

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, July 1, 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.

BILLS

Bills submitted on abstract dated July 1, 1986 as follows:

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

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.

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

RESOLVED, that Minutes of Special Board Meetings held on June 18, 19, and 24, 1986 are dispensed without objection and be approved.

7/1/86  
The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The heads of the departments are present should anyone have any question of them. Reports Mrs. Pendzick."

#### REPORTS

Town Board, 6/18/86-Declaring itself Lead Agency re: Special Permit of Augusta Schneider. File

Tax Receiver-collections as of June 18, 1986 (Final) \$23,101,692.84. File

Open Bid Report-Water District Equipment and Materials. (See Water District Minutes) File

Town Clerk-for month of June, 1986. File

Supervisor Janoski, "Thank you. Applications."

#### APPLICATIONS

Baiting Hollow Development Corp.-Phase II Condominiums. File

Parade Permit-Jamesport Fire Department for 7/23/86 at 7:00 p.m. File

Site Plan, Revised-Anthony Conforti for office building, Main Street and Howell Lane. File

Special Permit-Joseph and Linda Sullivan for 32 mobile home lots on 16 acres, Wading River Manorville Road. File

Sidewalk Sale-Riverhead Chamber of Commerce. File

Fireworks Permit-Jamesport Fire Department. File

Site Plan-Peconic Ambulance (Steel garage, Edgar Avenue). File

Supervisor Janoski, "Thank you. Correspondence."

#### CORRESPONDENCE

Fashion Bug, 6/30/86-Requesting permission for sidewalk sale from July 4th. File

N.Y.S. Dept. of Transportation, 6/23/86-stating that they have no objection to the town assuming Lead Agency status re: A. Benjamin Application and remarking that future L.I.E. right-of-way could impact the site. File

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CORRESPONDENCE Continued

Wading River Civic Assoc.-stating opposition to application of mobile home permit and Sound Breeze Assoc. Land Development proposal. Fil

Hampton Floor & Blinds-requesting permission for tent sale in August. Fil

St. John's, 7/1/86-requesting permission to display a banner across Roanoke Avenue. Fil

Supervisor Janoski, "Thank you. The time for the first public hearing has not yet arrived. Under Unfinished Business:

UNFINISHED BUSINESS

Kimbrooke Associates-special permit for condominiums on Sound Avenue.

Atrium Group-special permit to use 2 residential homes in industrial area.

Rollin Hargis-special permit to add 23 units to existing park on River Road.

Justin Purchasing-special permit for 20 couple residence, Sound Avenue.

Al Lane-site plan for retail store, Route 58. That will be acted upon this evening.

Robert Entenmann-change of zone for housing on 111.6 acres, Sound Avenue. The Town Board will be acting on their submission of a draft environmental impact statement this evening.

Nino Milatello-site plan for retail stores, Route 25A, Wading River.

Dubois Smith-site plan for farm equipment sales building on East Main Street.

M.H. of L.I., Inc.-special permit for single family residences on industrial "A" property, Sound Avenue, Wading River.

Spencer Fisher-site plan for addition to warehouse, Route 58. That will be taken up by the Town Board this evening.

Wm. Giranda (Atlas Realty)-revised for alterations to building.

Southland Corp. (7-11)-site plan for 7-11 Route 25A Wading River.

John & Elaine Villano-site plan for warehouse & sales at 1407 Pulaski Street.

UNFINISHED BUSINESS Continued

Schneider & Kane-special permit for 162 condominium units on 32.7 acres."

Supervisor Janoski, "I would recognize anyone wishing to be heard at this time on any subject. Yes Jessie."

Jessie Tomlinson, Wading River, "I'd just like to make a few observations concerning the application of Linda and Joseph Sullivan for expanding their mobile home park. I don't consider it an expansion since they don't even own the property that they wish to add on to but that's part of my problem with that expansion. About four years ago the Town Board, with the exception of Mr. Pike who was not elected, came to the Wading River Civic Association and said that you're all in favor of revising the mobile home ordinance that was already on the books in the Town of Riverhead. And two years ago, you said the same thing. About maybe a year ago there was a mobile home park ordinance submitted, a proposed one which was so restrictive that it couldn't possibly pass and that was the last we heard of a mobile home park ordinance. Now the problem with the delay (with all due respect) is that now we have Mr. Sullivan as a legitimate businessman, trying to expand what he calls an expansion of his park. Now I would like to (make a few) ask a few questions. For example, if he doesn't presently own the land that he wishes to add the units on to, could that realistically be considered an expansion of an existing park? I really don't know what the answer is and perhaps you know the Town Attorney will have to investigate it. It seems to me that if he were coming into subdivide a piece of property like that where he would then fall under the provisions of the Planning Board with the requirements of subdividing those drainage and so on, I think the Town would be in a much better position to control an application of this sort. I don't think it's right that he could (in his opinion anyway) feel that he's expanding a park. Whereas if I decided to buy that piece of property, I would have to go for a subdivision which means that I would have to meet all the requirements. For example, I certainly couldn't have one home per quarter acre which is what he is proposing. I think it's three quarters of an acre in Wading River and I feel it's an unfair assumption on his part to expand something that's really not expandable in my opinion."

Supervisor Janoski, "Do you want me to answer that one now first Jessie?"

Jessie Tomlinson, "Oh. Ok. If you'd like. If there's an answer. I'm not sure whether there is or not."

Supervisor Janoski, "Well it is relatively common practice for people to make applications and the purchase of the property subject to approvals because certainly someone doesn't want to invest all their money and not be able to get the approvals which are necessary. We are not entering a permit procedure. There is an application and the Town Board, whether we think it's a great idea or a terrible idea, must go through that process. Certainly, the experience that most of the members of this Board have had

PERSONAL APPEARANCES Continued

Supervisor Janoski, Continued

with Mr. Sullivan does not paint a bright picture. So as I say, we're entering a process. It is really best that we don't say too too much because we're not supposed to have preconceived ideas and my Town Attorney here is agreeing with me."

Jessie Tomlinson, "Oh. I understand. And that is why before you have even discussed this, I would like you to understand that I object to something like this. Whether or not I think that Mr. Sullivan's existing park is an asset or an eyesore to the community, is not my point. My point is that I do not believe a park of that nature should be allowed to expand on a nebulous type of thing by going across the road and buying 16 acres that any other private citizen would have to go through subdivision requirements."

Supervisor Janoski, "And you're free to make that observation to hold that opinion. Right now we're supposed to be very objective."

Jessie Tomlinson, "Alright. I would like to make a couple more comments on that. In his application he refers to keeping 8 acres (I believe it is) in its natural state which I really found hilarious. I consider natural state something lovely to look at like trees and stuff. This is just vacant land unless he's talking about a piece of property I don't know anything about. So I think that's sort of misleading. There's a lot of misleading little sections in here."

Councilman Prusinowski, "Jessie this property is right across the road there on.... What's the name of that road again?"

Jessie Tomlinson, "Well I didn't see the map but it would appear to be. Yes. It's right across from his existing park. And I think that I would hope that the Board would consider acting rather quickly on some type of a mobile home park ordinance. Whether or not you can address all the problems immediately, obviously is difficult as Mr. Boschetti is shaking his head. But isn't it possible to immediately enact some type of an ordinance which would say number one; we do not want anymore mobile home parks in this town simply because we have 19 and there's 30 something in the entire county. And number two; that we do not want any existing parks to expand (forget about new property) on their own property. I don't see why that should be such a difficult proposition. I agree that it's hard to enforce different rules and regulations on existing parks and I don't wish to punish the parks that are now in existence. Some of them are very nice and serve a useful purpose but I don't think this should be a mobile home park town and I don't think that an application of this sort should be considered for the future if you would enact that kind of legislation. Thank you."

Supervisor Janoski, "Thank you Jessie. Go right ahead."

7/17/88  
PERSONAL APPEARANCES Continued

Councilman Pike, "Jessie you might not be aware of the fact.... You can sit down. You might not be aware of the fact that we have drafted up a provision to the manufactured housing ordinance of the town and referred it to the Planning Board which would do exactly that. It will freeze mobile home parks and their current size and basically stop any further expansions. That has now been referred to the Planning Board and we were just discussing whether or not they had responded to it. You might address their comments to them so that we get a referral out of the Planning Board which we consider a pre-requisite to enactment."

Councilman Boschetti, "Mr. Chairman."

Supervisor Janoski, "Yes."

Councilman Boschetti, "I'd also like to make a comment on that and that is; the observation that the mobile home code was too restrictive, I find to be interesting because I don't view it that way at all. I never did. And when you consider the comments of the park owners who were here at the public hearing and what they had to say, much of what they had to say was unsubstantiated. Many of the things they pointed to, do not hold water and the restrictions that you're pointing to as being too restrictive would have in fact, addressed this very problem. Today there is no zone that allows a mobile home park to be placed in the Town of Riverhead and that's always been the case for some time at least. And I would just like to say that as far as your observation that we need a revision of that code, I concur wholeheartedly but I do believe that was written and presented, was a very fair ordinance regardless of all the hoopla and opposition of those who had a vested interest in seeing that ordinance go down the drain. Thank you."

Supervisor Janoski, "Henry."

Henry Pfeiffer, Wading River, "While on the subject of mobile homes, there has arisen recently (or come to my attention) a problem that many people who wish to resell their mobile homes have been confronted with. That is that the park owner determines that it can not be sold on site. Must be removed or junked. I think that possibly in your revision of the code that you might address this. I do believe that in the case a real estate salesperson or broker, if they are knowledgeable of some cloud upon the title or some reason that the property may be devaluated. You know, put a cemetery in there or a garbage disposal plant or something like that. He is obligated (I think) by law or certainly by the realtors code to tell the purchaser of this. So that in the case somebody purchases a mobile home that the park proprietor is not going to tolerate being sold on site on subsequent one thing. He should so advise the purchaser. I think Mr. Boschetti knows at least the two cases recently where the people who have bought the place upon recess sale, reached a point where they just were wiped out. Thank you."

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PERSONAL APPEARANCES Continued

Councilman Boschetti, "Henry you bring out an excellent point. In fact, I know of a third case which just came to my attention about four days ago. I just want to point out one very quick thing. And that is; I have contacted Greg Blass who is very interested in this particular problem. The problem I've decided right along, is in a mobile home owners inability to protect their housing investment under the laws that currently exist. It's just totally unfair that should happen that way but that's the way it is. Now Greg has expressed an interest and I'm welcoming with open arms someone's attention from a higher level of government. It just so happens that county law prohibits that kind of thing but the enforcement mechanism is written in such a way that the county attorney may enforce. It doesn't need to. In my discussion with Greg, we may be moving to try to change that so the county attorney will enforce that law and make sure that these unjust practices no longer take place. Thank you."

Supervisor Janoski, "Is there anyone else that wishes to address the Board? Mr. Kasperovich."

Councilman Lombardi, "Welcome back Bill."

William Kasperovich, Wading River, "Thank you. I'm very happy to be back. I came from a ward of four men very close to my own age. And from the ward of four, I was the only man to walk home. So I'm very happy to be able to be here. I'm trying not to get too involved until I fully recuperate and I thought I would stop in tonight and throw out a few pointers. One of which I think shouldn't wait until I recuperate. On the 30th of May, that was the day I got out of the hospital to find out that my social security check wasn't acceptable to pay my taxes. I stopped into see whether the fire inspector, Mr. Kukla, had arrived at any conclusions about an academic case that I asked him to study six months ago. And after a second review and the thing I wanted to point out to you gentlemen that it was revealed to me that this gentleman does not have any basic fundamental knowledge of combustion. He may have a good history of being a fire fighter but he doesn't know beans from before the fire. And we got into discussion about by products from combustion and he drew a blank. Now, I think you gentlemen have got to get together with this man and see that he does get himself qualified to protect the lives of the people that live here. I was flabbergasted to come to this conclusion and feel that I had to bring it forth to the public. Ok. Number two; for a good 12 to 15 years in griping about the curbs and condition of the walkways on Main Street, it was very much to my surprise last week to find that a grating was put back in place of the old grating that was even less suitable to pedestrian traffic. Now I don't expect everybody to be able to read engineering drawings and understand specifications or what have you. But when you've got the full scale items sitting out there in front of you, you could see whether they are suitable or not for our needs. Now they put a grating in there that you would put out in the open highway some place and where there are no people and into the busiest congested spot in town. And I have been up here a number of times before

PERSONAL APPEARANCES Continued

William Kasperovich, Continued

the design stage, during the design stage and pointed out at different times that we have to get to the work before the actual contractor is there doing the work. Now here we are with the contractor doing the work and we still are not on the backs of the state to give us what we need on Main Street. Now this is a particular item that I have been mentioning. Main Street and Roanoke Avenue I have mentioned here for the last 12 to 15 years and finally we get some work done and the work is even worse than the old condition. Now before they go too far in this actual construction, I think you gentleman have to take a look at what they are doing. And since we've come to this point in time, as they are working along to see so that we can raise an objection and we can get remedial work."

Supervisor Janoski, "Bill I'm going to have to interrupt you. We're going to have to start the public hearing. Thank you. Let the record show that the hour of 7:54 p.m. 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, July 1, 1986 at 7:55 p.m. to hear all interested persons regarding: The Proposed Amendment to Section 48-14 of the Town Code re: Vehicle Restriction in Beach Areas.

Supervisor Janoski, "Mr. Town Attorney."

Richard Ehlers, "The proposal before the Board this evening is to amend the Town Code to prohibit parking where the boat ramps are in the town. And if you do park and limit the access to the boat ramp, then the police would be empowered to have the vehicle towed away so that the ramp could be sued by others."

Supervisor Janoski, "Thank you. Is there anyone present who wishes to address the Board on the matter of this proposal? That being the case and without objection, I declare the hearing closed."

7:55 PUBLIC HEARING CLOSED AT 7:57

Supervisor Janoski, "Is there anyone who wishes to address any matter that is contained in the resolutions?"

William Kasperovich, "Could you give me two or three minutes and then we can go home and relax."

Supervisor Janoski, "Ok. That's a deal."

William Kasperovich, "I had spent considerable time studying and analyzing the Justin Purchasing Corporation application and I had written a full page letter of objection to it in which

PERSONAL APPEARANCES ContinuedWilliam Kasperovich, Continued

I stated legal inadequacies, errors and numb statements in the application. Not to mention a few lies that the people came up with. Now you've carried this application on the agenda for six months and I gave you at least four legal items why the application should be rejected and yet here it is on the agenda for six months and I don't know why we're afraid of Tony suing the town by saying no to his application. I mean the man might have a good idea but he sure as h--- isn't putting it down on black and white to show the town that it is a good idea. And I think we create the wrong impression in our society when we allow this sort of application to stay on the agenda for six months. It means that we're reluctant to say no and we should. The man could always reapply. The man could always do many things. But to let the same application stay on the agenda, I think is the wrong approach to handling this. Thank you gentlemen."

Supervisor Janoski, "Thank you Bill. We'll pick up with the resolutions now."

RESOLUTIONS#396 GRANTS PERMISSION TO RIVERHEAD CHAMBER OF COMMERCE TO CONDUCT SIDEWALK SALE PROMOTION.

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

WHEREAS, the Town Board is in receipt of a request from the Riverhead Chamber of Commerce to conduct a sidewalk sale promotion in the area along Main Street and the grassy area between Main Street, the Peconic River Parking Lot and the Chamber of Commerce Office and the East End Arts and Humanities Council Building on July 10, 11, 12, 1986.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby grant permission to the Riverhead Chamber of Commerce to conduct a sidewalk sale promotion in the above described area on July 10, 11, 12, 1986, and

BE IT FURTHER RESOLVED, that the Riverhead Chamber of Commerce shall provide to the Town Clerk a certificate of insurance indicating the Town as an additional insured in the amount of \$1,000,000.00, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Chamber of Commerce and the Riverhead Police Department.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#397 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD  
RE: ACCOUNT CLERK TYPIST.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Help Wanted Ad for the position of Account Clerk Typist with the Town of Riverhead Recreation Department.

HELP WANTED AD

PLEASE TAKE NOTICE that the Town of Riverhead is now accepting applications for the full time position of Account Clerk Typist in the Riverhead Recreation Department. Applicants must possess excellent typing skills and have at least two years of bookkeeping experience. Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications for this position shall be accepted after July 11, 1986. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment of the provision of services.

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

The resolution was thereupon duly declared adopted.

#398 APPROVES SITE PLAN OF ALAN LANE.

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

WHEREAS, a site plan and elevations were submitted by Al Lane for construction of retail store to be located on Route 58, Riverhead, New York; and

WHEREAS, this Town Board has reviewed the site plan dated November 28, 1985, as prepared by Mark Michaels, and elevations dated November 28, 1985, as prepared by Mark Michaels.

NOW, THEREFORE BE IT

RESOLVED, that the site plan and elevations submitted by Al Lane for construction of retail store building to be located on Route 58, Riverhead, New York, site plan dated November 28, 1985, as prepared by Mark Michaels, and elevations dated November 28, 1985, as prepared by Mark Michaels, 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

RESOLUTIONS Continued

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 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. Further, by execution and filing of this document, Al Lane, hereby authorized the Town of Riverhead to enter premises at Route 58, Riverhead, New York, to enforce said handicapped parking regulations.

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.

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 Peter S. Danowski, Jr., Esq., attorney for Al Lane, and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the \_\_\_\_ day of July, 1986, by AL LANE, residing at \_\_\_\_\_, Declarant.

WHEREAS, Declarant is the owner of a certain real property situate in the Town of Riverhead, Suffolk County, New York, more particular 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.

RESOLUTIONS Continued

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 stanchion 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.

ALAN LANE

STATE OF NEW YORK )

ss.:

COUNTY OF SUFFOLK )

On this \_\_\_\_\_ day of July, 1986, before me personally came ALAN LANE, the owner of certain real property located at Route 58, Riverhead, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

7/17/86  
RESOLUTIONS Continued

The vote, Boschetti, yes, \*Pike, abstain, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

\*Councilman Pike, "Mr. Lane is a client of mine. I abstain."

#399 AMENDS SITE PLAN RESOLUTION OF MID-ISLAND LUMBER CO. AND GO-SI-ME CO.

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

WHEREAS, a site plan and elevations were submitted by Mid-Island Lumber Co. and Go-Si-Me Co. for construction of an additional warehouse and facade improvements to the southerly side of an office located at the Northeast corner of Mill Road and Route 58 in Riverhead, New York; and

WHEREAS, a resolution approving the site plan dated May 6, 1983 as revised November 21, 1985, as prepared by Young & Young, and the elevations dated November 21, 1985 as prepared by Steven Tsontakis was submitted to and approved by the Town Board on December 17, 1985; and

WHEREAS, there have been changes made to the warehouse located on the premises and Mid-Island Lumber Co. and Go-Si-Me Co. desire to have the resolution adopted December 17, 1985, amended to include this change.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Mid-Island Lumber Co. and Go-Si-Me Co. dated May 3, 1983, as revised November 21, 1985, as prepared by Young & Young, be amended to include the addition to the warehouse located at the corner of Mill Road and Route 58, Riverhead, New York as shown on the site plan dated May 6, 1983, revised March 27, 1986, as prepared by Young & Young; and be it further

RESOLVED, that all the other terms, conditions and provisions of the resolution adopted by the Town Board on December 17, 1985, 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 Mid-Island Lumber Co. and Go-Si-Me Co. and the Riverhead Riverhead Building Department.

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

The resolution was thereupon duly declared adopted.

#400 RESCINDS RECREATION SPECIALIST (WSI) RECREATION DEPARTMENT.

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

WHEREAS, Cindy Noble was appointed Recreation Specialist (WSI) effective June 30, 1986 to and including August 22, 1986, and

RESOLUTIONS Continued

WHEREAS, Cindy Noble has indicated her inability to serve.  
NOW THEREFORE, BE IT

RESOLVED, that the appointment of Cindy Noble made in a Town Board resolution under date of June 3, 1986 be and is hereby rescinded.

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

The resolution was thereupon duly declared adopted.

#401 APPOINTS RECREATION SPECIALIST (WSI) TO RIVERHEAD RECREATION DEPARTMENT.

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

RESOLVED, that Jean Marie Kelly is hereby appointed to serve as a Recreation Specialist (WSI) effective June 30, 1986 to and including August 22, 1986 to be paid bi-weekly at the following hourly rate of \$5.25 per hour and to serve at the pleasure of the Town Board.

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

The resolution was thereupon duly declared adopted.

#402 RESCINDS LIFEGUARD TO RIVERHEAD RECREATION DEPARTMENT.

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

WHEREAS, Timothy Murphy was appointed Lifeguard, effective June 28, 1986 to and including September 1, 1986, and

WHEREAS, Timothy Murphy has indicated his inability to serve.

BE IT THEREFORE, RESOLVED, that the appointment of Timothy Murphy made in a Town Board resolution under date of June 3, 1986 be and is hereby rescinded.

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

The resolution was thereupon duly declared adopted.

#403 APPOINTS LIFEGUARD TO RIVERHEAD RECREATION DEPARTMENT.

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

RESOLVED, that Ted Nehls is hereby appointed to serve as a Lifeguard, effective June 30, 1986 to and including September 1, 1986 to be paid bi-weekly at the following hourly rate of \$5.00 per hour and to serve at the pleasure of the Town Board.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#404 AUTHORIZES DISPOSITION OF TOWN RECORDS.

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

RESOLVED, by the Town Board of the Town of Riverhead that Irene J. Pendzick, Town Clerk, be and hereby is authorized to dispose of record item number 195 (Oath of Office of Elected Officials) #57 (Assessors Certiorari), #51 (Grievances, Miscellaneous) #55 (List of Complaints and Petitions).

FURTHER RESOLVED, that the Clerk of this Board is hereby directed to furnish a Certified Copy of this resolution to be forwarded to the Commissioner of Education.

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

The resolution was thereupon duly declared adopted.

#405 AUTHORIZES PUBLICATION OF DISPLAY AD FOR THE COMMUNITY DEVELOPMENT AGENCY'S HOME IMPROVEMENT PROGRAM.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached as a display ad two weeks running as follows:

1/4 page in The News Review  
1/4 page in Suffolk Life  
1/8 page in Long Island Traveler Watchman

HOME IMPROVEMENT HELP  
AVAILABLE TO  
RIVERHEAD HOME OWNERS

Do you need funds for a new roof, a furnace, plumbing, painting, siding, insulation, or handicap modifications?

The  
Riverhead Home  
Improvement Program  
has loans available to qualified homeowners who meet the following income limits:

<u>FAMILY SIZE</u>	<u>INCOME LIMITS</u>
1	\$19,250
2	22,000
3	24,750
4	27,500
5	29,200
6	30,950
7	32,650
8+	34,400

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

#406 ACCEPTS RESIGNATION OF KAREN HEPPNER.

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

WHEREAS, Karen T. Heppner is presently serving on a maternity leave of absence from her position of Legal Stenographer to the Town Attorney and part-time Stenographer to the Town Board, and

WHEREAS, Karen Heppner has now submitted her letter of resignation for her positions with the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Karen T. Heppner from her positions of Legal Stenographer to the Town Attorney and part-time Stenographer to the Town Board be and is hereby accepted effective July 1, 1986, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Karen T. Heppner and the Accounting Office.

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

The resolution was thereupon duly declared adopted.

#407 APPOINTS MEMBERS TO THE CONSERVATION ADVISORY COUNCIL.

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

WHEREAS, the vacancies presently existing in the membership of the Conservation Advisory Council have been advertised, and

WHEREAS, applications have been accepted for individuals interested in serving as a member of the Conservation Advisory Council, and

WHEREAS, all applicants were duly interviewed, and

WHEREAS, it is the recommendation of George Bartunek as Chairman of the Conservation Advisory Council that Sherry A. Johnson, Kenneth Schnabel, and Michon Griffing be appointed as members of the CAC.

NOW, THEREFORE, BE IT

RESOLVED, that Sherry A. Johnson, Kenneth Schnabel, and Michon Griffing be and are hereby appointed to the position of member of the CAC effective immediately at the annual stipend of \$250.00, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Jane Stromski, as Clerk of the CAC; Sherry A. Johnson, Kenneth Schnabel and Michon Griffing and the Accounting Office.

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

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

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, July 1, 1986 at 8:05 p.m. to hear all interested persons regarding: Proposed Acquisition by Condemnation of Premises at 110 Middle Road, Riverhead.

CORRESPONDENCE:

1. Joseph Lite, Attorney, 6/24/86  
Requesting copy of resolution and proposed taking maps.
2. Planning Innovations, Inc., 6/25/86  
Requesting copy of determinations and findings regarding public parking district #1 and copy of resolution #371, with map.

Supervisor Janoski, "Thank you. Mr. Town Attorney."

Richard Ehlers, "This is the last piece of property to be acquired by the Community Development Agency as part of the Horton/Osborn Avenue redevelopment project. In all the cases of the previously acquired properties, we were able to acquire through negotiations. Unfortunately in this case we are not or have not been able so far to negotiate the purchase. And therefore, the Board has determined to proceed by this condemnation hearing. We have an appraisal from John Breslin, a qualified appraiser, in the amount of 8 thousand dollars. There is budgeted in the Community Development Block Grant Funds Program the sufficient funds to pay for the acquisition. And if necessary, the relocation costs. The property is located between Horton and Osborn Avenue on Middle Road on the north side. And if you travel that way, you would recognize it by the number of large tractor trailers and dilapidated vehicles parked around it."

Supervisor Janoski, "Thank you Mr. Town Attorney. Is there anyone present who wishes to address the Board on this matter? Yes."

Richard Ehlers, "You should also mention that the purpose of the acquisition is to demolish the substandard building, remove the debris that is at the premises and conclude the redevelopment project in the area."

PUBLIC HEARING Continued

Supervisor Janoski, "Is there anyone that wishes to address the Board on this matter? That being the case and without objection, I declare the hearing closed."

8:05 PUBLIC HEARING CLOSED AT 8:08

Supervisor Janoski, "Let us continue with the resolutions."

RESOLUTIONS

#408 APPOINTS ADDITIONAL INDIVIDUALS TO THE POSITION OF CORRECTION OFFICER I.

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

WHEREAS, by resolution #267 of May 12, 1986, this Town Board did appoint ten individuals to the part-time position of Correction Officer I, and

WHEREAS, since that time, several of the individuals appointed have advised Chief of Police Palmer of their inability to serve in that position, and

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to the part-time position of Correction Officer I effective immediately at the hourly rate of compensation of \$5.00.

MARION MAZZO  
CHRISTINE SARGENT  
MARIE DUNLEAVY  
NADIA MOORE  
AGNES TERRY  
KATHLEEN VONATZSKI  
VICTORIA VOURAKIS  
DONNA SIEVERS

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

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

The resolution was thereupon duly declared TABLED.

#409 SEEKS PLACEMENT OF SIGNAGE WITHIN THE TRAFFIC ROTARY ON COUNTY ROUTE 58.

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

7/17/86  
RESOLUTIONS Continued

BE IT RESOLVED, that in order to improve the understanding and safety of travelling through the traffic rotary on County Route 58, this Town Board requests that the Suffolk County Department of Public Works place plain English language signs indicating that traffic within the rotary has the right of way, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Suffolk County Executive Peter F. Cohalan, Suffolk County Department of Public Works Commissioner A. Barton Cass, and Riverhead Town Police Chief Roscoe Palmer.

Supervisor Janoski, "I wanted to point out that Mr. Lombardi suggested this action. I wrote the resolution and it is moved and seconded."

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

The resolution was thereupon duly declared adopted.

#410 APPROVES SITE PLAN OF ANTHONY CONFORTI.

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

WHEREAS, a site plan and elevations were submitted by Anthony Conforti for construction of an office building to be located at corner of Howell Lane and Route 25, Riverhead, New York; and

WHEREAS, this Town Board has reviewed the site plan dated June 2, 1986, revised June 6, 1986, as prepared by Young & Young, and elevations dated April 7, 1986, as prepared by Young & Young.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Anthony Conforti for construction of an office building to be located at the corner of Howell Lane and Route 25, Riverhead, New York, site plan dated June 2, 1986, revised June 6, 1986, as prepared by Young & Young, and elevations dated April 7, 1986, as prepared by Young & Young, 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.

RESOLUTIONS Continued

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 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. Further, by execution and filing of this document, Anthony Conforti, hereby authorizes the Town of Riverhead to enter premises at corner of Howell Lane and Route 25, Riverhead, New York, to enforce said handicapped parking regulations.

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.

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

10. That the planting schedule shall be according to Addendum #1 attached to this resolution.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Anthony Conforti, 739 East Main Street, Riverhead, and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the \_\_\_\_\_ day of July, 1986, Anthony Conforti, residing at c/o 739 East Main Street, Riverhead, New York, Declarant.

WHEREAS, Declarant is the owner of 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:

RESOLUTIONS Continued

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 stanchion 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.

9. That the planting schedule shall be according to Addendum #1 attached to this declaration.

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

\_\_\_\_\_  
ANTHONY CONFORTI

STATE OF NEW YORK )

ss.:

COUNTY OF SUFFOLK )

On this \_\_\_\_ day of July, 1986, before me personally came Anthony Conforti, the owner of certain real property located at the corner of Howell Lane and Route 25, Riverhead, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

ADDENDUM #1

PLANTING SCHEDULE FOR ANTHONY T. CONFORTI  
ROUTE 25 & HOWELL LANE, RIVERHEAD, NY

RESOLUTIONS Continued

Arbrovitea Hedge north/east of building, parallel to Howell Avenue

Atum Olive Hedge and post-rail fence south/east of building, parallel to South 55 degrees 06 minutes 20 seconds West

Planting beds of Norway Spruce. Rhododendrons, Azaleas and Yews north and north/east front of building (also Kwzan Cherry)

Foundation planting south side of building with Rhododendrons and Azaleas

Planting bed of Norway Spruce. Rhododendrons and Yews south east side of building, parallel with south end part of walk

Foundation planting of Azaleas north side of Ilex on east side of building with planting of P.J.M. Rhododendrons and Yews in corner bed

Bordering west of parking stalls 1 & 47 planting of Forsythia

Bordering south of parking stalls 45 & 46 planting of Spirea Waterii

North of property line South 55 degrees 50 minutes 00 seconds West and East of property line North 36 degrees 34 minutes 00 seconds West plantings of Spruce Birch Red Stem Dogwood Juniper Viburnum

Sod north and west side of building

Seed lawn south and west of parking lot

All bed areas will be wood chipped or cultivated.

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

The resolution was thereupon duly declared adopted.

Before introducing resolution #411 Board members discussed the correcting and establishing of the expiration date as the purpose of the resolution.

Supervisor Janoski, "Mr. Town Attorney, do you agree with this proper date?"

Richard Ehlers, "We passed a special permit that didn't have an expiration date in it. The Town Code provides that if you don't have an expiration date, it expires in one year. If you do want to provide an expiration date, then you provide a three-year period. So the discussion was; when three years from the date of the granting of the permit back in 1985 would be and that occurs to be 8/6/88 and not 8/6/89 as was incorrectly in the resolution."

7/17/88  
RESOLUTIONS Continued

#411 SETS EXPIRATION DATE FOR SPECIAL PERMIT OF BROAD COVE.

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

BE IT RESOLVED, that the special permit granted to Broad Cove, Inc. by resolution #612 of 8/6/86 for the construction of 500 condominium units at Hubbard Avenue, Riverhead, shall have an expiration date of August 6, 1988, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Anthony Conforti, Esq., attorney for the applicant, Broad Cove, Inc.

The vote, Boschetti, yes, \*Pike, abstain, \*Prusinowski, abstain, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

\*Councilman Pike, "Abstain, I was not present for the initial approval."

\*Councilman Prusinowski, "Abstain because my grandmother still owed a small amount of money on this permit, application or whatever it is. On that property."

#412 AWARDS BID TO PURCHASE VEHICLE.

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

WHEREAS, the Town Clerk was authorized to advertise for one (1) new 1986 four-wheel drive dump truck for use by Building and Grounds, and

WHEREAS, on the 16th day of June, 1986, all bids were received and read aloud; and

WHEREAS, only one (1) bid was received from Dyer Motors. NOW, THEREFORE, BE IT

RESOLVED, that the bid for one (1) 1986 GMC four-wheel drive dump truck be and is hereby awarded to Dyer Motors, 500 County Road 104, Riverhead, New York, in the amount of \$18,499.

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

The resolution was thereupon duly declared adopted.

#413 AUTHORIZES DISTRIBUTION OF NOTICE OF COMPLETION OF DRAFT ENVIRONMENTAL IMPACT STATEMENT OF ROBERT ENTENMANN.

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

WHEREAS, this Town Board has received the Draft Environmental Impact Statement of Robert Entenmann dated June, 1986 seeking permission to construct and operate 222 units of semi-attached housing on 111 acres of property situate at Sound Avenue, Riverhead, and.

RESOLUTIONS Continued

WHEREAS, the Town Board has reviewed said Draft Environmental Impact Statement.

NOW, THEREFORE, BE IT

RESOLVED, this Town Board does hereby authorize the distribution of the Notice of Completion of the DEIS of Robert Entenmann seeking permission to construct and operate 222 units of semi-attached housing on 111 acres of property situated on Sound Avenue, Riverhead, New York, to interested agencies for their review and comment.

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

The resolution was thereupon duly declared adopted.

#414 AUTHORIZES TOWN ATTORNEY TO DEFEND CASE IN SUPREME COURT.

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

WHEREAS, by Order to Show Cause granted June 30, 1986, James Cromarty and Barbara Cromarty, t/a Riverhead Raceway, have made application pursuant Article 78 of the Civil Practice Law and Rules to reverse the determination of the Riverhead Town Board denying a fireworks permit; and

WHEREAS, it is necessary for the Town Attorney to appear and defend the denial of the application.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney is hereby directed and authorized to defend the denial of the fireworks permit to the Riverhead Raceway, which is the subject matter of an Article 78 proceeding in the Supreme Court of the State of New York, Suffolk County.

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Steve, it wouldn't be a meeting if you didn't have something to say. And I know you came in late, so I want to give you the opportunity to tell us what is on your mind but I'm going to ask you to do it in four minutes."

Steve Haizlip, "What I want to find out is on this 414 where the Riverhead Raceway officials are suing the town and going to court. Would this be on that Article 78 which allows you to do whatever?"

Councilman Prusinowski, "Yes."

Steve Haizlip, "You know to protest all resolutions and so forth. Ok. Thank you."

Supervisor Janoski, "Thank you Steve. Is there anyone else who wishes to be heard at this time? In that case, without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 8:17 p.m.

IJP:nm



Irene J. Pendzick  
Town Clerk