

07/17/86
Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, June 17, 1986 at 7:30 p.m.

Present: Victor Prusinowski, Councilman
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman

Absent: Richard Ehlers, Town Attorney
Joseph F. Janoski, Supervisor

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

Councilman Prusinowski, "I'd like to welcome everybody to our Town Board meeting. The Supervisor is unable to attend. That is why he's not here tonight. Ok. We'll ask for a motion to approve the minutes of the Regular Board Meeting held on May 20th 1986 and Special Board Meeting held on June 9, 1986."

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

RESOLVED, that the Minutes of Regular Board Meeting held on May 20, 1986 and Special Board Meeting held on June 9, 1986 are dispensed without objection and be approved.

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

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "Ok. There are some elected officials in the audience tonight and some department heads if anybody has any question pertaining to any aspect of town government and we'll go right to reports."

REPORTS

Recreation Department-attendance report for month of May, 1986.

File

Police Department-month of May, 1986.

File

Tax Receiver-report of collections as of June 3, 1986; \$21,283,705.33.

File

OPEN BID REPORT - WEST MAIN STREET PROPERTIES

File

Bid Date: June 9, 1986 at 11:00 a.m.
No Bids Submitted

REPORTS Continued

OPEN BID REPORT - POLICE RECORDING EQUIPMENT

Bid Date: June 9, 1986 at 11:10 a.m.
1 Bid Submitted

#1 NAME: DICTAPHONE/PITNEY BOWES
ADDRESS: 120 OLD POST ROAD, RYE, NY 10580
TOTAL BID: \$28,969.00

OPEN BID REPORT - POLICE OFFICE AND STORAGE FURNISHINGS

Bid Date: June 9, 1986 at 11:15 a.m.

#1 NAME: MCCABES
ADDRESS: 221 EAST MAIN STREET, RIVERHEAD, NY
TOTAL BID: 43 items see file for total prices

#2 NAME: HUNTINGTON BUSINESS PRODUCTS
ADDRESS: 339 MAIN STREET, HUNTINGTON, NY
TOTAL BID: 43 items see file for total prices

#3 NAME: ECHO PRINTING STATIONARY CO.
ADDRESS: 30 WEST PARK AVENUE, LONG BEACH, NY
TOTAL BID: 43 items see file for total prices

#4 NAME: NORTH SHORE BUSINESS PRODUCTS
ADDRESS: 138 EAST MAIN STREET, BOX 903, RIVERHEAD
TOTAL BID: 43 items see file for total prices

#5 NAME: E.B. DUNKERLEY & SONS
ADDRESS: 137 MAIN STREET, SOUTHAMPTON, NY
TOTAL BID: 43 items see file for total prices

REPORTS Continued

OPEN BID REPORT - ONE TON TRUCK FOR BUILDINGS AND GROUNDS

File

Bid Date: June 16, 1986 at 11:00 a.m.

1 Bid Submitted

#1 NAME: DYER MOTORS

ADDRESS: 500 COUNTY ROAD 104, RIVERHEAD, NY

TOTAL BID: \$15,499.00

Conservation Advisory Council-minutes of meeting held on May 29, 1986.

File

Councilman Prusinowski, "We'll go right to Applications."

APPLICATIONS

Site Plan-Herbert Obser (parking lot, Route 58).

File

Draft Environmental Impact Statement-R. Entenmann, Sound Ave.

File

Councilman Prusinowski, "Right on to Correspondence."

CORRESPONDENCE

Kenneth Cheshire, 6/4/86-Asks questions regarding the proposed 20 unit condominiums (Motel on the Bay) to voice his concern.

File

Dorothy Pfalzer, 6/6/86-submits resignation as "Meals on Wheels" Driver.

File

Southold Town, 6/5/86-Notice of Public Hearings re: 2 Local Laws.

File

Brookhaven Town, 6/4/86- Notice of Public Hearing Re: Code Amendment.

File

Central School District-requesting a way be found to keep on-line alarm service with Police Department.

File

Councilman Prusinowski, "We have not arrived at the time for the first public hearing. We have a lot of Unfinished Business on the agenda. Some of it we are dealing with in certain resolutions tonight. It's available if anybody's interested in reading the whole list. I'm going to dispense with that tonight."

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UNFINISHED BUSINESS

Schneider & Kane-Special Permit for 162 condominium units on Middle Road.

Kimbroke Associates-Special Permit for condominiums on Sound Avenue.

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

Atrium Group-Special Permit of Patrick Carrig and Robert Patchell, (Motel on the Bay).

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.

Robert Entenmann-Change of Zone for housing on 111.6 acres, Sound Avenue.

Nino Milatello-Site Plan for retail stores, Route 25A in Wading River.

Dubois Smith-Site Plan for farm equipment sales building on East Main Street.

Gagliardo Assoc.-Site Plan for retail store, Sound Avenue and Park Road, Riverhead.

Alvin Benjamin-Condominiums in Res. "C" - 181 units on 54± acres, Middle Road.

Robert Entenmann-Special Permit for 222 units on 111 acres, Sound Avenue.

East End Asphalt-Site Plan for equipment building, South Jamesport Avenue.

M.H. of L.I., Inc.-Special Permit for single family residences on Ind. "A" property on Sound Avenue, Wading River.

Spencer Fisher-Site Plan for addition to warehouse, Route 58.

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

Southland Corp. (7-11)-Store on Route 25A, Wading River.

John & Elaine Villano-Site Plan for warehouse at 1407 Pulaski Street, Riverhead.

Councilman Prusinowski, "We will go now to anyone wishing to be heard on any subject pertaining to anything that you would like to talk to the Town Board about. Steve, come right up."

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PERSONAL APPEARANCES

Steve Haizlip, Calverton, "Actually, Mr. Dan Donahue should be up here speaking, not me. But maybe he's stage shy, so he's asking me to speak for him. Now, he's giving me a problem that he said that when he sold his land to put that Post Office in, that nobody along the line (the Town Board, the Zoning Board of Appeals, the Planning Board, Suffolk County, Building Department) nowhere that he was going to be assessed agricultural penalty rate for one acre and it's going to be spread to the ten acres."

Councilman Prusinowski, "Excuse me. Wait a minute. Hold on."

Steve Haizlip, "I'm telling you what he said Vic."

Councilman Prusinowski, "Well I can tell you right now, when you sign up for this committment program, you sign certain documents. And in those documents unless he didn't read them, it's clearly stated in there the penalty that you'll pay. I'm telling you right now. So hold it right there. That is a gift from the tax payers of Riverhead throught the offices of State of New York. That's what happens."

Steve Haizlip, "Well does this...."

Councilman Prusinowski, "The Town Board doesn't have to tell him that. He's knows that when he went in there to sign up."

Steve Haizlip, "Is this the Suffolk County...?"

Councilman Prusinowski, "No it's not. This is New York State. There's one of two state programs that he's probably involved in. Ag's districts or the committment program."

Steve Haizlip, "So at this point, I don't know if he signed up or not. So I'll stop right here and I'll take it back to him."

Councilman Prusinowski, "Right. He probably did because he's obviously probably getting hit with a penalty or some type of assessment now. Is that correct?"

Steve Haizlip, "For the whole ten acres."

Councilman Prusinowski, "I'm sure he is."

Steve Haizlip, "That was taken out for the Post Office."

Councilman Prusinowski, "That's exactly right. You're not supposed to.... You can do that but you pay the penalty for the entire parcel."

Steve Haizlip, "Alright. Ok. That's what I'll take back."

PERSONAL APPEARANCES Continued

Councilman Prusinowski, "Ok. Thank you sir. Anyone wishing to address the Town Board? Yes sir."

Joseph Sikora, Riverhead, "I would like to know what's going on with the raceway."

Councilman Prusinowski, "Ok. We're in (right now) in litigation with the raceway over several matters pertaining to the zoning ordinance. And in addition, they have an application pending with the Zoning Board of Appeals which, at any moment we're waiting for a determination which will dictate what further permit process they need to appear before the Town Board. That should be happening within the next several weeks I understand. They already had their hearing and the Zoning Board is making their determination right now."

Joseph Sikora, "Can I ask you about this permit on the fireworks?"

Councilman Prusinowski, "Right. There's a resolution to authorize permission for the racetrack to have their fireworks show."

Joseph Sikora, "Alright. I don't mind the fireworks being shown. But could I have the permit stated that the fireworks be shot from the west side instead of the east side? Because I don't want to be picking up the garbage again in my yard."

Councilman Pike, "What was your experience? You had garbage, you had the cinders coming down afterwards?"

Joseph Sikora, "That's what I said. I bought a package down to Mrs. Irene Pendzick the one year."

Councilman Prusinowski, "I know there's considerable discussion on the Town Board tonight of whether or not that resolution is going to pass."

Joseph Sikora, "No. That's all I wanted."

Councilman Prusinowski, "Ok. Thank you for your comments. Is there anyone else wishing to address the Town Board on any subject? Sonny."

Walker Turner, West Street, "That's the point I would like to bring up. What's being done. We have a resident on West Street that has a town dump and it's continually getting worse and worse. The highway is used for a used car repair works. Any day you can go up there and you'll find ten cars parked on the side of the road, jacked up and that's a continuous thing that's been going on for about five years now or more. And I've approached a number of the Board members and I'd just like to know what progress was made on that."

Councilman Prusinowski, "I don't have an answer to that question Sonny. I'm familiar with the situation. John."

PERSONAL APPEARANCES Continued

Councilman Lombardi, "Well what we're doing right now Sonny, as you know, we try to get a hold of the highway department to do the job. Right now the highway department can not do it. We are going to try to get an outside contractor to take away the rubbish. Now with the cars, if I remember right about a month ago, the Police went down and towed it away, three cars."

Walker Turner, "That's correct."

Councilman Lombardi, "Right? Mr. North went down to the motor vehicle, went and retrieved these cars. He went and got his insurance and brought these three cars back. I don't know how he can do it because the car to me, one had no motor in it as I know. So he did get his license for it the way I understand and he was supposed to put them in the yard. Now if it's sitting out in the road, I would believe that they shouldn't be there."

Walker Turner, "Well they are in the yard but there are other vehicles in the yard that are not registered. Plus as the ordinance says in number 171; concerning all types of hazardous waste material. Everyone of the thirteen codes there are completely violated by the garbage he has in the yard. Batteries, gas tanks; all this stuff is in the yard."

Councilman Lombardi, "That is being worked on Sonny."

Councilman Prusinowski, "Sonny, I know the Town Board has indicated that we want to.... I think we have a resolution."

Councilman Lombardi, "There has been a resolution passed."

Councilman Prusinowski, "We passed a resolution on this and I think the only thing holding us up, is we have to go out and get some outside bids on the cleaning up of the area. The Highway Department didn't want to get involved in it because we just couldn't handle it through the highway. We didn't have the equipment and stuff and the time."

Walker Turner, "Even as far as the cars on the road and as far as using the highway, the town property for vehicle repair shop."

Councilman Prusinowski, "Well that shouldn't be allowed."

Councilman Lombardi, "Captain could you give us a little help on this? What can we do about the cars that are sitting out on the road? Do they licenses on them Sonny?"

Walker Turner, "Oh they come there everyday. It's just like a repair shop. You've got maybe ten cars lined up there along side the road blocking the road."

PERSONAL APPEARANCES Continued

Captain Grattan, "The most recent knowledge I have is; the court advised us the last time we were over there, to leave Mr. North alone. The court had given him time to clean up his property. And if we gave him any summonses, they would be automatically dismissed. So leave him alone."

Councilman Pike, "Which court is this? Which judge?"

Councilman Lombardi, "We'll check that out tomorrow. I know that it is being worked on to remove it, the rubbish. On the vehicles, this is something new to me. We will check on it tomorrow."

Walker Turner, "I was talking to one official as to having a no parking on the road. Signs. I've talked to a number of the residents and they would go along with that in the area. Would that be a possible? Could that be..."

Councilman Prusinowski, "Sonny, Councilman Pike just brought up a good idea. We'd like to have you in maybe on Thursday if you can fit it into your schedule to talk to the Town Board in the afternoon about this subject and fill us in and maybe we can put our heads together and see where we are and come up with some permanent solution to the problems."

Captain Grattan, "Could I attend that also?"

Councilman Prusinowski, "Sure."

Councilman Pike, "We'd appreciate it."

Councilman Prusinowski, "Yes we would like the Police Department there."

Walker Turner, "Any particular time?"

Councilman Prusinowski, "Make it after three thirty."

Councilman Lombardi, "Four o'clock."

Councilman Prusinowski, "Four o'clock would be better because we have.... Thursday."

Walker Turner, "Thursday. Ok. Thank you."

Councilman Prusinowski, "Larry, you can make a note of that. Thank you Sonny. Is there anyone else? We have three minutes before the first public hearing. Does anyone else wish to be heard on any subject pertaining to anything? Yes sir. Just come up to the mike and state your name and address."

Dan Wiwczar, Greenbrier Road, W.R., "I'm here tonight and some of the other residents that live near the parking lot in Wading River and would like to get something straightened out. Who has jurisdiction over the parking lot with kids parking all hours of the night? If the Police can do anything, if the Town Board can do anything?"

PERSONAL APPEARANCES Continued

Councilman Prusinowski, "I think the first public hearing..."

Councilman Lombardi, "The first public hearing is for that I'm pretty sure."

Councilman Prusinowski, "The first public hearing will address that. So if you just want to hold your comments, you can put it on the record."

Dan Wiwczar, "Is that for all of the Town of Riverhead?"

Councilman Prusinowski, "No that's just for that particular parking lot and I think it's what you want. Ok. So you might want to come up here and talk to us about that. We have two minutes before the first public hearing. Is there anyone else wishing to be heard on any subject? Yes sir."

Harold Mezick, Meeting House Creek Road, "We have requested that since Hurricane Gloria, that the two missing steps going down to the water be replaced and that the fence which is at a 45 degree angle from the storm, be straightened. And also the no parking signs are all rusted out. It's a disgrace. There was a horse by the name of Aquebogue, it ran the day before yesterday at 94 to 1. So I put six dollars on him. He did pretty well. He came in 11th. Incidentally, I've been gunga din since 1945. So we're still waiting (you know) for the water. However, there's still hope because about two months ago, Aquebogue ran and I was at OTB in New Hyde Park. I put it on his nose and he came in a photo and lost but the number one horse was disqualified and I won a hundred and eighty bucks. So there's still hope for the end of Meeting House Creek Road. Thank you."

Councilman Prusinowski, "Ok. Thank you very much sir. The first public hearing is now here, 7:46. The Town Clerk will read the notice of publication."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, June 17, 1986 at 7:45 p.m. to hear all interested persons regarding: The Proposed Amendment to Section 101-11.1 of the Town Code.

CORRESPONDENCE

Wading River Historical Society, 6/10/86:

Opposed to amendment which would prohibit parking between to 10 p.m. and 6 a.m. Advised that members use municipal lot for parking at meetings and suggest increased police patrols as an alternative.

Councilman Prusinowski, "Ok. The public hearing notice has been called. Does anyone wish to comment on this public hearing? I presume you are."

Dan Wiwczar, "I don't know (if) what the answers are. This has been brought up before here when Mr. Smith was Supervisor and it was straightened out before he left office. It stayed straightened out for quite a while. Evidently the last two years, the kids have really started to raise some havoc down there. They're not all local kids. There are a lot from out of town. The cops will come down, they'll chase them and the kids will go. They'll be back at three or four o'clock in the morning. Putting a curfew on the parking lot, I don't know if that's the answer. I don't want to see the parking lot closed because I mean there's people that do business there. There's people that park their cars there, travelling and stuff. I don't know what the answer is. We had discussed also about parking in certain areas of the parking lot, like Greenbrier Road comes down on the north side of the parking lot and the cars are parked in certain areas there. If you come down Greenbrier Road to make a left turn, you're blind. And if people are coming around there and not obeying the speed limit, you haven't got a chance. And we had asked several times to get maybe some kind of barricade to block off two parking places so that people can't park there but it's just been ignored. A sign was put up today; no parking. I don't know how long that will last but I would like to see some guardrail or something there so that they can't park there, instead of a sign there. I don't know if the Highway Department...."

Councilman Lombardi, "Well Danny I was down there Friday with the Highway Superintendent and we did look at it. It is marked with a white line which no vehicle should be parking in there. In the mean time, Charlie did put a "no parking" sign there. Now it's going to be up to the police officers to enforce that. If it doesn't work, then we will have to look at putting guardrails in that area."

Dan Wiwczar, "Would it be a lot easier with the police officers I mean to put in two sections of guardrails and block it off?"

Councilman Lombardi, "That would have to be taken up with Mr. Bloss."

Dan Wiwczar, "I mean if it's a matter of expense, if you people have the jurisdiction, I'll pay for it. I mean it's my life or some member of my family or one of my neighbors. I mean it's just who has jurisdiction over it."

Councilman Prusinowski, "Ok. We will talk it over with Charlie. You've made your point. We're very concerned about it too. John went up there with the Highway Superintendent. We have talked to the Police Department. The police officers have been instructed that when they go by that corner during their regular patrols, that we want enforcement and we'll have to monitor the situation."

PUBLIC HEARING Continued

Councilman Lombardi, "Is that other car still there, that old one, that wreck. Is that moved."

Dan Wiwczar, "No. No. It was moved. Yes. But I mean it's not the idea of a car parking there and harassing whoever parks there. It's the idea of you can't see. It's a blind spot."

Councilman Prusinowski, "We're very familiar with it. Like I said, we went down there. John went down there again. The Highway Committee is on top of it. We talked about it several times with the Police Department. We have to monitor the situation."

Councilman Lombardi, "On the parking lot (Danny) I have gotten calls from the people in that area requesting something to be done. I spoke to the police at that time and they felt that the only way to do it is to put this public hearing on from ten to six to close the parking lot. Now this is what the hearing is about. If the people are for it or not for it and what's we're trying to do; to solve your problems in Wading River. And I think this; we will have to look at. If you're for it ok. If you're not, then say it."

Councilman Prusinowski, "It's a matter of enforcement. There is no law against loitering. Loitering is constitutional. I have the right to go in that parking lot unless it's posted and be there unless I'm violating some law. That's what this hearing is all about. I understand what the problem is. It's actually a little more complex than that because you look at the ages of some of the youngsters that are there. We have a higher drinking age in New York State. It's a natural thing that they're going to congregate somewhere. Ok. We do have a five minute limit, so I'm going to try to hold it. You can always come back the second time and speak, if that's the case. Is there anyone else wishing to speak on this issue? Yes sir."

Paul Schultz, "I'm sorry I'm a little late. I didn't catch the beginning of the meeting. I am currently buying the Brittany Restaurant which is adjacent to the parking lot. I just learned about this meeting today from one of the town guys who was there, my Fire Inspector. It seems to me that; yes there is a problem with kids hanging out. Especially if you want to open up a very nice classy restaurant there, we don't want kids hanging out. However, we had hoped to possibly use the parking lot as a spill over if we are busy for cars to be parking there. Now, people.... If the cut limit is ten o'clock, there are obviously going to be some diners there later than ten o'clock. This is what disturbs me about it. I would definitely not like to see kids hanging out there. I don't think my customers are going to appreciate having kids drinking beer, throwing beer bottles and things like that. But it disturbs me that the people in the town who have businesses, their customers can use that parking lot during the day time and it discriminates against the restaurant being that it's a ten o'clock point."

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PUBLIC HEARING Continued

Councilman Prusinowski, "Well we could ask the town attorney to see if it's possible to amend the ordinance to maybe point an amendment in there that says something like except for restaurant patrons or something to that language and it would give the police officers the latitude that if you're not.... For example, if you go to a lot of municipal parking lots up west, they do have it where if you're not directly doing business with people adjacent to that parking area, you will then be towed away or you'll be given a summonses. So we'll ask the town attorney if something like that can be incorporated."

Councilman Lombardi, "You have a garage right across the street on that parking lot which uses that parking field. What are you going to do there too? You've got to start looking at everything then. How do you straighten that out?"

Paul Schultz, "I don't know what can be done. I don't know to be honest with you."

Councilman Prusinowski, "I'm just throwing that as an idea."

Paul Schultz, "I mean, I just...."

Councilman Prusinowski, "Councilman Pike would like to say something on this."

Councilman Pike, "Question. What are your anticipated hours of operation?"

Paul Schultz, "During the week, we'll probably close at ten o'clock. On weekends; Friday, Saturday and Sunday we'll be open to at least eleven. We'll be open to eleven. That will mean customers will be leaving no later than one at night."

Councilman Pike, "That was really what I was going to ask you."

Paul Schultz, "Or that's not.... I could even have the (let's say) help park there instead of a customer park there. It's up to you whatever you would prefer."

Councilman Prusinowski, "Employee parking or something like that. Alright. We'll take a look at that."

Councilman Pike, "Let me just follow through on this. What you're saying is when you stop serving when you say you close, you stop taking new people in. So if you shut down at eleven, you're just stopping taking customers. Somebody shows up at 10:45, they could be there for an hour and a half."

Paul Schultz, "That's correct. Thank."

Councilman Lombardi, "Thanks a lot."

Councilman Prusinowski, "Ok. We have one minute. Ok. Henry."

Henry Pfeiffer, Wading River, "It seems to me that by reducing the parking there or eliminating the parking there, you may have reduced part of the problem. But the problem seems to be the disturbance caused by the young people. And simply removing the cars, won't do the trick. We don't have a law on loitering, but we do have laws on disorderly conduct. And if the children or the young people are (say) causing disturbances and that sort of thing, I think that the impact should be upon these people. Not upon the parking situation. There is the parking situation from Brittany. There is a parking situation with Bob's garage service area which is used sometimes. He has somebody where a car has not been quite finished overnight or something of that sort. And it's been a practice over the years that the merchants down there in the area use that over flow. Now closing that down for parking, might mean that the youngsters who are causing this disturbance, might park on adjacent streets and still congregate in the parking lot and still cause a disturbance which is what you're trying to conceal. Thank you."

Councilman Prusinowski, "Ok. Is there anyone else wishing to address the Town Board in this public hearing? Yes sir."

Bob Boenig, "I own and operate the garage in the village. I don't have any real answers for this either. But as a businessman, I'd just like it to be known that I am concerned about my parking. I have virtually no parking. I only have the parking lot across the street. This area never had any parking and it was a problem years ago so that the Town of Riverhead put the parking lot in. That was for the merchants down there. Now if I have someone's car that isn't completed and I don't have room in front of my place, I put it across the street. I don't know if taking the cars and putting a moratorium on it, whatever you want to do will work or not. But I just say as a businessman, I think we should be considered."

Councilman Prusinowski, "You are."

Councilman Lombardi, "Bob, I'm going to say that I have been the one that has been contacted. I have tried to look at it all different ways. As I said, I spoke to the police trying to figure out which way we can solve this problem because it's not at ten o'clock. It's happening eleven o'clock, two o'clock. And the police do go down there but by the time they get down there, they're gone."

Bob Boenig, "I understand."

Councilman Lombardi, "So this was brought up that we would try something like we have in the beaches with the ten to six no parking. Now nobody is out to hurt you or Brittany Restaurant. I think we want to try to work something out but how. This is what we're going to have to sit down and figure out."

PUBLIC HEARING Continued

Bob Boenig, "Well just that we're considered. Like if I had a few spots that we could park in over night, that would be sufficient. I don't need the whole parking lot. I just need a couple of spots."

Councilman Prusinowski, "Do you have parking there? Is that parking lot utilized by your business twenty-four hours a day? So what you're telling me is...."

Bob Boenig, "What happens is that sometimes I'll have a customer that leaves a car the night sometime during the night for the next morning. They'll drop the keys in my place and leave the car."

Councilman Prusinowski, "So what you're saying is that there are times that your business requires the access to that parking lot for twenty-four hours. So that's the question that I want to put on the record."

Bob Boenig, "Right. In the sense. Not the whole parking lot. Only one or two spots. That's what I'm talking about. But the kids have been a problem to me to over the years. I've had car's windshields broken, antennae snapped, hubcaps stolen, mirrors broken. I mean this is just.... I've put up with it over the years too and I agree this... I would like to see something done too. But I am also trying to make a living and I just would like that taken into consideration."

Councilman Prusinowski, "Ok. Is there anyone else wishing to address the Town Board concerning this public hearing? That being the case, I declare the hearing closed."

7:45 PUBLIC HEARING CLOSED AT 7:58

Councilman Prusinowski, "We'll now read the notice of publication for the 7:55 p.m. hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, June 17, 1986 at 7:55 p.m. to hear all interested persons regarding: The Adoption of a Local Law to the Town Code entitled: Chapter 2, Alarm Systems.

CORRESPONDENCE:

Jamesport Fire District, 6/17/86
Expressing support for the local law with regard to the alarm systems.

Central School District, 6/12/86:
Requesting a way be found to keep on-line alarm service with the Police Department. Alternate form of alarm system would cost about \$5,000 in additional tax monies.

PUBLIC HEARING Continued

Councilman Prusinowski, "Ok. I want to point out that this public hearing specifically addresses the fire alarms. Is that correct Irene according to that notice?"

Irene J. Pendzick, "Alarm Systems."

Councilman Prusinowski, "Alarm Systems."

Irene Pendzick, "Burglar alarms, not just fire."

Councilman Prusinowski, "The false alarms, I thought this ordinance was specifically for the fire alarms."

Irene Pendzick, "It mentions burglars in here."

Councilman Prusinowski, "Larry why don't you just come up and briefly."

Captain Grattan, "I won't speak on the fire alarms. There may be someone else here but I'm sure it's connected to part of it. This proposed Local Law falls actually (as I perceive it) to two categories; A and B. One is a setting up penalties and fines for false alarms of either type either to the police or the Fire Department and the second portion or portion B, whichever way you want to put it is the discontinuance of having the police monitor alarm company equipment, physical monitor it in the police facility. And I'm sure there will be people that talk on one portion of it and there will be people that talk on the other portion. The false alarm section very briefly. The Police Department responds to 1,630 false alarms last year either through the malfunction of the equipment or the error and misjudgment by the people who owned it by inadvertently setting it off. Very conservatively, at ten minutes a call, it works out if you want to divide it, subtract it and multiply it to about 35 man days of police activity and I think that's far far to excessive (of course) to continue. It's a very expensive proposition and it's non-productive. The second portion deals with the Police Department monitoring alarms. We've been in this business historically from a long time back when it was a much more rural area and much quieter. Every other Police Department in Suffolk County of any size whatsoever long ago, stopped providing this service for the same reasons that we wish to. I don't want to use the entire five minutes up going over the various reasons. But if people who wish get up and talk on it, if there's any questions they wish to expressly ask me, I'll try to answer them."

Councilman Prusinowski, "Ok. I would like.... I see some members of the Fire Department back there. Part of the emphasis on this ordinance also originated at a meeting with the Fire Commissioners and the Town Board several months ago at which point it was recommended that we put an ordinance in similiar to what other towns have. Being a rural community with a volunteer fire department,....."

TAPE ENDED

Councilman Prusinowski, "...they're running into a situation where employers are finding it more difficult to allow their employees to respond to a over amount, (I want to say this delicately.) to many false alarms and it's becoming a problem. If you guys would like to comment before we have the public comment on this part of the public hearing and correct me if I was incorrect in the statement that I said."

Dennis Hamill, Chief of Rhd., F.D., "Alright. Last year we responded to 422 alarms. Out of 422 alarms, 67 were A.D.T. malfunctions. All false alarms. Now the problem being..... Let me try to explain how the alarm comes in and this might be able to help the captain of the Police Department the same way. We at the Police Department and the Fire Department must respond. It is our duty to respond to these alarms. That's the first thing. Now if you have a malfunction or if an alarm comes into the department, the department is dispatched. The area that the alarm comes from is called by phone to find out if the alarm does exist. The existing alarm, they call the facility and the facility can not find the alarm, we still continue to respond until there's a verification on the other end that there is no alarm or there is an alarm verbally. Now this is the facilities that are manned twenty-four hours a day. Facilities that are not manned twenty-four hours a day, you have to respond and then make a search of the facility then call the key people, have them open the building and make a physical search within. This takes from the period maybe zero to forty-five minutes to make sure that the facility is ok. Now the big problem is the response. All this goes in the structure, it's always a general alarm. You're putting 13 pieces of apparatus on the street, from zero to 180 men capacity to respond to an alarm. Now there's equipment failure or human error, I don't think it's necessary for us to respond to this type of an alarm. I think that these people should be penalized. And again, Mr. Captain could verify, that it's the same people time after time after time. Either equipment is antiquated, they don't want to replace it. Or when it is replaced, it's done improperly by the alarm companies which the alarm companies should be responsible."

Councilman Pike, "Couple of questions. Of the 67 false alarms that you got, were any of those come in during the time you were responding to another legitimate alarm or were they followed by a legitimate alarm?"

Dennis Hamill, "This is another problem that we have. We have... The town is growing tremendously. Our alarms have increased (I would say) almost forty percent over the last three years. Ok. So the multiple alarms are going to come in normally responding to normal alarms. Yes we have had multiple alarms but what happens then is the serious part is reorganize the dispatcher equipment from that alarm or from the process of moving to that alarm. Now, what you're doing is you're responding to a malfunction or a careless operator or whatever have you and you have a problem on the other end of the district, you're not fully protecting the tax payers of Riverhead Town and I think that's the same problem that the Police Department is having. In other words, when his men are responding to these

Dennis Hamill Continued

alarms which they have to do and they must do and we must do, they're failing in other areas of their duty."

Councilman Pike, "Another question along those lines. Do you have an idea what it cost for you to roll and I realize there's a lot of volunteer labor involved here and that is particular difficult figure in. But just on the sheer practical cost of the Fire Department."

Dennis Hamill, "Well you would figure you run approximately 422 alarms. You have a budget of almost a half of million dollars. Is that correct? So it would cost you almost a thousand dollars an alarm or a little less or more one way or another. Now the safety factor is the most important to keep the fire fighters from getting hurt. And if any problems and records that you can look in zero to today, any fire fighters that have been killed, a greater percentage of them have been killed answering false alarms then in actual fire fighting duties."

Councilman Prusinowski, "I want it to stand corrected that I made a statement before in perusing the public notice, in the ordinance. It deals with all types of alarm systems."

Dennis Hamill, "And to just bring up to date, we responded to today, 208 fires from January 1st. And out of 208 fires, 33 were A.D.T. malfunctions."

Councilman Pike, "Do you keep track of those malfunctions so that we would have an identifiable of repeat offenders?"

Dennis Hamill, "Yes sir."

Councilman Pike, "Could you make that available to this Board?"

Dennis Hamill, "Now or in the near future?"

Councilman Pike, "In a reasonable amount of time?"

Dennis Hamill, "Now out of those (let's be fair) 33 malfunctions, it was four actual fires. Ok. So systems do work but the people who don't keep the update on them or the maintenance on them, that's where the problem lies. Not to do away with the systems."

Councilman Pike, "You raise an interesting possibility. You say the system malfunctioned by there was a fire."

Dennis Hamill, "Well out of all A.D.T. alarms, that's the alarm comes in, there has been 33 so far that there was four that was actual fires."

Councilman Pike, "Oh I see."

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PUBLIC HEARING Continued

Dennis Hamill, "In other words, there were fires where there were bonafide alarms."

Councilman Pike, "But the overall majority of those calls are false."

Dennis Hamill, "The percentage is not there."

Councilman Prusinowski, "Ok Dennis. Thank you very much. We'll let somebody else talk to the Town Board. Yes sir."

Ernest Heppner, Commissioner of Rhd., Fire District, "The Chief has given you all the facts of what involves with the alarm system. And according to the Chief of Police over there, I work at the lab and if you concentrate on a lot of fires that you go to, we're talking about the same thing; the loss of man hours. I can verify that that's a fact. We need something that has to be able to take these systems and put them off either to one side or be penalized for them."

Councilman Prusinowski, "Thank you. Is there anyone else wishing to address the Town Board on this subject?"

Henry Pfeiffer, "I just have a question or two regarding this. Does this concern itself solely with automatic systems both police and fire or does it also include penalties using the phones or other means of creating false alarms?"

Councilman Prusinowski, "I did not read the ordinance line by line. Larry did you?"

Captain Grattan, "Someone deliberately calling in a false alarm would be covered under the New York State penal law. This is..."

Councilman Prusinowski, "Do you want to put that on the record? I'm sorry Larry. The town attorney is not here tonight."

Captain Grattan, "If someone deliberately either personally or by telephone or by any other means deliberately turns in a false alarm whether it be a fire, explosion, crime or any other public emergency that is in fact, that's a crime under the New York State penal law. The alarm companies are averting that just because their alarms are accidental through improper or old equipment or operator lack of skill. So they're really skating around it. If you did it as an individual, you'd be charged and brought into court."

Councilman Prusinowski, "It's my understanding too Captain, that the other towns on the east end have enacted a similar type of ordinance. And I understand that it dramatically cut down the number of false alarms."

Captain Grattan, "Yes it does."

PUBLIC HEARING Continued

Councilman Pike, "Captain, it would be interesting to know whether or not there has ever been an attempt to legislate the equivalent of what you have in the penal law for a homicide which is negligent homicide. The requisite intent is missing with machine firing off. But if it were clear to the operator that machine it was probable it would happen and he neglected that probability. Perhaps some legislation of that the state.... It would be interesting to know whether or not it had ever been tried at the state level."

Captain Grattan, "I'm not aware of whether or not someone...."

Councilman Pike, "Because if we got to the position where the installers of those facilities could be called into criminal court and then fined for the actual cost of the false alarm, I think you might see that those reduce substantially."

Captain Grattan, "I think that's why the graduated fine because we really don't want to penalize the person who very rarely has a malfunction or inadvertently sets it off. But we have some who seem to be repeat offenders and making no attempt or no attempt that we can discern to correct the situation. Chief Hamill (a few weeks ago) was talking about the alarms today. I know that we were out on at least two false alarms today ourself. While one went off for no apparent reason, there was no one in the building and the other one was inadvertently set off by an employee of the building. Also in response to the gentleman from Wading River, some of our alarms are not unoccupied buildings. Some of our alarms are set off deliberately. They are a panic button type of an alarm but we do get the false alarms on those also because people inadvertently set them off or set them off for improper reasons. We had a building, store that is no longer in business that once set off a robbery alarm that had three cars responding because a kid stole a twenty-five cent candy bar."

Councilman Prusinowski, "Ok Captain. Is there anyone else wishing to address the Town Board on this particular hearing? Paul."

Paul Villani, Havils Jewelers, "Regarding false alarms, I can understand the problem. However, if we discontinue monitoring them at the Police Station, we're still going to have to answer to the false alarms. It's just going to go through a central station and then over to the police. I can understand the problem. I don't see anything wrong with penalties for false alarms and repeat offenders. However, I don't see necessarily what the problem would be to monitor them. Again given the penalties for the repeat false alarm offenders."

Councilman Prusinowski, "Ok. I know a number of the downtown merchants (Paul) who have sent the Town Board a petition stating just that."

Paul Villani, "Thank you."

Councilman Pike, "Paul, a quick question. Have you checked whether your insurance rates would be different with or without the direct system?"

Paul Villani, "We haven't specifically checked. That wasn't really our concern as far as the insurance rates. We do know that the insurance companies do like it better when we are direct to the police. Sometimes they don't tell you specifically; yes it's going to cost you a few dollars more but they do prefer it. That really wasn't our concern. Speaking for myself, I'm really thinking about the panic buttons. During the day when we're there, the biggest cause of robbery to jewelers these days is day time holdups. Our safes are so good and our alarm systems are good enough now that burglars do not get you at night. They come in during the day with a gun and they rob you. I would like to know that if I press a panic button, that it's hooked up directly to the police and not have to rely on it going to an alarm company, coming back to the police station, possible problems with phone lines whatever. Some of these problems may not exist. However, if I was being held up during the day, I would like to be patched directly to the police. So far they've responded really well."

Councilman Prusinowski, "Paul just to clear it up so the public understands, the difference that we're talking about is currently there is a number of businesses that are directly monitored by Police Department at the Riverhead Station and the other system which is employed by other merchants is that their alarm company does the monitoring and they call the Police Department. I think it's like a ten second or whatever amount of time it takes to do that and that's the difference that we're talking about."

Paul Villani, "There's also additional..... You could have an error at the alarm company. We can get the signal off to the alarm company and they fail to notify the police or whatever. It's just one more step. But in either case, like false alarms are going to have to be answered by the police station whether it's directly monitored or whether it goes to the central station. So I can understand the false alarm problem and I can agree to that. But I would also prefer to have the police directly monitor us. I would feel a lot safer."

Councilman Pike, "The reason I asked the question and I hope you or a group of the other merchants would address it, is I'm trying to figure out what the exact cost would be for people who are direct now and would, if the ordinance was adopted in it's current form, have to go to an indirect monitoring system. And I'm aware of the hardware cost and the service cost and I was wondering if there were any ancillary costs such as increase in insurance premiums and I hope you'll check that out for us."

Paul Villani, "Insurance I will check out. I do know there will be a substantial cost for the alarm company itself with telephone charges, the insurance. They are "Hardler and Fancer", they usually say tell us the system you have and then we'll tell you the premium. And when you try to ask them any-

PUBLIC HEARING Continued

Paul Villani, Continued

thing about what would reduce my premium, they really don't want to respond. So yes, I'll try to investigate."

Councilman Pike, "Well if you can find one that says it doesn't go up, introduce him to everybody else."

Councilman Prusinowski, "Excuse me. If Paul is finished, then you can come up and put your name on the record and then speak to the Town Board and ask your question. Ok. We'll wait for Paul and then you can do that. Paul are you finished for now."

Paul Villani, "Yes."

Councilman Prusinowski, "For now. Ok. Why don't you come up. You can do that and I'll take Phil and ask me the question and I'll spill it out to the chair."

Donald Nunn, "The question I wanted to..."

Councilman Prusinowski, "Could you just state your name."

Donald Nunn, Holmes Protection, "My name is Donald Nunn. I'm with Holmes Protection."

Councilman Prusinowski, "Just ask me the question and we will get it to him."

Donald Nunn, "Ok. The question, it's not really a question but a statement followed by question. The statement is basically; he's right. There is an additional cost that's going to be incurred for generally jewelry stores and banks. It's very difficult and they should not go through digital communicators to be monitored by central stations. For other types of business, they could be monitored via a digital communicator directly into our central station which would actually in effect reduce the cost of what they're paying now. There will be charges, additional charges for phone line costs for rerouting a direct wire type of situation which is similiar to what's going into the Police Department right now. I don't know if you've gotten any quotes or any prices on the additional costs. But as far as insurance is concerned, a dual central station monitoring is the highest form of rate reduction on insurance premiums."

Councilman Prusinowski, "Ok."

Unidentified Man, "Have you got any costs?"

Councilman Prusinowski, "We'll find out in a minute. Thank you."

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PUBLIC HEARING Continued

Captain Grattan, "Mr. Holmes has the account that has all these. He does the maintenance for all the alarms that are presently in the station for anyone who is not aware of who he is."

Councilman Prusinowski, "Ok. Thank you. Phil, you had your hand up and then Mr. Lejay I saw over there too and I'll get you next."

Phil Kenter, Relay Communications, "We are in the alarm business among other things. I first want to address the ordinance itself. I do concur that the Town of Riverhead does in fact need such an ordinance in part. I do believe that alarm monitoring should not be done in the Police Department or in the Fire Department. I do realize that there are several false alarms. However, in my opinion, this ordinance as it is currently proposed does not necessarily satisfy the problem as they actually exist. And I would like to address some of the ordinance sections here as well as ask some questions about it. Basically running in the chronology of the ordinance itself, you speak of a business license fee of approximately a hundred dollars a year. Whether that's too much or too little, is arbitrary. Just about every (alarm) bonafide alarm company, including ourselves, we are licensed by the Department of Consumer Affairs in the County of Suffolk and we do pay a similar license fee for it. To add to that a supplementary license fee of an equal amount just to do business still within the County of Suffolk but now isolated to the Town of Riverhead, I think it's a little excessive. You speak of an alarm agent and you indicate that that alarm agent by definition, is a person who is authorized to sell alarm equipment. And that agent can then pay one quarter of that fee, namely twenty-five dollars but then how do you describe in detail who an alarm agent is when you say an alarm agent is a person who is selling alarm equipment? You can go to Caldors. You can go to every hardware store in town. You can go to Radio Shack and you can buy a do-it-yourself system. Therefore, everyone of these retail outlets, must now be licensed as an alarm dealer. And every person that is buying a do-it-yourself system, theoretically in accordance with this ordinance, would have to obtain a permit from the Town of Riverhead and install their own alarm system. That's something that should be addressed. The ordinance indicates that an owner/lessee will not pay an alarm fee. However, a user will. And I can't find in here the distinction between an owner/lessee and a user. Perhaps one of you gentlemen can explain what the difference is between the two. Section 2-8 refers to records and it says: every alarm business will submit to the Town of Riverhead on a monthly basis a complete detailed report as to its alarm activity. We look at it, being in the alarm business, our relationship with our customers is theoretically no different than that of a doctor with a patient or an attorney with a client. A person deals with an alarm company because they want maximum security. And the confidentiality of that alarm system should not be revealed to anybody. If we were to put on a report with the town the details and the sophistication of some of the systems that we have designed and installed, just everybody in the Town of Riverhead sooner or later would know how to penetrate those premises. So

Phil Kenter, Continued

therefore, we object to the fact that the business records of an alarm company would have to be submitted to the Town. Section 2-9 refers to various general provision. One of which pertains to exceptions by the police and the Fire Department. And one of those, by letter of the School Board, is that the School District should continue to be monitored by the police and the Fire Department. This may and may not be a valid request. But if the ordinance is designed so that the police and the Fire Department will not monitor it and then we start to get into exceptions and we start with the School District and then we start with this person and that person, we're right back into the business of monitoring police and fire alarms via the police and Fire Department. So it either should or should not be allowed in either department. 2-9b refers to validating an alarm. Well validating an alarm is not as easy as it sounds. You can't call a place when an alarm goes off and ask to speak to the burglar. And if the burglar answers and says yes I'm the burglar. Ok. Now I'll send out the police. It is almost virtually impossible to validate an alarm. An alarm is nothing more than an electronic device enunciated. It's either going to enunciate the condition of an alarm or it's going to remain silent. So validating an alarm is somewhat very difficult. Sub-section c refers to all alarm circuits will be electrically supervised. The only type of an alarm circuit that can really be electrically supervisor is those which are similiar to those connected presently to the police and fire departments. And those are supervised alarms but there are many alarms that report that are not supervised. A local alarm that rings a bell at a house is not necessarily a supervised alarm. A telephone dialer, a digital dialer is not and can not be a supervised electrical alarm system. So that's almost impossible. It also refers to alarm companies being responsible for resetting alarms and that the customers would be required to have somebody or their alarm company have access to their house. As a homeowner, even if I were not in the alarm business, I would not want to buy an alarm system from any alarm company and then give them the keys to my house. So that when I'm away, anybody in that company has access to my house. And I think mandating that an alarm company must have access to the premises within which it installed an alarm system, I think is something that you will not see and I don't think you'll get a residence owner or business owner arbitrarily turning over access to their building or to their alarm system. We talked about false alarms, intentional or accidental. It's obvious that if someone purposely pulls a fire alarm, that is an intentional false alarm. But quite often an alarm will be activated accidentally and it should not be misconstrued as a false alarm. Section e is of major concern to us and that is charging the customer or the end user one hundred dollars after two false alarms. Two false alarms in the course of a year is not very many. Six is not very many. Our impression is that a person should possibly have to pay a fine but make the fine somewhat reasonable. Don't scare a person into not using their alarm system. The whole purpose of an alarm system is to afford themselves a certain amount of security. If you frighten them and say; boy if that goes off again, you're hit with a hundred bucks.

Phil Kenter, Continued

The person is going to say; well gee, before I spend another hundred bucks, let me leave the alarm off. All you're really doing is inviting the criminal element to a psychological effect that the chances are if he causes a false alarm once or twice, the third or fourth time he may be able to penetrate the premises realizing that the person may not have the system on. To say that a false alarm is an alarm condition within which the police go (and I'm talking about a burglarly right now) and they do not find a person who has perpetrated it, does not necessarily mean there is a false alarm. We monitor alarms. We have summonsed the police only to hear on the police radio that there is a malfunction with a relay system. Having designed the system and having installed it, in two particular instances, we've doubted it very much. The alarm went off again within thirty minutes and it again came back. That's the same system that's malfunctioning. Don't bother doing anything doing anything about it. We happened to call the owner of the place and we requested a police backup to wait for us. We entered the building. We knew exactly where to look and we found the person in the building and the person fled, bypassed the police. Now normally that would have been considered two false alarms. The owner of the premises would have had to pay two hundred dollars. We would have been criticized for having a malfunctioning system when in reality there was an actual person who was trying to burglarize the place. We talk about the number of false alarms and the cost to the town. We also have to realize that the police are hired and paid to patrol the area for our own protection. Their patrolling is what provides us protection. If you were to ask a policeman to check the back of Sweezy. I see some people back there walking around. And a police car goes back there and in fact finds nobody breaking in but that patrolling of a policeman is a deterrent in itself to a criminal act. And in the same token, having an alarm system whether it malfunctions occasionally or whether there's a false alarm occasionally, asking a policeman to check out what appears to be an alarm condition, is in itself patrolling and in itself a deterrent to a criminal act. So I don't believe that having a policeman check out a false alarm is a necessary expense to the town. It's part of what he's paid to do. He's paid to patrol eight hours a day or seven a half hours a day. Whatever the case may be. It's like a policeman stopping a car for an inspection. If he finds nothing wrong with that car and let's the person go and doesn't make an arrest, who is supposed to pay a fine? Does someone have to pay a fine because he could not find anything wrong with the car? And in the same token, a policeman doesn't find anything wrong at a house or a business that he's checking out, doesn't necessarily mean that the owners of those facilities have to pay a fine because nobody was arrested. We don't believe that this is really the case. Talk about a false alarm with a motion detector. Many buildings will have things scotch taped to the wall and the scotch tape will dry up in the course of a weekend. There may be a bird in the building. There may be a running mouse. A motion detector will necessarily detect it. The fact that it's not a burglar,

Phil Kenter, Continued

doesn't necessarily mean that that alarm system malfunctioned or that there's a false alarm. The system did exactly that with which it was designed to do, detect motion. So who is at fault with something like that? We talk about getting a license or getting a permit or paying a fee to install an electronic learning device. I know Mr. Prusinowski is looking at that clock and I'll try and expedite this as much as I can. But actually an alarm system or an electronic alerting device is really no different than a telephone. When you want to install a telephone in your house, you don't come to the town and pay a fee to have a phone installed. A telephone and an alerting device are really one and the same. They alert somebody. They make communications. They're electronic. They provide contact. They let you know what's on the other end. So therefore, we feel that having an alarm system installed, by definition, doesn't necessarily mean it should require a fee. An alarm system is an electronic device. We install electronic devices all the time. VCRs, television sets, private telephones. A private telephone company does not have to come to this town and get a special permit to sell private telephones. And therefore, why should an alarm company do the same thing? We talk about alarm systems and the conotation is that every alarm company provide alarm monitoring. When in fact, many alarm companies do not provide alarm monitoring. Many alarm companies will sell an alarm system and a person will have to provide their own monitoring. On the same token, most telephone answering services monitoring alarms. We happen to own and operate a telephone answering service. And as such, we monitor alarms. That answering service is not necessarily an alarm company. Under the provisions, do we now as an answering service, have to have a separate license to monitor someone's alarm. That alarm is no different than a telephone call. We're responding to that which is coming into us. So you have to address that. Is an answering service an alarm company?"

Councilman Prusinowski, "Phil, if you could wrap it up, you can come back a second time."

Phil Kenter, "Ok. My last point that I want to make is that when speaking with the New York State Police, we asked them what happens if we call them to respond to an alarm and it turns out to be a false alarm? They said it happens all the time. There are no penalties. So what it appears to be here is that if this ordinance is implimented the way it is designed, we as an alarm company and we as an alarm monitoring facility, will never call the Riverhead Police. We'll call the New York State Police and we'll be free, we'll be immuned from such penalties. So I think we have to address something like that too. That basically wraps up everything."

PUBLIC HEARING Continued

Councilman Prusinowski, "Ok Phil. You can always come back. Rob you have a question."

Councilman Pike, "Phil could you stay up for a second? First of all I want to thank you. A number of those questions are going to be productive in resolution. Can I first suggest something before I get to the question? To the extent that you've asked questions to which you think you have the answer, would you be kind enough to provide that to us if specific provisions to the ordinance that might make it more workable."

Phil Kenter, "It would be my pleasure to serve on any committee that would be of help to you."

Councilman Pike, "Secondly, there's a lot of things that you brought up. But the description of an alarm caused by a motion detector dissensing a mouse or a picture falling, in the building, the idea that that's not a false alarm, I don't buy. And that the town tax payers or the Police Department or that the Fire Department should be inconvenienced by that and spend the money for that. If it cost a thousand dollars to roll the Fire Department and mice are setting it off, it seems to me that that's a false alarm and that we could fairly address that. I really wonder whether you mean that when you say that's not a false alarm."

Phil Kenter, "Well with regard to the Fire Department, I believe provisions could be made that before a lot of costly equipment rolls, that a fire alarm could actually be verified to save that tremendous expense. There's always enough firemen or the facilities could themselves verify that there is an alarm or a fire chief or an assistant could verify it. You can use the analogy also that a neighbor happens to see a person walking around an adjacent house trying to get in through a window and that person calls the police believing (in fact) that there is somebody trying to penetrate the house...."

TAPE ENDED

Councilman Pike, "...a clear way of making sure that justice is done, fine. But let's get rid of false alarms because it is costing everybody time and money and someday it's going to cost somebody their life."

Phil Kenter, "I agree."

Councilman Prusinowski, "Thank you Phil. Does anyone else here wish to address the Board?"

Chester Lejay, Lejay Jewelers, "First of all, I would like to say that I do not agree with Mr. Kenter regarding his statement that the police don't belong in the alarm monitoring business. I think it's an extremely important part in a community because of the faster response time and the reduction of human error. I've written a little letter so that I wouldn't forget what I wanted to say. I wish to point out the fact that the jewelers and banks

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PUBLIC HEARING Continued

Chester Lejay, Continued

are primary targets for burglary and armed robbery. This continuance of the monitoring of the alarm will be reducing the police efficiency protection. When a crime is committed, especially a serious one and perhaps a murder, I don't ever recall any comments that the investigation and/or apprehension and prosecution of such crime cost too much money. We better stop it. I wonder how much it would cost to apprehend a clever murderer who had committed a crime in the process of such robbery because the police were not able to respond fast enough due to the delay in the alarm notice. And in effect, are we putting a price on crime prevention. I think it's much more cheaper to put some money into crime prevention rather than have to spend huge sums of money trying to apprehend criminals and then put them in jail at 25 or 30 thousand dollars a year. Thank you."

Councilman Prusinowski, "Thank you Mr. Lejay. Anyone here else wishing to address the Town Board concerning this public hearing? Steve Haizlip."

Irene Pendzick, "Mr. Lejay could I have a copy of that?"

Steve Hailzip, "If we're going to be talking about false alarms and we're going to be penalizing companies and corporations for the false alarms going off, then let's get Long Island Railroad into this picture because their gates is an alarm. It is an alarm "danger is coming" and a train is approaching. And now weather has caused it to malfunction and they're down and ringing. So it's a false alarm. Now I'd like to address one thing that Mr. Kenter brought up. He's a fine gentleman. I've known him for a long time and I wanted to question about the 30 day record report. In my opinion, I'm just sizing it up the way I think it is. I don't know how he meant it. But I don't believe that a report of sophisticated equipment and complicated equipment and the way it's designed in the specifications and its function should be reported. I believe what should be reported is the number of times that that unit went off that month as to where it was real or where it was false. I think that's what we had in mind. Of course I'm just interpretating it myself. If I'm different, then he can say so."

Councilman Prusinowski, "Ok. Thank you Steve. Is there anyone else wishing to address the Town Board? All way in the back."

Joe Costori, European American Bank, "First I'd like to apologize to the Captain. We were the culprits today for the false alarm as he put it. It was an accidental alarm by one of my tellers but it couldn't have come at a more apropos time. I have worked for European American Bank for seventeen years in seven different towns in Nassau and Suffolk County. As to the penalties to false alarms, this is the first time in seventeen years that I've head a proposal like this proposed. I think it's outrageous. As Phil said, I don't think it hurt the town people

today that two police cars responded. And this is part of the things that we've got police for. As far as the police..."

Councilman Prusinowski, "Sir I do want to point out that part of this ordinance is also for the fire alarms. And unlike the rest of some of the far western towns, Nassau County, I don't know where else you worked, the Fire Departments out here except for the full time person that sits in the station and monitors the board, it's all volunteers."

Joe Costori, "If I may, I can't address that as a businessman but I can as an individual. I was a member in the North Lindenhurst Fire Department for eight years so I can sympathize with that. As far as the police not monitoring the alarm, as I said, it couldn't come at a more apropos time. I happened to have been up at the lunch room when the alarm was pulled. It took me approximately 30 seconds to get downstairs. The police were at my door in approximately another 30 seconds. So it was less than a minute. I've been unfortunate enough to be involved in three armed robberies all in Nassau County. The quickest response time of the Nassau County Police going through A.D.T. was eight minutes. And as a bank manager with a gun at my head, I tell you, I'd much rather have the police there in a minute. If nothing else, to apprehend the people than to wait eight minutes after I've locked the door I've had the girls call their mother, tell them everything is ok and then have the police try to knock down my door to apprehend the criminals who are long gone on the expressway. So I for one, again, it was apropos today and they were there in less than a minute. I really would like the Town Board to take a hard look at that. Thank you."

Councilman Prusinowski, "Well I'm very happy the Police Department is prompt and that's a good positive remark Larry. You can put that one away."

Councilman Lombardi, "Mark it up Larry."

Councilman Prusinowski, "Yes sir. I saw your hand. Yes sir. Come on up."

Robert Stack, Radio Surveillance Systems, "A few comments. I'm a little bit unprepared because I just read the ordinance a few minutes ago. Number one; our company is in favor of the fines and the licensing. We are also licensed by the Department of State which is a little bit more stringent than your licensing. A few things; central stations or alarm companies that are in a central station business, with the newer equipment on the market, you can filter out most of the false alarms because you're using user codes and you're using zone identification. So you know if an intruder goes into a building, you will get multiple alarm signals. So you can filter out many false alarms through newer central station equipment."

Councilman Prusinowski, "Sir a question. Where you are operating now, I'm basically familiar where your business is. Are you subject to an ordinance like this somewhere else?"

07/17/88
PUBLIC HEARING Continued

Robert Stack, "Yes. We were for many years from Easthampton Town, Easthampton Village, the Southampton Village has similar ordinances. We have never once ever had a compromise with the towns as far as giving out our clients information and we certainly have no apprehension of giving them total information about all our clients with regard to their alarms and the alarm information that they request from us. We have over seventeen hundred buildings in the east end here and probably less than one percent of them. We don't have any keys for access. One of our company policies is that we must have the keys to their building to (you know) get into them to take care of the circumstances. One thing though I would like to mention is; one thing about the whole ordinance I object to but it's because it's the one thing that I don't think is particularly fair, is we supply response, armed guard response to our security systems. And if the security officer gets to the building and sees something like an intruder, forced entry, open door, we return the call to the police and we assist the police with the keys to get into the building, whatever they want us to do. The user fees of two dollars a month, we charge our clients twenty dollars a month for the service. And if we now in turn have to bill that client an additional two dollars a month in case we have to call the police because there is a broken door or a broken window, we feel that's an unnecessary expense. Being that the customer is already paying us twenty dollars a month to respond. Obviously we're not responding to the account and we're using the police directly, then we should pay the two dollars a month. I'm trying to think what else. There was a few other items I was thinking of."

Councilman Prusinowski, "If you would like, you can get a copy of the ordinance and you can submit some written comments to the Town Board within the next ten days as Councilman Pike has made that offer."

Robert Stack, "Well basically our company feel the fining should go directly to the alarm company. Basically, because that is the biggest reason or incentive for us to clean up the problems in industry. If the system malfunctions and we directly get fined, we will fix it right a way. We're not in business to just give away money to the town. So I feel that the fine should not go to the customer but directly to the company monitoring the alarm."

Councilman Prusinowski, "Ok. Thank you for your comments. Is there anyone else? Ma'am."

Barbie Bonjour, Director of Rhd. Library, "Speaking for the library, we do not have any objection to the proposal as outlined by the town. We think it's in the best interest of everyone. However, we do object to the deadline that you gave us. The letter I received said that the police will stop monitoring effective July 1st which was less than a month's time. So I'm wondering if the Town Board is serious about this. Can you extend the deadline possibly one or two months?"

07/17/86
PUBLIC HEARING Continued

Councilman Prusinowski, "Yes. Yes. He just shook his head yes. I looked at him. Anyone else wishing..."

Captain Grattan, Spoke from audience, INAUDIBLE.

Councilman Pike, "Extend the deadline."

Councilman Prusinowski, "Is there anyone else wishing to speak on this proposed ordinance? That being the case, I declare the hearing closed. Thank you for your comments. The Town Clerk will now proceed and read the notice of public hearing for the next public hearing scheduled. And we'll say it's 8:46."

7:55 PUBLIC HEARING CLOSED AT 8:46

PUBLIC HEARING - 8:00 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, June 17, 1986 at 8:00 p.m. to hear all interested persons regarding: The Proposed Increase and Improvement of the Facilities of the Riverhead Public Parking District No. 1.

Councilman Prusinowski, "This public hearing is to hear any testimony concerning the increase to the Riverhead Parking District, the number of spaces. It's a big renovation project known as the First Street parking area. We have a representative here from the engineering firm who would answer any questions of anybody who wishes to have any questions or wish to be heard on this. This is financed one hundred percent by the parking district, not the general town tax payer. Any questions on this public hearing? That being the case, I declare the hearing closed. We will take a ten minute recess to nine o'clock and then we will proceed with the rest of the public hearings and then to the resolutions."

8:00 PUBLIC HEARING CLOSED AT 8:47

TOWN BOARD MEETING RECESSED AT 8:47

TOWN BOARD MEETING RECONVENED AT 9:02

PUBLIC HEARING - 8:10 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, June 17, 1986 at 8:10 p.m. to hear all interested persons regarding: The Proposed Amendment to the Town Code, Section 108-97.6.

Miles Fairley, "The engineering fees in this town are becoming quite expensive. In addition, the Highway Department has requested that inspections that are made during the development of a subdivision at the various stages, also be done by an outside engineer. At the present time, the Town of Southold

PUBLIC HEARING Continued

Miles Fairley, Continued

charges five percent, the same as is proposed for our town. The Town of Southampton charges six percent and the Town of Easthampton charges seven percent. So I do not think that the proposed amount the Town Board is suggesting here is out of line a bit. What we have done here historically for a long time and I think our system is totally out of date is that we charge fifty dollars per lot for all of the necessary engineering and inspection costs. In many cases, this does not begin to cover the cost that we have to pay to a licensed engineer for his work. What this seems to mean to me is that the Town of Riverhead is subsidizing the developers under our present system. So I strongly urge the Town Board to adopt this resolution. Thank you."

Councilman Prusinowski, "Thank you Miles. Bill Nohejl you had your hand up."

Bill Nohejl, Wading River, "Will Miles stay there for a minute?"

Councilman Prusinowski, "Are you going to ask him a question?"

Bill Nohejl, "I'll ask him."

Councilman Prusinowski, "Ok. Of course."

Bill Nohejl, "I'm not quite clear in my mind as to what Miles said. Is this five percent at the time of a preliminary or final plat being presented to the Planning Board? Or is this what the engineer says the amount of the bond, five percent of the bonding? This is what I want clarified."

Miles Fairley, "I think (Bill) it's pretty close. As I understand this, it will be five percent they say, of the necessary developments. This will be the cost of putting in the roads, the curbing, the undergrounding and anything, the things that would have to be covered by the bond. So I assume it would be five percent of the amount stipulated to be bonded."

Councilman Prusinowski, "That's correct. Right. And no final major subdivision plot shall be signed by the Chairman of the Planning Board until this fee is paid."

Bill Nohejl, "Does that have anything to do with the.... You know I've gone through the preliminary and the final plat with engineering fees. Would that engineering fees still go on as it was before or would that be included in the five percent?"

Miles Fairley, "Anything that you would pay, as I read this, would be.... You would have paid that much towards the..."

PUBLIC HEARING Continued

Councilman Prusinowski, "Ok. Here we go. Such fee shall be diminished in an amount equal to all engineering fees previously paid pursuant to section 108-97.5 here and above."

Miles Fairley, "The fifty dollars per lot would diminish that."

Councilman Prusinowski, "Ok. Is there anyone else here wishing to address the Town Board concerning this public hearing. That being the case, I declare the hearing closed and we will now read the notice of the next public hearing which was scheduled at 8:20 and is 9:07."

8:10 PUBLIC HEARING CLOSED AT 9:07

PUBLIC HEARING - 8:20 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, June 17, 1986 at 8:20 p.m. to hear all interested persons regarding: The Increase and Improvement of the Facilities of the Riverhead Water District at an estimated cost of \$250,000.

(See Water District Minutes)

8:20 PUBLIC HEARING CLOSED AT 9:11

Councilman Prusinowski, "We'll do some resolutions and then we're going to recess and talk about something for five minutes and then we'll finish up. So I don't know where we are Irene because we have things on the table and stuff."

RESOLUTIONS#309 APPROVES SITE PLAN OF NICK MUSACCHIA.

Councilman Boschetti offered the following resolution to be removed from the table which was seconded by Councilman Pike.

WHEREAS, a site plan and elevations were submitted by Nick Musacchia for the renovation of premises as a convenience store to be located at 1212 East Main Street, Riverhead, New York; and

WHEREAS, this Town Board has reviewed the site plan dated March 5, 1986, as prepared by Robert A. Kart, and elevations dated April 4, 1986, as prepared by Creative Group.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Nick Musacchia for the renovation of premises as a convenience store to be located at 1212 East Main Street, Riverhead, New York, site plan dated March 5, 1986 as prepared by Robert A. Kart, and elevations dated April 4, 1986, as prepared by Creative Group, be and are hereby approved, subject to the following:

RESOLUTIONS Continued

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 and that each handicap stall shall be designated by an individual sign erected on a stanchion station, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Nick Musacchia, hereby authorizes the Town of Riverhead to enter premises at 1212 East Main Street, 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 drainage and paving be installed as required pursuant to Section 104 of the Riverhead Town Code;

11. That concrete curbing be installed 8½ feet North of the property line along Philips Street and to connect to the existing curbing on East Main Street;

12. That any violation of the Riverhead Town Code shall result in the immediate revocation of this resolution;

13. That the variances granted pursuant to Zoning Board of Appeals determination #86-37 are incorporated into this document as if fully set forth herein; and if any violation of the variances so granted shall occur at any time, this resolution shall immediately be revoked;

14. That a chain link fence be erected on the back perimeter of the property and that the landscaping be continued along said chain link fence; 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 Nick Musacchia, c/o Creative Group Architects, 1068 Westminster Avenue, Dix Hills, and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the ____ day of May, 1986, by Nick Musacchia, residing at 1212 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, 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 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;

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;

9. That drainage and paving be installed as required pursuant to Section 104 of the Riverhead Town Code;

10. That concrete curbing be installed 8½ feet North of the property line along Philips Street and connect to the existing curbing on East Main Street;

11. That any violation of the Riverhead Town Code shall result in the immediate revocation of this resolution;

12. That the variances granted pursuant to Zoning Board of Appeals determination #86-37 are incorporated into this document as if fully set forth herein; and if any violation of the variances so granted shall occur at any time, this resolution shall immediately be revoked;

13. That a chain link fence be erected on the back perimeter of the property and that the landscaping be continued along said chain link fence.

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

NICK MUSACCHIA

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of June, 1986, before me personally came NICK MUSACCHIA, the owner of certain real property located at 1212 East Main Street, 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

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

The resolution was thereupon removed from the table.

Councilman Boschetti offered the above resolution to be amended to include provision number 14 on page 486 and provision number 13 on page 488 which was seconded by Councilman pike.

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

The resolution was thereupon duly declared amended.

RESOLUTIONS Continued

Councilman Boschetti offered resolution #309 as amended which was seconded by Councilman Pike.

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

The resolution was thereupon duly declared adopted.

#331 APPROVES SITE PLAN OF EAST END ASPHALT.

Councilman Prusinowski offered the following resolution to be removed from the table which was seconded by Councilman Lombardi.

WHEREAS, a site plan and elevations were submitted by East End Asphalt for equipment storage building to be located at the corner of South Jamesport and Railroad Avenues, Jamesport and Railroad Avenues, Jamesport, New York; and

WHEREAS, this Town Board has reviewed the site plan dated April 11, 1986, revised June 3, 1986, as prepared by Donald A. Denis, AIA, P.C., and elevations dated April 17, 1986, revised June 3, 1986, as prepared by Donald A. Denis, AIA, P.C.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by East End Asphalt for equipment storage building, to be located at corner of South Jamesport and Railroad Avenues, Jamesport, New York, site plan dated April 11, 1986, revised June 3, 1986, as prepared by Donald A. Denis, AIA, P.C., and elevations dated April 17, 1986 revised June 3, 1986, as prepared by Donald A Denis AIA, P.C., 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.

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 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, John Anderson, hereby authorized the Town of Riverhead to enter premises at the corner of South Jamesport and Railroad Avenues, Jamesport, 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. There shall be a total containment of temporary holding of asphalt for disposal at an authorized landfill;

11. Usage of the premises shall be limited to industrial warehouse. Such use does not include temporary or permanent storage of unregistered vehicles or vehicle parts;

12. Nothing shall be stored or placed in or on the landscaped or grassed areas. Storage shall only be permitted in the paved parking stalls shown on the site plan;

13. Storage of non-toxic paving material is to be confined to a designated area.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to East End Asphalt, c/o John Anderson, Main Road, P.O. Box 225, Jamesport, New York, and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of June, 1986 by JOHN ANDERSON, residing at Main Road, Jamesport, 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:

RESOLUTIONS Continued

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;

9. There shall be a total containment of temporary holding of asphalt for disposal at an authorized landfill;

10. Usage of the premises shall be limited to industrial warehouse. Such use does not include temporary or permanent storage of unregistered vehicles or vehicle parts;

11. Nothing shall be stored or placed in or on the landscaped or grassed areas. Storage shall only be permitted in the paved stalls shown on the site plan;

12. Storage of non-toxic paving material is to be confined to a designated area.

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

JOHN ANDERSON

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

RESOLUTIONS Continued

On this _____ day of June, 1986, before me personally came JOHN ANDERSON, the owner of certain real property located at the corner of South Jamesport and Railroad Avenues, Jamesport, 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

The vote, Boschetti, yes, Pike, no Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly removed from the table.

Councilman Prusinowski offered resolution #331 to be amended to correct provision #10 and read as is corrected on page 490 and provision #9 on page 492 and to add provision #12 on page 491 and provision #13 on page 490 which was seconded by Councilman Lombardi.

The vote, Boschetti, yes, Pike, no, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared amended.

Councilman Prusinowski offered resolution #331 as amended which was seconded by Councilman Lombardi.

Councilman Pike, "Mr. Chairman, before we vote on this, I'd just wanted to discuss whether it might be appropriate for discussion before the vote or during the vote."

Councilman Prusinowski, "Either way. What ever your..."

Councilman Boschetti, "Discussion should be before the vote."

Councilman Prusinowski, "Whatever you'd like."

Councilman Pike, "It would be apparant to a number of people that there is some dissention on the Board on this particular resolution and I'd like to put some comments on the record. This is the application concerning a lot in Jamesport that is the only lot north of the railroad in Jamesport that has an industrial zone applied to it. It is a piece of vestigile zoning. I don't what particular process is resulted one one acre lot having industrial zone applied to it. But for a number of reasons which I'll get into, I think it's entirely inappropriate and a classic example of spot zoning within the history of the Town of Riverhead. I can imagine that at some point they anticipated that there would be some utility in having an industrial lot next to the railroad station. That delivery systems, for example, to lumber yards were classicly by railroad. But until this application surfaced, I, as a member of the Board even looking at the zoning map, was totally unaware that that lot was there zoned in the condition

RESOLUTIONS ContinuedCouncilman Pike, Continued

that is now. It's very difficult to discern from looking at the zoning map. It's impossible to discern from looking at the zoning ordinance. The only way you can find it is going back to the original adoption papers. It's extremely difficult to know what the zoning on this property was. Within recent history, this Board was contacted by the civic association and asked by them what they could do about controlling their future. And at that time, we went down and met them and there was a concensus on this Board, I believe there was a concensus on this Board, to adopt a moratorium on all industrial and business zoned property in Jamesport, South Jamesport area and that was subsequently modified after a letter was received from the civic association they only wished the business zones to be put under the moratorium. I doubt and I don't believe anyone in the civic association considered this particular individual lot when they decided that they did not want it under the moratorium. I certainly did not and to the extent that I was unaware of it. I've made a mistake for which I'd like to apologize. As I said, the application and zoning on this particular parcel came to my attention only when an application was brought. The application on its face is for an asphalt operation. It is one where they will be running their trucks in and out of the facility, where they will be storing building material. And on their own admission, over the last four years have been dumping unused asphalt from their day to day operations on the property itself as fill. They have only recently realized that that might be illegal and the resolution for all it's faults, does indicate to them that that might not be the proper thing to do. It does not on its face, address the existing problem of asphalt fill next to a wetland mapped by this town during the Cornell Study in 1981. I have beseeched my fellow Town Board members to consider that this is a classic example of incompatible uses on adjacent properties. And that what we have here is a situation which will only get worse over a time. That while the suggestions that I've made to them for rectifying the situation are not easy and would certainly not please the owner of the property, that they are the best planning procedure that we should utilize in this town when classically bad incompatible uses are proposed next to each other. This is a bad incompatible use because it does not make any use of the railroad facility which could have been the only basis for industrial zoning next to the railroad and what is now an entirely residential area north of the railroad in Jamesport. It's incompatible because it's a medium industrial use. This is not an intensive industrial use. I don't want anyone to think I'm saying that they are going to making asphalt here and that it will be a constant source of smell throughout the day. It won't be. It's only a medium industrial use but it will be the only one north of the railroad. It is one which if it exceeds, will grown in operation. There will be more trucks running in and out, more business activity, more heavy equipment going in and out, more paving going on. And to anybody that's paying any attention to what's going on in subdivisions in the Town of Riverhead, realizes that there is an enormous potential for this business to succeed in this location. I don't object to success. What I do think is going to happen is that right across the street,

RESOLUTIONS ContinuedCouncilman Pike, Continued

the entire property is being subdivided into... It is in the approval process of a subdivision and you're going to have an enormous number of homeowners who are going to be located with their families and children in the summer and the time of peak activity for this business and that there is going to be, as development goes in and this business succeeds, they're going to be more and more at each other's throats. Now I wish that we could avoid that. It's inconsistent with the...."

TAPE ENDED

Councilman Pike, "....people taking a tourist ride on engine 39 and look over at an asphalt operation and say; how quaint. It is also next, to as I mentioned earlier, an existing wetland site. Again, I don't want to over emphasize how important this wetland is. It's not a major wetland area. It was studied. It was mapped by the people we paid to do this thing. They found five significant species of state wide significance on the property. And the applicant in this case has shown very little concern for the vitality of that wetland area as he's been filling the northwest corner with asphalt. Now, I realize that there are a lot of problems and what would I suggest that this Town Board and what have I suggested they do. I would, if I had more votes, suggest that we continue with the prior plan to impose a moratorium on the property. The only reason that they say they are unwillingly (that I've heard) to do that now is because he's applied for the permit that he has gone ahead. What else would I do? I would assist the applicant in finding an alternative site either to move the new business too or he's already in operation in the Town of Riverhead, to expand his business at his existing site where the neighbors have grown up around it or are accustomed to it or used to it and would not run into new unknown incompatible use problem that the people at this proposed site are going to run into. I would follow that moratorium by rezoning the property for a use that is compatible with the residential development of the neighborhood and I would also institute site reparation for the asphalt that has been placed on the site, checking for any toxic substances that may be leeching out of the dump site. We don't know what's in there. It's been going on since, the Town first became aware of that when a cease and desist order was issued out of the Town in 1981. What the history was prior to that, what the history is subsequent to that, has gone largely unobserved and I would see what has gone one and try to take site restoration steps to that. Apparently none of that is going to happen and I think it's classic bad planning. It's a mistake that ought to be corrected. Finally, they offer the argument well the applicant has an application pending and it would be unfair to a property owner in the Town of Riverhead to change the zoning once he's made an application. I would query them one; with would they want this in their neighboring property? Two; is it the position and principal that they're taking, that a potential right under zoning becomes a vested right and the

PUBLIC HEARING ContinuedCouncilman Pike, Continued

second one files an application. Clearly that's not the law. But it seems the principal under which they are operating. If for example, this applicant had come in for a real asphalt plant making asphalt at the site, would they still stick with that principal. Well he's got the zoning, he's made the application, we have to approve it. I don't think they would. I think that principal breaks down when you anticipate as I anticipated in this, that over a time we will create a problem of incompatible uses that ought to be rectified. And for that reason, I will be once again, voting no."

Irene Pendzick, "Prusinowski."

Councilman Prusinowski, "We didn't start the vote yet Irene. Does anybody else have any comments to make on this application?"

Councilman Boschetti, "Yes. I think that the record should indicate that this is not a zone change application we are dealing with here. It's a site plan application. And site plan applications are judged according to the zone in which they are attempting to be located. And simply because so many comments had been made on the record, I think that a balance needs to be offered. So I would like to, if I may, go on for a minute or two more. The argument that the industrial zone might be inappropriate north of the tracks in this particular location, is not the question. The question of whether it's appropriate would come up if in fact we were dealing with a zone change application either by the Board's own motion or by a private individual's application to the Board. That's not the case. We have a site plan application. It is zoned industrial. And if the question was whether industrial is appropriate there, I would agree with Mr. Pike. I don't believe it is. But we are here to deal in realities. And the reality is that it exists. And since it exists, we are going to have to entertain this application under what does in fact exist. Now the civic association had sent us a letter. The letter was complied with. They asked for a moratorium along Route 25 in the business area of Jamesport. That's exactly what we did because we did agree to work with them very closely in trying to develop a zoning for that area which is more compatible not only in existing use but also for future development with that area. Now wetland is a concern. It was a concern of the CAC and it was certainly a concern of the Town Board members as well. In fact, we postponed action on this particular application until we could get all comments from the CAC and we could have parties from the CAC and the applicant themselves come before the Board and see if there was a means for resolving any concerns that existed. That means was met. They did resolve them in accordance with the CAC's concerns and the CAC has now.... The CAC, by the way, for those of you who don't know what it is, it's Conservation Advisory Council which advises the Town Board on the environmental matters. They did concur that they could go with the project.

RESOLUTIONS ContinuedCouncilman Boschetti, Continued

Now as Mr. Pike indicated, the policy of the Town Board has been to subject an application under the code that existed at the time the submission was made. We adopted that policy because we feel it's the only fair way to operate. None of you out there, I know certainly I wouldn't, want to be in a situation where you buy or own property and have a situation where you want to utilize that property and you make a submission to utilize that property based upon what legally and properly can be used under the zone that exists, only to find out that a month or six months or a year later, before you have a real approval in your hand, the zone is changed. To us on the Board, when we discussed this policy, we felt that was a little too much big brother for us. While we can agree or disagree on whether a zoning use is appropriate, again, that's not the question here. The question is, does this site plan meet the zone for which it is intended and that's what we are voting on. And I just wanted to get that in the record. Thank you Mr. Chairman."

Councilman Prusinowski, "Ok. Anybody else have an comments?"

Councilman Pike, "A simple response."

Councilman Prusinowski, "Go right ahead."

Councilman Pike, "The fact is that the Town is on its own initiative, studying all of the zoning in the Jamesport/South Jamesport area and currently has pending before it a recommendation for residence "D" zoning in the Jamesport/South Jamesport area. They want all of the industrial business zones other than those on 25A changed to residential "D" classification. The Town has already started that planning process and is fully capable of continuing with a master plan for industrial and adopting the zone. That was known to the developer on this particular site. It has forced his hand in making this application. And if this policy becomes the consistent thread of policy throughout this Town, the avalanche which has already started, is going to inundate the Town. I think we're making a serious mistake by adopting that policy. And what it will also do is it will force the more outrageous proposals to come quicker and those would be the two responses I make."

Councilman Prusinowski, "Does anyone else wish to make..."

Councilman Boschetti, "Ok. I'll move to close discussion."

Councilman Prusinowski, "Ok. The motion has been moved. Did I make a motion on 331?"

The vote, Boschetti, yes, Pike, no, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#352 MAKES ENVIRONMENTAL DETERMINATION PURSUANT TO SEQRA FOR EXTENSION 33 TO THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#353 MAKES ENVIRONMENTAL DETERMINATION PURSUANT TO SEQRA FOR EXTENSION 34 TO THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#354 MAKES ENVIRONMENTAL DETERMINATION PURSUANT TO SEQRA FOR EXTENSION 35 TO THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#355 MAKES ENVIRONMENTAL DETERMINATION PURSUANT TO SEQRA FOR AN EXTENSION TO THE RIVERHEAD SEWER DISTRICT FOR NORTH FORK MANAGEMENT CORP.

(See Sewer District Minutes)

#356 FINAL ORDER IN THE MATTER OF THE CONSTRUCTION OF LATERAL SEWERS TO THE RIVERHEAD SEWER DISTRICT.

(See Sewer District Minutes)

#357 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING PURSUANT TO EMINENT DOMAIN RE: PROPERTY OF LLOYD SEYMOUR.

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

WHEREAS, Article 2, Eminent Domain Procedure Law, requires a public hearing prior to acquisition in order to inform the public and to review the impact on the environment and residents of the locality.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 2, Eminent Domain Procedure Law, a public hearing will be held by the Town Board of the Town of Riverhead on the 1st day of July, 1986, at 8:05 o'clock p.m. time prevailing, at the Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons as to the condemnation by the Town Board of the Town of Riverhead of premises known as 110 Middle Road, Riverhead, New York, whose reputed owner is Lloyd Seymour, Suffolk County Tax Map Identification Number 0600-081.00-044.001 and 0600-81.00-02.00-045.000; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish this resolution in five (5) consecutive issues of the Newsday, a newspaper having general circulation in the Town of Riverhead, and two (2) consecutive issues of the News-Review, the official Town newspaper, which is published weekly.

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

#358 AMENDS AMOUNT OF BID AWARDED FOR IMPROVEMENTS TO GRIT CHAMBER.

(See Sewer District Minutes)

#359 MAKES ENVIRONMENTAL DETERMINATION PURSUANT TO SEQRA FOR ABANDONMENT OF FIRST STREET AND MUNICIPAL PARKING LOT RE-CONSTRUCTION.

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

WHEREAS, the Town Board has had proceedings concerning the abandonment of First Street and the reconstruction of the municipal parking lot in conformance with the requirements of Town Law; and

WHEREAS, included in the Town Board's evaluation of the proposition of abandonment of First Street and the reconstruction of the municipal parking lot, the Board has evaluated the environmental consequences as required by the State Environmental Quality Review Act, and therefore makes this determination that the abandonment of First Street and the municipal parking lot is an unlisted action without significant impact on the environment.

NOW, THEREFORE, BE IT

RESOLVED, that based upon the Environmental Assessment Form, it is determined that the abandonment of First Street and the municipal parking lot be determined as an unlisted action with no significant impact on the environment; and be it further

RESOLVED, that the State Environmental Quality Review Act's Environmental Assessment Form be on file with the Town Clerk together with the abandonment of First Street and the reconstruction of the municipal parking lot and a copy of this resolution.

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

The resolution was thereupon duly declared adopted.

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

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

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.

RESOLUTIONS ContinuedPUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of July, 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 Section 48-14 of the Riverhead Town Code as follows;

48-14. Vehicle restrictions in beach areas.

No vehicle shall be driven or operated over or upon the beach area, nor stand at any public bathing beach or recreation center, except for the purpose of launching or recovery of boats. No vehicle shall be permitted to obstruct any boat ramp at any beach or recreation area in the Town of Riverhead. If a vehicle is found to be parked in these areas, the vehicle shall be towed away at the cost and expense of the owner.

*underscore indicates addition

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

The resolution was thereupon duly declared adopted.

#361 ADOPTS SPECIFICATIONS AND APPLICATION RE: ROAD OPENING PERMITS.

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

WHEREAS, Chapter 92 of the Riverhead Town Code provides for road opening permits upon application to the Town; and

WHEREAS, the Highway Superintendent has recommended the adoption of highway specifications and application form entitled, "Alteration or Excavation of Highways and Erection of Poles"; and

WHEREAS, the Town Board desires to adopt the highway specifications and application form.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby adopts the highway specifications annexed hereto as SCHEDULE A as the required specifications for the road opening permit as permitted by Chapter 92 of the Riverhead Town Code; and be it further

RESOLVED, that the Town Board of the Town of Riverhead adopts the form of application entitled, "Alteration or Excavation of Highways and Erection of Poles", annexed hereto as SCHEDULE B: and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copy of this resolution to the Building Department, Sewer Department, Water District and Highway Department.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#362 AWARDS BID RE: OFFICE AND STORAGE FURNISHINGS FOR USE OF THE POLICE DEPARTMENT.

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

WHEREAS, on June 9, 1986, the Town Clerk did receive and read aloud bids for office and storage furnishings for use of the police department, and

WHEREAS, five (5) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for office and storage furnishings for use of the police department be and is hereby awarded as follows:

Items #1-6, 8, 9, 12-16, 19, 20, 22-24, 27-29 and 33 be awarded to McCabes, Inc. the lowest responsible bidder on these items, for a total of \$17,852.88

Items #7, 11, 17, 21, 26, 34, 35, 38 and 42 be awarded to Echo Printing & Stationary Co., the lowest responsible bidder on these items, for a total of \$2,357.97,

Items #25, 37, 40, 41, and 43 be awarded to E.B. Dunkerly's & Sons, the lowest responsible bidder on these items, for a total of \$1,564.28,

Items #10, 18, 30, 36, and 39 be awarded to North Shore Business Products, the lowest responsible bidder on these items, for a total of \$1,925.50, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to McCabes, Inc. 221 East Main Street, Riverhead; Echo Printing & Stationary Co., 30 West Park Avenue, Long Beach; North Shore Business Products, 138 East Main Street, Riverhead; E.B. Dunkerly & Sons, 137 Main Street, Southampton and Captain Lawrence Grattan of the Riverhead Police Department.

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

The resolution was thereupon duly declared adopted.

#363 AWARDS BID RE: POLICE RECORDING EQUIPMENT.

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

WHEREAS, on June 9, 1986, the Town Clerk did receive and read aloud bids for police recording equipment, and

WHEREAS, only one (1) bid was received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for police recording equipment with Option #1 be and is hereby awarded to Dictaphone/Pitney Bowes, the only responsible bidder, for the total price of \$28,969.00, and

RESOLUTIONS Continued

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Dictaphone/Pitney Bowes 120 Old Post Road, Rye, New York and the Police Department.

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

The resolution was thereupon duly declared adopted.

#364 ADVANCES HIGHWAY EMPLOYEE TO THE POSITION OF AUTOMOTIVE EQUIPMENT OPERATOR.

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

RESOLVED, that Thomas J. Sadowski be and is hereby advanced to the position of Automotive Equipment Operator at the annual salary of \$16,898.98 as set forth in Group 6, Step 1 of the 1986 CSEA Contract Operational and Technical Salary Structure effective June 23, 1986.

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to the Accounting Office and Charles Bloss.

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

The resolution was thereupon duly declared adopted.

#365 ADVANCES HIGHWAY EMPLOYEE TO THE POSITION OF AUTOMOTIVE EQUIPMENT OPERATOR.

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

RESOLVED, that Mike Kiegiel be and is hereby advanced to the position of Automotive Equipment Operator at the annual salary of \$20,738.98 as set forth in Group 6, Step 9 of the 1986 CSEA Contract Operational and Technical Salary Structure effective June 23, 1986.

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to the Accounting Office and Charles Bloss.

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

The resolution was thereupon duly declared adopted.

#366 APPOINTS AUTOMOTIVE EQUIPMENT OPERATORS - HIGHWAY DEPT.

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

WHEREAS, interviews for the position of Automotive Equipment Operator in the Highway Department have been held.

NOW, THEREFORE BE IT

RESOLUTIONS Continued

RESOLVED, that William Stanley Czech, Larry E. Gorman and Donald S. Owen be and are hereby appointed to the position of Automotive Equipment Operator at the annual rate of compensation of \$15,393.98 as set forth in Group 6, Step P of the CSEA Salary Schedule effective June 23, 1986, and

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to the Accounting Office and Charles Bloss.

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

The resolution was thereupon duly declared adopted.

#367 AUTHORIZES DISPOSITION OF TOWN RECORDS.

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

RESOLVED, by the Town Board of the Town of Riverhead, that Irene J. Pendzick, Town Clerk, be and hereby is authorized to dispose of the following records:

RESIDENT: Three Day Fishing License, Junior Trapping License, Junior Archery License, Big Game & Hunting License, Sportsman License, Trapping License, Hunting & Fishing License, Big Game License, Fishing License, Hunting License.

NON-RESIDENT: Fishing License, Hunting License, Seven-Day Fishing License, Big Game License, Three-Day Hunting License, Three-Day Fishing License.

RESIDENT FREE: Big Game License, Hunting License, Fishing License, Hunting, Fishing & Big Game License.

LOST LICENSE CERTIFICATES: 1973-1982
No Record number was provided for the above.

FURTHER RESOLVED, that the Clerk of the 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, absent.

The resolution was thereupon duly declared adopted.

#368 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD RE: SECRETARY TO THE HIGHWAY SUPERINTENDENT.

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

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

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is now accepting applications for the full-time position of Secretary to the Highway Superintendent. Applicants must possess excellent typing and communication skills and have two to four years experience in bookkeeping. 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 June 30, 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, absent.

The resolution was thereupon duly declared adopted.

#369 AUTHORIZES DISPOSITION OF TOWN RECORDS.

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

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 439 (Application/Permits for Peddlers' License) No number; (Zoning Notices for Town of Brookhaven, and Southampton); 442 (Beach Buggy Permits Resident Taxpayer Free); 441 Beach Buggy Permits Non-Resident fee charged).

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, absent.

The resolution was thereupon duly declared adopted.

#370 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF COMPLETE APPLICATION RE: RENEWAL OF SPDES PERMIT FOR THE TOWN OF RIVERHEAD.

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 Notice of Complete Application as prepared by the New York State Department of Environmental Conservation with regard to the renewal of the State Pollutant Discharge Elimination System (SPDES) Permit of the Town of Riverhead in the June 19, 1986 issue of The News Review.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#371 DETERMINATIONS AND FINDINGS RE: RIVERHEAD PUBLIC PARKING DISTRICT NO. 1 PURSUANT TO SECTION 204, EMINENT DOMAIN PROCEDURE LAW.

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

WHEREAS, after due publication, a public hearing was held by this Board, at which all interested persons were heard, at 7:45 p.m. o'clock on May 6, 1986, pursuant to Eminent Domain Procedure Law section 201, regarding a proposed public project, hereby designated as "Riverhead Public Parking District No. 1 First Street Parking" (hereafter "Project")

Now, therefore, after due deliberation,

BE IT RESOLVED, that the determination and findings of this Board as governing body of RIVERHEAD PUBLIC PARKING DISTRICT NO. 1, pursuant to section 204, Eminent Domain Procedure Law, are as follows:

1. The Project will acquire First Street and adjoining vacant parcels of land to provide additional public parking together with parcels already owned by the Riverhead Public Parking District No. 1.

2. The location in the Town of Riverhead, New York, of the Project will be First Street and parcels north and south thereof bounded westerly by Roanoke Avenue and easterly by East Avenue; this location has been selected to provide public parking for stores located on the north and south sides of Main Street east of Roanoke Avenue.

3. The general effect of the proposed project will be to provide a comprehensive public parking area in a location where parking already occurs on some privately owned properties and will enable the Parking District to improve and maintain these parcels for parking use, as well as to impose regulations consistent with its use as a parking area for prospective customers of Main Street business enterprises.

4. Copies of these determinations and findings will be forwarded to anyone upon written request to the Town Clerk, without cost.

and be it further

RESOLVED, that the Town Clerk is directed to publish this resolution in full in the next to successive issues of the News Review, an official newspaper of the Town, and in to successive issues of "Newsday", a newspaper having general circulation in the locality where the public project will be situated.

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

The resolution was thereupon duly declared adopted.

#372 AUTHORIZES THE SOLICITATION FOR BIDS FOR SERVICE/INSTALLATION MATERIALS AND EQUIPMENT - WATER DISTRICT.

(See Water District Minutes)

RESOLUTIONS Continued#373 RESOLUTION AUTHORIZING HOME CHORE/HOME AIDE EMPLOYEE PAY INCREASES.

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

WHEREAS, the Suffolk County Office for the Aging has approved salary increases for Seniors Helping Seniors Home Chore/Home Aide employees.

NOW, THEREFORE, BE IT

RESOLVED, that retroactive to April 1, 1986, the following Home Chore/Home Aide employees receive increases as indicated:

OTTO SAYLER	from \$5.00/hr to \$5.10/hr
DOROTHY MUELLER	from \$5.50/hr to \$5.60/hr
JOHN MADDOX	from \$4.25/hr to \$4.35/hr
CLIFF SIEBERT	from \$4.00/hr to \$4.10/hr

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

The resolution was thereupon duly declared adopted.

#374 APPROVES SITE PLAN OF GATTUSO'S PROPERTIES, INC.

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

WHEREAS, a site plan and elevations were submitted by Gattuso's Properties, Inc. for renovation to existing building to a retail store to be located at North side of Sound Avenue, Riverhead, New York; and

WHEREAS, this Town Board has reviewed the site plan dated April, 1986, revised June 4, 1986, as prepared by Gagliardo Associates, Inc., and elevations dated April 16, 1986, as prepared by Gagliardo Associates, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Gattuso's Properties, Inc. for renovation to existing building to a retail store, to be located at north side of Sound Avenue, Riverhead, New York, site plan dated April, 1986, revised June 4, 1986, as prepared by Gagliardo Associates, Inc., and elevations dated April 16, 1986, as prepared by Gagliardo Associates, Inc., 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 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;

RESOLUTIONS Continued

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, Gattuso's Properties, Inc., hereby authorized the Town of Riverhead to enter premises at north side of Sound Avenue, 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 Gattuso's Properties, Inc., 809 Albin Avenue, Lindenhurst, New York, Gagliardo Associates, Inc., and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of June, 1986, _____, residing at _____, 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.

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, distribtuees, 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.
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 station, "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.

, Declarant

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this ____ day of June, 1986, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that he resided at _____; that he is the _____ of GATTUSO'S PROPERTIES, INC., the owner of certain real property located at north side of Sound Avenue, 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

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

#375 DESIGNATES TOWN BOARD AS LEAD AGENCY, RE: SPECIAL PERMIT APPLICATION OF AUGUSTA SCHNEIDER.

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

WHEREAS, AUGUSTA SCHNEIDER has applied for a special permit of the Town Board to construct a 162-unit residential condominiums on the northerly 32.7 acres of a parcel or property located on the south side of Middle Road, west of Northville Turnpike, Riverhead, New York, specifically identified as part of Suffolk County Tax Map No. 0600-84-1-14, and

WHEREAS, pursuant to the Code of the Town of Riverhead, the New York State Environmental Conservation Law and Part 617 of the New York Code of Rules and Regulations, the applicant has filed a long environmental assessment form prepared by Land Use Company, and

WHEREAS, it is necessary to evaluate the proposed action and its potential effects upon the environment, and

WHEREAS, the Environmental Quality Review Board has made recommendation that this project be declared a Type I action and that Lead Agency be sought.

NOW, THEREFORE, BE IT

RESOLVED, that this Board, pursuant to the applicable statutes, laws and rules, does hereby designate itself as "Lead Agency" for the purpose of reviewing the environmental impact of the proposed use and does direct that the appropriate notice of said designation be served upon all other applicable jurisdictions, agencies, bodies and interested parties.

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

The resolution was thereupon duly declared adopted.

#376 RESOLUTION CALLING SCOPING HEARING ON THE SPECIAL PERMIT OF ALVIN BENJAMIN TO CONSTRUCT AND OPERATE 181 CONDOMINIUM UNITS ON A 54± ACRE PARCEL OF PROPERTY KNOWN AS SUFFOLK COUNTY TAX MAP NO. 0600-082-2-47.

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

WHEREAS, ALVIN BENJAMIN has made application to this Town Board for a special permit to construct and operate 181 condominium units on a 54± acre parcel of property located east of Roanoke Avenue, north of Middle Road, east end of Nadel Court, Riverhead, New York, more specifically described as Suffolk County Tax Map No. 0600-082-2-4.7, and

WHEREAS, the Town Board has, by resolution dated June 3, 1986, declared itself the lead agency for the purpose of requirements of the New York State Environmental Quality Review Act; and

RESOLUTIONS Continued

WHEREAS, based upon a review of the Environmental Assessment Statement, the Town Board determines that the application is a Type I action and that as such an action, it is necessary for the applicant to prepare and submit a Draft Environmental Impact Statement for consideration; and

WHEREAS, the Town Board has decided to call a scoping hearing to more particularly determine issues to be addressed in the Draft Environmental Impact Statement.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board as lead agency in the matter of the application of Alvin Benjamin for a special permit for the construction and operation of 181 condominium units determines, based upon the Environmental Assessment Form submitted therewith, that the application is classified as a Type I Action according to the New York State Environmental Quality Review Act, and the applicant is to submit a Draft Environmental Impact Statement subsequent to the scoping hearing ordered below; and

BE IT FURTHER RESOLVED, that a scoping hearing to discuss the issues to be addressed in the Draft Environmental Impact Statement covering the above-mentioned applications shall be heard before the Town Board of the Town of Riverhead, at 200 Howell Avenue, Riverhead, New York, at 7:30 p.m. on the 9th day of July 1986 for all persons wishing to be heard, and

BE IT FURTHER RESOLVED, that the Town Clerk shall publish a copy of this notice in The Riverhead News Review in the June 19, 1986 issue, post a copy of this notice and serve a certified copy of this notice upon Henry Saxtein, attorney for the applicant, Alvin Benjamin.

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

The resolution was thereupon duly declared adopted.

#377 NO RESOLUTION ASSIGNED TO THIS NUMBER.

#378 ACCEPTING THE DECLARATION AND COVENANT OF B. ARTHUR THURM DEDICATING CERTAIN LAND FOR AGRICULTURAL AND OPEN SPACE USES.

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

WHEREAS, by Resolution dated February 1, 1983, the Town Board granted a Special Permit to B. Arthur Thurm for the construction of mobile homes in the amount of one hundred twenty eight (128) units on 64.348 acres; and

WHEREAS, the granting of said Special Permit was conditioned, among other things, upon the dedication of 31.879 acres for agricultural and open space uses, as indicated on the site plan of Young and Young dated September 22, 1982; and

WHEREAS, B. Arthur Thurm made application on November 20, 1985, to reduce the number of said mobile home units previously approved from one hundred twenty-eight (128) to eighty-six (86) such units to be constructed on 42.335 acres; and

RESOLUTIONS Continued

WHEREAS, by Resolution dated January 21, 1986, the Town Board amended its Resolution of February 1, 1983, by authorizing the reduction in the number of units from one hundred twenty eight (128) to eighty-six (86) such mobile home units and the reduction in the number of acres from 64.348 to 42.335, as indicated on the site plan of Young and Young dated November 15, 1985; and

WHEREAS, the granting of said Special Permit with said reduced number of said units and acres was conditioned, among other things, upon said dedication of a portion of said parcel to agricultural and open space uses; and

WHEREAS, B. Arthur Thurm has executed and submitted to the Town Board a declaration and Covenant dedicating 10.195 acre parcel for agricultural and open space uses, pursuant to Chapter 108 of the Riverhead Town Code and Section 247 of the General Municipal Law,

NOW, THEREFORE, BE IT

RESOLVED, that the Declaration and Covenant executed by B. Arthur Thurm and submitted to the Town Board, dedicating a 10.195 acre parcel for agricultural and open space uses, as indicated on the revised site plan of Young and young dated April _____, 1986, be and hereby is accepted, and be it further

RESOLVED, that B. Arthur Thurm shall file said declaration and Covenant in the Office of the Clerk of the County of Suffolk, and be it further

RESOLVED, that the Town Clerk shall send a copy of this Resolution to the Building Department and to Robert L. Tooker, attorney for the Said applicant, B. Arthur Thurm.

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

The resolution was thereupon duly declared adopted.

#379 APPROVES APPLICATION OF RIVERHEAD RACEWAY FOR FIREWORKS DISPLAY.

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

WHEREAS, application for a Fireworks Permit has been made by Riverhead Raceway and filed with the Town Clerk on May 16, 1986, and

WHEREAS, this application has been reviewed by the Riverhead Town Board for compliance with Section 405 of the Penal Law of the State of New York, and

WHEREAS, the application particularly describes the area where the fireworks will be displayed, the time of the display and the manner in which they will be displayed, and

WHEREAS, Riverhead Raceway has supplied a copy of an insurance binder in the amount of \$5,000,000 naming the Town of Riverhead as the additional insured as required.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 405 of the Penal Law of the State of New York, the Town Board of the Town of Riverhead hereby grants to Riverhead Raceway a fireworks permit for

RESOLUTIONS Continued

a fireworks display on July 5, 1986, or the rain date alternate of July 12, 1986, on the location and in the manner described in the application of Riverhead Raceway filed with the Town Clerk on May 16, 1986, and

BE IT FURTHER RESOLVED, that this permit is expressly conditioned upon the understanding that no debris will land on any property not owned by the applicant and that all other requirements of Section 405 of the Penal Law shall be strictly complied with, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Town Clerk to Riverhead Raceway.

The vote, Boschetti, no, Pike, no, Prusinowski, no, Lombardi, no, Janoski, absent.

The resolution was thereupon duly declared DENIED.

Councilman Prusinowski, "Ok. Now we'll go on to 380."

#380 RESOLUTION CALLING SCOPING HEARING ON THE MAJOR SUBDIVISION OF "THE VILLAGE GREEN AT BAITING HOLLOW" TO SUBDIVIDE A 189.1414 ACRE PARCEL INTO 172 BUILDING LOTS AT PROPERTY LOCATED AT THE SOUTHEAST CORNER OF SOUND AVENUE AND EDWARDS AVENUE, BAITING HOLLOW, NEW YORK.

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

WHEREAS, Prospero Properties, II, Inc. has made application for a major subdivision of a 189.1414 acre parcel into 172 building lots at property located at the southeast corner of Sound Avenue and Edwards Avenue, Baiting Hollow, New York, more specifically described as Suffolk County Tax Map No. 0600-060-02-03, 0600-061-01-01, and 0600-061-01-03, and

WHEREAS, the Town Board has, by resolution dated February 26, 1985, declared itself the lead agency for the purpose of requirements of the New York State Environmental Quality Review Act; and

WHEREAS, the applicant has petitioned the Town Board to cause the provision of public water to the subdivision site, and

WHEREAS, based upon a review of the Environmental Assessment Statement filed with the Town Clerk on May 2, 1986, the Town Board determines that the application is a Type I Action and that as such an action, it is necessary for the applicant to prepare and submit a Draft Environmental Impact Statement for consideration; and

WHEREAS, the Town Board has decided to call a scoping hearing to more particularly determine issues to be addressed in the Draft Environmental Impact Statement.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board as lead agency in the matter of the application of Prospero Properties II, Inc. for the subdivision of 189.1414 acre parcel into 172 building lots on a parcel of property located at the southeast corner of Sound Avenue and Edwards Avenue, Baiting Hollow, New York, more specifically described as Suffolk County Tax Map Nos. 0600-060-02-03,

RESOLUTIONS Continued

0600-061-01-01 and 0600-061-01-03 determines, based upon the Environmental Assessment Form filed with the Town Clerk on May 2, 1986, that the application is classified as a Type I Action according to the New York State Environmental Quality Review Act, and the applicant is to submit a Draft Environmental Impact Statement subsequent to the scoping hearing ordered below; and

BE IT FURTHER RESOLVED, that a scoping hearing to discuss the issues to be addressed in the Draft Environmental Impact Statement covering the above-mentioned application shall be heard before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York, at 8:00 p.m. on the 25th day of June, 1986 for all persons wishing to be heard, and

BE IT FURTHER RESOLVED, that the Town Clerk shall publish a copy of this notice in The Riverhead News Review in the June 19, 1986 issue, post a copy of this notice and serve a certified copy of this notice upon L. Alan Birthwhistle, attorney for the applicant, Prospero Properties II, Inc.

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

The resolution was thereupon duly declared adopted.

#381 RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO AND APPROVING THE ESTABLISHMENT OF THE PROPOSED EXTENSION TO THE RIVERHEAD WATER DISTRICT NO. 33.

(See Water District Minutes)

#382 DESIGNATES LANDMARKS.

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

WHEREAS, the Landmarks' Preservation Commission, by letter dated February 5, 1986, has requested this Town Board to designate various structures in the Town of Riverhead as "Landmarks".

NOW, THEREFORE, BE IT

RESOLVED, in accordance with Article IV, Section 7(6) of Town Ordinance #44 (Landmarks' Preservation) Chapter 73, the Town Board does hereby designate the following structures as "Landmarks":

- | | |
|---|---|
| 1. Irving Downs Farmhouse
Sound Avenue
Riverhead, New York
S.C.T.M. 0600-9-1-1 | 3. George Tuthill House
Sound Avenue
Riverhead, New York
S.C.T.M. 0600-21-1-3 |
| 2. Irving Downs Schoolhouse
Sound Avenue
Riverhead, New York
S.C.T.M. 0600-9-1-1 | 4. Robert Palmer House
Sound Avenue
Riverhead, New York
S.C.T.M. 0600-20-3-9.1 |

RESOLUTIONS Continued

and be it further

RESOLVED, that said Commission be and is hereby authorized to purchase four (4) "Landmark" plaques at a total cost not to exceed \$200.00, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Building Department; Alice K. Graff, Chairperson, Landmarks Preservation Commission; and Leroy Barnes, Chairman, Board of Assessors.

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

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "We have one more resolution, but before we get to that resolution I want to call a five minute recess which the press will not be invited in because it's a personell matter and we will go and meet in Mr. Lombardi's office."

TOWN BOARD MEETING RECESSED AT 9:55

TOWN BOARD MEETING RECONVENED AT 10:00

Councilman Prusinowski, "Ok Irene. Let's call up the last resolution. We'll pay the bills. Talk to a few more people and then we'll watch the end of the Yankee game."

#383 APPOINTS PLANNING AIDE.

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

RESOLVED, that BRENDA FILMANSKI be and is hereby appointed to the position of Planning Aide effective June 18, 1986 at the annual compensation of \$17,479.03 as set forth in Group 4, Step P of the 1986 CSEA Salary Administration Schedule.

The vote, Boschetti, yes, Pike, no, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "Is there anyone else who wishes to talk to the Town Board concerning any matter? Yes."

Tom Johannemann, Baiting Hollow, "I own the Wading River General Store which I understand they talked about the parking lot in Wading River. I wondered if there was some way, I see the Chief of Police is gone, to get some kind of resolutuion, a curfew surrounding this parking lot."

Councilman Prusinowski, "We just concluded a public hearing earlier tonight. Apparently you came later."

PERSONAL APPEARANCES Continued

Tom Johannemann, "Yes."

Councilman Prusinowski, "Ok. The subject is to restrict parking in that parking lot from 10:00 p.m. to 6:00 a.m. And we heard several comments from your fellow business people up there and from the general public. All I can tell you is that the Town Board has the proposal under consideration. Councilman Lombardi has been on top of the situation with some of the local merchants and residents together with the Superintendent of Highways and we hope to have... We've contacted the Police Department. They will be increasing their surveillance of the area and we'll try to come to some agreeable resolution."

Tom Johannemann, "Obviously the location of the cars, where some of them are parked can create a problem. The major problem is the noise from the kids. And removing the cars, that is what the parking lot is there for. If we can get rid of the kids."

Councilman Lombardi, "That's what we're going to try to do."

Irene Pendzick, "Could I have the spelling of your name?"

Tom Johannemann, "J-o-h-a-n-n-e-m-a-n-n."

Irene Pendzick, "Boy am I glad I asked. Thank you."

Councilman Prusinowski, "Ok. We understand what the situation is. We're fully aware of it and we'll try to do what we can. I'm not trying to give you an answer that sounds like rhetoric but there are laws today you can not, just because people who are loitering, doesn't mean they're doing anything wrong. You have to find them committing a violation of the law and that is really what.... We'll be monitoring the situation."

Tom Johannemann, "We can't create a no loitering in the town parking lot."

Councilman Prusinowski, "No. That's been struck down by State Supreme Court."

Councilman Lombardi, "This is why we brought up this public hearing tonight. Is to go with the ordinance of the recreation that there will be no parking from 10 to 6. But we don't want to effect the businesses either. So we have to look at what we're going to do. I really don't know what's going to solve the problem. We'll have to talk it over."

Councilman Prusinowski, "Thank you very much. Anybody else? Yes."

07/17/80
PERSONAL APPEARANCES, Continued

Dan Wiwczar, "Speaking to Captain Grattan before he stated that you can have a no parking law down on the books but what it means is that you can leave your car and not be parked illegal. But if you're outside your car after that time of the curfew,..."

Councilman Prusinowski, "Dan let me stop you right there. Let's just stop right there. I know what the Captain was alluding to and I'd rather not continue this conversation right at this present time. Let's put it this way. We know what has to be done. We will try to do it. Ok. I don't want to get into that. I know exactly what he was telling you in the hall and let's just drop it for now on the record. Ok?"

Dan Wiwczar, "Alright."

Councilman Prusinowski, "I'd appreciate it."

Eliz Wiwczar, Wading River, "I know that a lot of people in Wading River belong to that, live in Riverhead Town and they haven't really been our problem. Those people parking there. But there is another thing in that that historical building is located in the Town of Brookhaven. In actuality, we are lending our parking lot to them anyway. So I don't even know if it's legal for them to object. Thank you. And by the way, I'm in favor of some kind of a curfew in that town as far as parking goes."

Councilman Prusinowski, "Thank you very much. Is there anyone else wishing to address the Town Board on any subject? Pierre thank you very much for coming down tonight. We can't afford you every meeting with your rates. No. Just kidding. You do a fine job for us. Thank you."

Councilman Pike, "Can I rise to the defense of council?"

Councilman Prusinowski, "Sure. Ok. We'll see you later."

There being no further business on motion or vote, the meeting adjourned at 10:06 p.m.

IJP:nm



Irene J. Pendzick
Town Clerk