, 1986, as prepared by Young & Young, Land Surveyors, and elevations dated June 23, 1986, last revised June 30, 1986, as prepared by Donald A. Denis, A.I.A..

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Donald A. Denis, A.I.A., agent for Donald A. Denis, James R. Reeve and William W. Esseks, for an office building to be located at Route 25, Aquebogue, New York, site plan dated July 3, 1986 as prepared by Young & Young, Land Surveyors, and elevations dated June 23, 1986, last revised June 30, 1986, as prepared by Donald A. Denis, A.I.A., be and are hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;
3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;
4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;
5. That receptacles of a decorative design shall be maintained at the premises;
6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designaed by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Donald A. Denis, James R. Reeve and William W. Esseks, hereby authorizes the Town of Riverhead to enter premises at Route 25, Aquebogue, New York, to enforce said handicapped parking regulation;
7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;
8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

RESOLUTIONS Continued:

9. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Donald A. Denis, A.I.A., and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of October, 1986, Donald A. Denis, James R. Reeve and William W. Esseks, all residing at C/O P.O. Box 565, Aquebogue, New York, Declarant.

WHEREAS, Declarant is the owner of a certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit;

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

4. Trash receptacles of a decorative design shall be maintained at the premises;

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

RESOLUTIONS Continued:

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

6. That the parking area shall be maintained pursuant to Specifications outlined in the Riverhead Town Code, with regard to type, thickness and grade;

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

Declarant has hereunto set his hand and seal the day and year above first written.

.....

DONALD A. DENIS

.....

JAMES R. REEVE

.....

WILLIAM W. ESSEKS

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of October, 1986, before me personally came Donald A. Denis, James R. Reeve and William W. Esseks, the owners of certain real property located at Route 25, Aquebogue, New York, the subject property of the declaration and covenant and understands the contents thereof; and that they did swear to me that they executed the same.

.....

NOTARY PUBLIC

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued:#560 APPROVES SITE PLAN OF L.W.C. REALTY, INC.

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

WHEREAS, a site plan and elevations were submitted by L.W.C. Realty, Inc., for poultry feather processing building to be located at Edgar Avenue, Aquebogue, New York; and

WHEREAS, this Town Board has reviewed the site plan dated July 28, 1986, last revised August 7, 1986, as prepared by Young & Young, Land Surveyors, and elevations dated September 1, 1986, as prepared by Arthur C. Johnson.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by L.W.C. Realty, Inc., for a poultry feather processing building to be located at Edgar Avenue, Aquebogue, New York, site plan dated July 28, 1986, last revised August 7, 1986 as prepared by Young & Young, Land Surveyors, and elevations dated September 1, 1986, as prepared by Arthur C. Johnson, be and are hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;
3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;
4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;
5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, L.W.C. Realty, Inc., hereby authorizes the Town of Riverhead to enter premises at Edgar Avenue, Aquebogue, New York, to enforce said handicapped parking regulations;
6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;

RESOLUTIONS Continued:

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to L.W.C. Realty, Inc., and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of October, 1986, L.W.C. Realty, Inc., with offices at C/O P.O. Box 500, Aquebogue, New York, Declarant.

WHEREAS, Declarant is the owner of a certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

4. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

RESOLUTIONS Continued:

5. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness and grade;

6. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highway;

7. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

Declarant has hereunto set his hand and seal the day and year above first written.

L.W.C. REALTY, INC.

By: _____
LLOYD W. CORWIN

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On the _____ day of October, 1986, before me personally came LLOYD W. CORWIN, to be known, who, being by me duly sworn, did depose and say that he resides at _____; that he is the _____ of L.W.C. REALTY, IN., the corporation described in and which executed the within instrument; that he knows the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

NOTARY PUBLIC

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#561 AUTHORIZES THE SOLICITATION FOR BIDS FOR THE CONSTRUCTION OF NORTH FORK MANAGEMENT SEWER EXTENSION IN THE RIVERHEAD SEWER DISTRICT

(See Sewer District Minutes)

#562 INCREASES HOURLY RATE OF COMPENSATION OF CROSSING GUARDS

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

RESOLUTIONS Continued:

RESOLVED, that the hourly rate of compensation paid to the individuals serving in the position of Crossing Guard be increased from \$4.50 to \$5.50 effective October 6, 1986, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Chief Palmer and the Office of Accounting.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes,

The resolution was thereupon declared duly adopted.

#563 DECLARES REPAIRS MADE RE: LANDFILL EQUIPMENT AS EMERGENCY

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

WHEREAS, the Town of Riverhead operates a landfill which requires a rubber tired bucket loader to place sand cover daily pursuant to DEC regulations, and

WEREAS, the Town's 988B Caterpillary rubber tired bucket loader ceased to function and required immediate repair, and

WHEREAS, in order to continue to comply with DEC regulations, it was necessary to authorize, by purchase order, the immediate repair of the vehicle and the rental of a similar vehicle during the repair work, and

WHEREAS, this repair has been completed by H.O. Penn and the total cost of the emergency repair and rental amounted to \$60,000.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead ratifies the emergency repair and rental of the 988B Caterpillar by H.O. Penn in the amount of \$60,000.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#564 AWARDS BIDS RE: POLICE CARS

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

WHEREAS, on September 29, 1986, the Town Clerk was authorized to receive bids for four (4) police cars, and

WHEREAS, all bids received were opened and read aloud, and

WHEREAS, only one (1) bid was received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for four (4) police cars be and is hereby awarded to Riverhead Dodge, the only bidder, in a total amount not to exceed \$37,200, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Dodge, 642 West Main Street, Riverhead, New York and Chief Roscoe Palmer.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued:#565 AUTHORIZES SUPERVISOR TO SIGN CONTRACT

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

WHEREAS, the Town Board of the Town of Riverhead on January 24, 1983, resolved to approve a Federal Aid Primary, Secondary, and/or Urban System Project to be administered by the New York State Department of Transportation (PIN 0753.94), and

WHEREAS, the total cost of this project is considered to be \$1,110,000 of which are apportioned at the ratio of 75 percent Federal, 19 percent State, and 6 percent Local, and

WHEREAS, the Town Board of the Town of Riverhead has authorized the bonding of funds for this project.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead does hereby authorize the Supervisor to pay the Town share of construction costs for this project totalling \$54,500 to the New York State Department of Transportation when requested. The Town share includes costs for construction engineering to be provided by the New York State Department of Transportation.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#566 AUTHORIZES SUPERVISOR TO AMEND JOBS BILL FUND

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

WHEREAS, the Town of Riverhead has submitted an approved application to the U.S. Department of Housing and Urban Development for Jobs Bill funds, and

WHEREAS, it was necessary that this application be amended, and

WHEREAS, the Town of Riverhead has completed this formal amendment process and has met all citizen participation requirements,

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead authorize the amending of the Town's Job Bill fund to include a \$100,000 low interest Economic Development loan to the Miller Machine Co., Inc. and that this loan be closed upon acceptance of this resolution by the U.S. Department of Housing and Urban Development.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS Continued:#567 AUTHORIZES PUBLICATION OF ADVERTISEMENT

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

WHEREAS, the Town of Riverhead has amended its existing Jobs Bill Program to provide low cost financing to Miller Machine Co., Inc., and

WHEREAS, the Town Board of the Town of Riverhead has met all requirements for this amendment, and

WHEREAS, the Town of Riverhead plans to submit a Request for funds to the U.S. Department of Housing and Urban Development in order to close upon the Miller Machine Co., Inc. loan,

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead authorize the Town Clerk to publish a Notice for Request of Release of Federal Funds to be published in the October 9, 1986, edition of the Riverhead News-Review.

NOTICE TO PUBLIC

OF REQUEST FOR RELEASE OF FUNDS

TOWN OF RIVERHEAD
200 Howell Avenue
Riverhead, N.Y. 11901
(516) 727-3200

TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS: On or about October 17, 1986, the Town of Riverhead will request the U.S. Department of Housing and Urban Development to release federal funds under Title 1 of the Housing and Community Development amendments of 1981 (PL 97-35) for the following project:

JOB'S BILL FUND
Economic Development Loan Program
Town of Riverhead, New York
\$100,000

An Environmental Review Record respecting the described project has been made by the Town of Riverhead which documents the environmental review of the project. This Environmental Review Record is on file at the above address and is available for public examination and copying upon request.

The Town of Riverhead will undertake the project described above with Block Grant funding from the U.S. Department of Housing and Urban Development under Title 1 of the Housing and Community Development Amendments of 1981 (PL 97-35). The Town of Riverhead is certifying to the U.S. Department of Housing and Urban Development that the Town and Chief Executive Officer in his official capacity as Supervisor consent to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities

RESOLUTIONS Continued:

in relation to environmental reviews, decision-making, or action; and that these responsibilities have been satisfied. The legal effect of certification is that upon its approval, the Town of Riverhead may use Block Grant funds, and the U.S. Department of Housing and Urban Development will have satisfied its responsibilities under the National Environmental Policy Act of 1969. The U.S. Department of Housing and Urban Development will accept an objection to its approval of the Release of Funds and acceptance of certification only if it is on one of the following bases:

(i) That the certification was not, in fact, executed by the Chief Executive Officer of the applicant approved by the U.S. Department of Housing and Urban Development;

(ii) That the applicant's Environmental Review Record for the project indicates omission of the required decision, finding, or step acceptable to the project in the environmental review process.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR PR 58) and may be addressed to the U.S. Department of Housing and Urban Development at 26 Federal Plaza, New York, NY 10278. Objections to the Release of Funds on bases other than those stated above will not be considered by the U.S. Department of Housing and Urban Development. No objections received after November 5, 1986, will be considered by the U.S. Department of Housing and Urban Development.

BY ORDER OF THE SUPERVISOR OF THE TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#568 AUTHORIZES SURETY TO COMPLETE IMPROVEMENTS RE: EASTGATE COUNTRY ESTATES

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

WHEREAS, Eastwood Builders, Inc., has posted with the Town of Riverhead their surety bond No. 79-68-85 assuring the construction of the improvements of the realty subdivision known as "Eastgate Country Estates"; and

WHEREAS, pursuant to the order of the Supreme Court, the Town Board of the Town of Riverhead, held a hearing and rendered a decision dated February 15, 1985, under Resolution No. 135 of 1985 which, among other things required the submission of a plan showing the improvements to the sump; and

WHEREAS, the required plans have not been submitted; and

WHEREAS, the improvements required by the Planning Board have not been satisfactorily completed.

RESOLUTIONS Continued:

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead calls upon Seaboard Surety Company, through their bond #79-68-85, to complete the improvements in the realty subdivision known as "Eastgate Country Estates" and to perform the requirements of the aforementioned Resolution No. 135; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joel Sikowitz and Seaboard Surety Company

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#569 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to amending the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of October, 1986, at 8:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending the Riverhead Town Code, Section 52-6, as follows:

§ 52-6. Application for building permit.

- A. No person, firm or corporation shall commence the erection, construction, enlargement, alteration, removal, improvement, demolition, conversion or change in the nature of the occupancy of any building or structure, or cause the same to be done, without first obtaining a building permit, separate and distinct from that required by the Zoning Ordinance, from the Building Inspector for each such building or structure, except that no building permit shall be required for the performance of ordinary repairs which are not structural in nature and which do not exceed ~~seven-hundred-fifty-dollars-(\$750.)~~ three thousand dollars (\$3,000.) in total cost value. An application for a building permit is not required where there is no change in the perimeter of an existing structure which is being repaired, improved or remodeled at a ~~cost value~~ value not exceeding ~~seven-hundred-fifty-dollars-(\$750.)~~ three thousand dollars (\$3,000.) nor for such kinds, types and methods of repairs, improvements and alterations as the Town Board shall specify from time to time in regulations adopted by said Board by resolution applicable to this chapter. The

RESOLUTIONS Continued:

Building Inspector may waive the requirement for a building permit only in reference to those nonstructural ordinary repairs which exceed the sum of ~~seven-hundred-fifty dollars-(\\$750-)~~ three thousand dollars (\$3,000.).

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Dated: October 7, 1986

IRENE J. PENDZICK, TOWN CLERK

*broken lines indicate deletion
**underscore indicates amendment

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#570 REQUESTS OPINION OF TOWN OF RIVERHEAD PLANNING BOARD

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

WHEREAS, the Town Board desires to receive the opinion of the Planning Board regarding the construction of residential dwellings within the existing Industrial A and Industrial B zoning use classification districts; and

WHEREAS, the Town Board seeks to rezone parts of the existing Industrial A and B zones to more appropriate uses in light of Article VII of the Suffolk County Sanitary Code, the State Mandated Peconic River Moratorium and the Air Installation Compatible Use Zone of the Grumman Facility; and

WHEREAS, industrial subdivisions for industrial purposes requires different specifications than residential subdivisions; and

WHEREAS, the Planning Board has requested Louis K. McLean Associates, P.C., as engineers to the Planning Board, to prepare specifications for industrial subdivisions.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby refers to the Planning Board for its consideration for the elimination of the special permit use in the Industrial A and B zones covering residences; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby requests the Planning Board to recommend those portions of the Industrial A and B zones which, in the opinion of the Planning Board, should be rezoned in light of the State-imposed Peconic River Moratorium, Article VII of the Suffolk County Sanitary Code and the Air Installation Compatible Use Zone of the Grumman facility such that the Town Board may hold public hearings thereon; and be it further

RESOLUTIONS Continued:

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Board, Building Department, Zoning Board of Appeals and Conservation Advisory Council.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#571 AMENDS RESOLUTION #463 APPROVING SITE PLAN APPROVAL TO VICTOR J. PAFUNDI FOR THE CONSTRUCTION OF A MOTEL

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

WHEREAS, Resolution #463 of 1986 adopted August 5, 1986, approved site plan approval to Victor J. Pafundi to construct a motel at the intersection of Front Street and South Jamesport Avenue, South Jamesport, New York; and

WHEREAS, the modified building elevations have been submitted to the Building Department and referred to the Town Board on September 15, 1986.

NOW, THEREFORE, BE IT

RESOLVED, that Resolution #463 of 1986 be amended as follows:

RESOLVED, that the Site plan and elevations submitted by Victor Pafundi for the construction of a motel to be located at the intersection of Front Steet and South Jamesport Avenue, South Jamesport, New York, site plan dated January 29, 1986 and more recently revised August 1, 1986, to include a planting schedule as prepared by Donald A. Denis, A.I.A., and elevations dated April 3, 1986, and more recently revised to describe the facade of the structure, as prepared by Donald A. Denis, A.I.A. and elevations dated September 15, 1986, prepared by Donald A. Denis, A.I.A. and the design of JEP Associates, forwarded by the Building Inspector under cover of letter dated September 15, 1986, and filed with the Town Clerk, be and are hereby approved, subject to the following; and be it further

RESOLVED, that all the other provisions of Resolution #463 of 1986 be and shall remain in full force and effect; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Victor Pafundi and the Building Department.

The vote, Boschetti, Yes, Pike, No, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#572 TRANSFER FUNDS-HIGHWAY DEPARTMENT

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

RESOLUTIONS Continued:

RESOLVED, that the Supervisor be and is hereby authorized to transfer the following.

<u>ACCOUNT</u>	<u>FROM</u>	<u>TO</u>
Appropriated Fund Balance	\$15,476.71	
D5130.200 Machinery Equipment		\$15,476.71

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#573 DENIES SITE PLAN APPROVAL OF SALT MEADOW HOMES a/k/a SALT MEADOW WADING RIVER ASSOCIATES

Councilman Boschetti moved to table the following resolution, which was seconded by Councilman Pike.

WHEREAS, a site plan application was submitted by Salt Meadow Homes, a/k/a Salt Meadow Wading River Assoc.; and

WHEREAS, the Town Board has reviewed the site plan and finds that it does not conform to the spirit and requirements of the Country Rural zone.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby denies the site plan application of Salt Meadow Homes, a/k/a Salt Meadow Wading River Assoc., for the construction of a retail facility in the CR zoning use classification district in Wading River; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Salt Meadow Homes, a/k/a Salt Meadow Wading River Assoc., and the Planning Board.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared TABLED.

#574 AWARDS BID FOR FLASHING SIGNAL

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

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the installation of Flashing Signals.

WHEREAS, said bids were received, opened and read aloud at the Town Clerk's Office on October 6, 1986, in accordance with said Notice to Bidders; and

WHEREAS, two (2) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the installation of a flashing signal street light to be installed at the intersection of Maple and Second Streets be and is hereby awarded to Johnson Electrical Construction Corp., in the amount of \$5,800.00; and be it further

RESOLUTIONS Continued:

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Johnson Electrical Construction Corp. and the Highway Department.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#575 AWARDS BID FOR WATER MAIN AND APPURTENANCES FOR DONALD A. DENIS, JAMES R. REEVE & WILLIAM W. ESSEKS (UNION SQUARE)

(See Water District Minutes)

#576 AWARDS BID FOR WATER MAINS & APPURTENANCES FOR JOSICA DRIVE

(See Water District Minutes)

#577 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO CHAPTER 106 OF THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to amending the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of October, 1986, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending Chapter 106, Section 106-9 and 106-10 of the Riverhead Town Code as follows:

A. No person shall operate a boat, jet ski or vessel for towing a person on water skis, a surfboard or similar devise unless there is in such board, jet ski or vessel a person of suitable age and discretion other than the operator in a position to observe the progress of the person being towed.

B. No person shall ride on waterskis, a surfboard or similar devise or use or operate a boat, jet ski or vessel to tow a person thereon between the period from one (1) hour after sunset to one (1) hour after sunrise.

C. No person shall ride on water skis, a surfboard to similar devise, or use or operate a boat, jet ski or vessel to tow a person thereon, in any channel or within one hundred fifty (150) feet of any public or semipublic dock or within one hundred (100)

RESOLUTIONS Continued:

feet of any swimmer or bather; nor shall any such person engaged in such activities come within five hundred (500) feet of the shoreline unless he approaches or departs perpendicular to the shoreline and solely for the purpose of commencing or ending a ride.

D. No person shall ride upon water skis, a surfboard or similar device unless such person is wearing a flotation device approved by the Coast Guard when engaged in such activities.

§ 106-10. Operation of boards and jet skis.

A. Every person operating a boat or jet ski shall, at all times, operate the same in a careful and prudent manner and at such a rate of speed as not to disturb the reasonable comfort or endanger property of another or the life or limb of any person and so as not to interfere with the free and proper use of the waters of the said channel.

B. No board or jet ski shall be operated in such a manner as to throw up a wake which is dangerous to life or limb of a person, boats or other property.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, TOWN CLERK

*underscore indicates amendment

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#578 AWARDS BID FOR TRUCK WEIGH STATION

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

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidder for a truck weigh station for the Riverhead Landfill; and

WHEREAS, all bids were received and read aloud on the 29th day of September, 1986, pursuant to said Notice to Bidders; and

WHEREAS, three (3) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for a truck weigh station for the Riverhead Landfill be and is hereby awarded to Empire Scale & Systems in the amount of \$112,340.00; and be it further

RESOLUTIONS Continued:

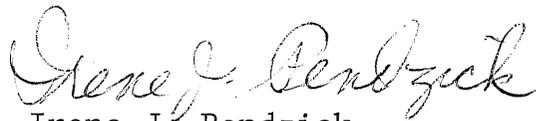
RESOLVED, that this award is subject to an adoption of a bond resolution; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Empire Scale & Systems and the Riverhead Sanitation Department.

The vote, Boschetti, Yes, Pike, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 10:37 P.M.



Irene J. Pendzick
Town Clerk

IJP:nm