

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, April 15, 1986, at 7:30 p.m.

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

Also Present: Richard Ehlers, Town Attorney

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

Supervisor Janoski, "May I have a motion to approve the minutes of a Regular Meeting held on April 1st and a Special Board Meeting held on April 7, 1986?"

Councilman Boschetti, "Mr. Supervisor I would ask that there be an amendment added via a memo to the Town Clerk's Office regarding a period of time when the tape recorder was not working. With such an amendment added, I would second the motion to approve the minutes."

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

RESOLVED, that Minutes of a Regular Board Meeting held on April 1, as amended and Special Board Meeting held on April 7, 1986 are dispensed without objection and be approved.

Supervisor Janoski, "There's no rush for us to approve these Minutes."

Councilman Boschetti, "Do you want to table it?"

Supervisor Janoski, "Well there's no rush for us to approve these minutes. So that if there's a question, why don't we just motion to table."

Councilman Boschetti offered the above resolution to be Tabled which was seconded by Councilman Pike.

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

The resolution was thereupon duly declared TABLED.

BILLS

Bills submitted on abstract dated April 15, 1986 as follows:

General Town	\$ 575,044.14
PM	75.00
AM	524.80
Highway	150,370.09

BILLS Continued

Capital Projects	\$ 11,171.30
ST & SL	57,902.92
CF	2,693.07
Small Cities	919,656.10

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

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

General Town	\$ 575,044.14
PM	75.00
AM	524.80
Highway	150,370.09
Capital Projects	11,171.30
ST & SL	57,902.92
CF	2,693.07
Small Cities	919,656.10

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Well I see that two assessors are here this evening amongst the department heads should anyone have any questions of them. The Reports are next on the agenda."

REPORTS

Building Department-for month of March, 1986.

Filed

Tax Receiver's collection as of April 11, 1986, \$12,862,027.

Filed

OPEN BID REPORT - PROPOSALS FOR W. MAIN ST. PROPERTIES.

Filed

Bid Date: April 14, 1986 at 11:00 a.m.
2 Bids Submitted

BUILDING A - 76 West Main Street

Letter from Diane Ramirez, Pres. of Junior Eason Riverhead Community Service and Health Center:

States she has appeal pending in Appellate Division regarding her option of right of first refusal to purchase property for \$56,000.00 from C. DeGennaro.

East End Properties, Inc. Cutchogue, New York
\$175,000.00

27

REPORTS Continued

BUILDING B - 49-53 West Main Street

Stanley Hagler - \$195,300.00

East End Properties, Inc. - \$180,000.00

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

APPLICATIONS

Site Plan-Al Lane for Retail Store, Route 58. File

Site Plan-North Fork Plumbing (Addition to Building, West Main Street). File

Site Plan-Half Hollow Nursery (Agricultural Worker Housing on Main Road, Laurel). File

Site Plan-Drs. Dempsey, et. al. (Alterations to Professional Building, Route 58). File

Site Plan-Young & Young (Extension on existing Professional Office). File

Site Plan-DuBois T. Smith (Farm Equipment Sales, East Main Street). File

Supervisor Janoski, "Correspondence."

CORRESPONDENCE

Patricia Downs, 4/3/86-Submitting Resignation for Retirement as of June 21, 1986. Filed

County Treasurer-Check for \$2,001.16, Riverhead's Share of Dog Monies Surplus. Filed

Supervisor Janoski, "Thank you. The first scheduled public hearing for 7:45, that time has not yet arrived. Under Unfinished Business we have:

UNFINISHED BUSINESS

Kimbrooke Associates-Special Permit for condominiums on Sound Avenue.

Anthony Conforti-Site Plan for Office Building on Howell Lane and East Main Street.

UNFINISHED BUSINESS Continued

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

Barry Wedel-Site Plan to alter sign manufacturing building on West Main Street.

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

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

Miles Cane-Change of Zone on n/s of Route 58.

Motel-on-the-Bay-Special Permit to change to 20 condominium units.

Robert Hartmann-Change of Zone (Agricultural "A" to Residence "C" on Doctors Path).

Al Lane-Site Plan for Retail Store, Route 58.

Riverhead Medical Specialists-Site Plan for alteration to building, Route 58.

M.H. of L.I. Inc. (K. Dunleavy)-Change of Zone (Residence "A" and Industrial "A" to all Residence "B").

Guido Cricchio-Site Plan to add to building, Route 25A, Wading River.

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

John & Elaine Villano-Special Permit for warehouse and sales on Pulaski Street.

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

Rita Shah-Site Plan for Professional Office, Route 25A, Wading River.

James Latham-Site Plan for lumber warehouse, Kroemer Avenue. That will be acted upon this evening.

Frank Guarino-Special Permit (expand non-conforming use, Wading River. That will be acted upon this evening also."

Supervisor Janoski, "There are about thirteen or fourteen minutes before.... I'm sorry. Eight or nine minutes before the first scheduled public hearing. I would recognize anyone who wishes to be heard on any subject. Yes ma'am. Could you just come up to the microphone and just state your name and address."

1/13/80
PERSONAL APPEARANCES Continued

Juanita Dublin, W. Main Street, "My name is Juanita Dublin. I own Fisherman's Deli on Peconic River in Riverhead. I wanted to know what is going to be done about regulating the height of the river. Right now we have a situation where the river falls very low and it's very hard to be accessible with boats and all. We rent boats on the river. Sometimes the river is so low that it's just mud from our boat pads to out maybe ten or twelve feet. And I understand there are locks that you can put boards in to regulate the river."

Supervisor Janoski, "Yes there are. They are used. The problem has historically been a case of tampering with those boards and those level control devices. They of course, are in need of repair. I am told in the last couple of weeks there is some major work that has to be done because some of the tampering has severely damaged the level control devices. I have directed that work be undertaken and it be repaired so that we can control those levels. But it's something that's an on going battle if you will."

Juanita Dublin, "Is there any way that one particular agency can regulate it so that the water doesn't get below a certain level? Last year..."

Councilman Boschetti, "Joe, if I may."

Supervisor Janoski, "Sure."

Councilman Boschetti, "About two years ago, the D.E.C. had undertaken a study to determine at just what level the river should be maintained at. To my knowledge, that study is not yet complete but they are working on it. So in answer to your question, yes there is an agency that is looking into it."

Juanita Dublin, "All last summer we went through a condition where it was just mud about twelve feet out. The docks were so far from the water that it was ridiculous and it's not good for the fish. It's not good for the birds. And the canoers would stop in our Deli and they'd be bleeding from their legs where they had to get out of their canoes and push it or pull it (you know) in the muck and the meir and the leeches would attach themselves to their legs."

Councilman Boschetti, "It is a traditional problem. If the water is too high it affects water in basements in homes along the river. And if it's too low, it affects the fish and other wildlife."

Juanita Dublin, "There should be a happy medium."

Councilman Boschetti, "And that's what they're trying to determine."

Juanita Dublin, "Ok. Thank you."

Councilman Boschetti, "You're welcome."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Is there anyone else? There are five minutes remaining before the first scheduled public hearing. Anyone else wish to address the Board? Ok. One thing occurs to me on the river; is that in working with the D.E.C., I had asked that they come involved in the enforcement of tampering. That there is really no jurisdiction that I'm aware of that can enforce someone who has tampered to enforce the law. So I would hope that that would be part of their deliberations also. To make that a criminal act. We will get onto the resolutions then if no one wishes to address the Board."

RESOLUTIONS

#209 AUTHORIZES TOWN CLERK TO ADVERTISE NOTICE TO BIDDERS RE: INSTALLATION OF WATER MAINS AND APPURTENANCES FOR EXTENSION 25 OF THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#210 AUTHORIZES TOWN CLERK TO ADVERTISE NOTICE TO BIDDERS RE: INSTALLATION OF WATER MAINS AND APPURTENANCES FOR EXTENSION 27 OF THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#211 AUTHORIZES MULTIPLE SEWER SERVICE LINE HOOK-UP.

(See Sewer District Minutes)

#212 AUTHORIZES TOWN CLERK TO PUBLISH AND POST DISPLAY AD RE: ACCEPTANCE OF APPLICATIONS FOR POSITION OF MEMBER, TOWN OF RIVERHEAD ZONING BOARD OF APPEALS AND FOR POSITION OF MEMBER, RIVERHEAD CONSERVATION ADVISORY COUNCIL.

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

WHEREAS, there are currently three vacancies in the membership of the Conservation Advisory Council, and

WHEREAS, it is expected that a member of the Zoning Board of Appeals shall be retiring shortly.

NOW, THEREFORE, BE IT,

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Display Ad notifying of the acceptance of the Town of Riverhead of applications and resumes for membership with the Town of Riverhead Conservation Advisory Council and the Zoning Board of Appeals, and

FURTHER, BE IT RESOLVED, that said display ad shall appear in the April 17th issues of The News Review and The Long Island Traveler Watchman and the April 23 issue of Suffolk Life Newspapers.

ACCEPTANCE OF APPLICATIONS FOR
MEMBERSHIP WITH THE TOWN OF RIVERHEAD
ZONING BOARD OF APPEALS AND
MEMBERSHIP WITH THE CONSERVATION
ADVISORY COUNCIL

PLEASE TAKE NOTICE, the Town of Riverhead is now accepting resumes and applications for membership with the Town of Riverhead Zoning Board of Appeals and membership with the Riverhead Conservation Advisory Council. Interested individuals should submit a resume and/or completed employment application to the Office of the Supervisor, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications for these positions shall be accepted after Wednesday, April 30, 1986. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in the employment or the provision of services.

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

The resolution was thereupon duly declared adopted.

#213 APPORVES SITE PLAN OF DRS. DEMPSEY, SANTORA, COURTNEY AND SYLVESTRE.

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

WHEREAS, a site plan and elevations were submitted by Drs. Dempsey, Santora, Courtney & Sylvestre, for construction for alterations for professional building to be located at Route 58, Riverhead, New York, and

WHEREAS, this Town Board has reviewed the site plan dated January 28, 1985 and further initialed by the Riverhead Town Board April 10, 1986 as prepared by Suter & Suter, Architects, and elevations dated March 13, 1986 and further initialed by the Riverhead Town Board April 10, 1986 as prepared by Suter & Suter Architects.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Drs. Dempsey, Santora, Courtney & Sylvestre for construction of alterations for professional building to be located at Route 58, Riverhead, New York, site plan dated January 28, 1986 and further initialed April 10, 1986 as prepared by Suter & Suter, Architects, and elevations dated March 13, 1986 and further initialed by the Riverhead Town Board April 10, 1986 as prepared by Suter & Suter Architects, 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

27

RESOLUTIONS Continued

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

5. Trash 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 stantion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document Drs. Dempsey, Santora, Courtney & Sylvestre hereby authorizes the Town of Riverhead to enter premises at Route 58, Riverhead, New York, to enforce said handicapped parking regulations.

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

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

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

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Drs. Dempsey, Santora, Courtney and Sylvestre and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the _____ day of _____, 1986, by Drs. Dempsey, Santora, Courtney and Sylvestre residing at _____, 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,

RESOLUTIONS Continued

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed do 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 Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

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

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

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

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

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 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 written.

Dr. Dempsey

Dr. Santora

Dr. Courtney

Dr. Sylvestre

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

RESOLUTIONS

On this _____ day of _____ 1986, before me personally came _____, owner(s) of certain real property located at _____ the subject property of the declaration and covenant herein; that he did read the above declaration and covenant and understands its contents; that he did swear to me that he executed the same.

Notary Public

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 7:45 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, April 15, 1986 at 7:45 p.m. to hear all interested persons regarding: The Special Permit Application of John and Elaine Villano to Utilize Premises Located at Pulaski Street, Riverhead for the Warehousing and Sale of Tools Utilized in the Construction Trades.

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

Willam Bates, Attorney, "Good evening. My name is William Bates. I am the attorney for the current owners of the property, Ann and Carl White. Anthony Tohill the attorney for the Villano's, could not be here this evening and he asked me to come in his absence. Mr. and Mrs. Villano are asking for a relatively small change in the use of the property. It will be used for sale and retail of heavy equipment mainly to builders. So it will be a relatively low volume use. It will be a small change from it's current use. That use will be in harmony with the neighborhood. As you know, Pulaski Street is a main road. It's accessible to customers, to emergency vehicles. And I would say this use would be far better than some other uses which would be permitted in that zone. Such as a poultry processing plant or a car wash or some other very heavy uses."

Supervisor Janoski, "Could you give us some examples of heavy equipment?"

PUBLIC HEARING Continued

William Bates, "I have to say that I'm not that familiar with the Villano's business. It's my understanding that they do not lease bulldozers and things like this but it's small equipment. Their current store is..."

Supervisor Janoski, "The reason I ask you is because in everyone's mind, the picture of a bulldozer will appear when you say heavy equipment."

William Bates, "No. It is definitely not that. I know their current store is on Pulaski Street."

Councilman Prusinowski, "It's Riverhead tool."

William Bates, "It's Riverhead Tool. It's a very small store and it would be very small tools which would be fit and could be leased from that store."

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

7:45 PUBLIC HEARING CLOSED AT 7:48

Supervisor Janoski, "We've got about seven minutes. Let us proceed with the resolutions."

RESOLUTIONS Continued

#214 APPROVES SITE PLAN OF JAMES P. LATHAM.

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

WHEREAS, a site plan and elevations was submitted by James P. Latham, for construction of a lumber warehouse to be located at Kroemer Avenue, Riverhead, New York, and

WHEREAS, this Town Board has reviewed the site plan dated March 3, 1986 and further initialed April 9, 1986 as prepared by Young & Young, P.E., and elevations dated November 12, 1985 as prepared by Thaddeus Lemanski, P.E.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by James P. Latham for construction of a lumber warehouse to be located at Kroemer Avenue, Riverhead, New York, site plan dated March 3, 1986 and further initialed April 9, 1986 as prepared by Young & Young, P.E., and elevations dated November 12, 1985 as prepared by Thaddeus Lemanski, P.E., 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.

RESOLUTIONS Continued

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

5. Trash 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 station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document James P. Latham hereby authorizes the Town of Riverhead to enter premises at Kroemer 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 way as to cause direct glare on neighboring properties or adjoining highways.

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

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to James P. Latham and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the _____ day of _____, 1986, by James P. Latham residing at _____, 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

RESOLUTIONS Continued

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

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

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

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

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

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 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 written.

James P. Latham

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of _____, 1986, before me personally came _____, owner(s) of certain real property located at _____ the subject property of the declaration and covenant herein; that he did read the above declaration and covenant and understands its contents; 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, yes.

The resolution was thereupon duly declared adopted.

#215 APPROVES SITE PLAN OF LLOYD RASWEILER (HALF HOLLW NURSERY).

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

WHEREAS, a site plan and elevations were submitted by Lloyd Rasweiler, for construction of agricultural worker housing to be located at Main Road, Laurel, New York, and

WHEREAS, this Town Board has reviewed the site plan dated July 23, 1985 and further initialed April 7, 1986 as prepared by Young & Young, P.E., and elevations dated December 26, 1985 as prepared by Steve G. Tsontakis Asscs.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Lloyd Rasweiler for construction of a agricultural worker housing to be located at Main Road, Laurel, New York, site plan dated July 23, 1985 and further initialed April 7, 1986 as prepared by Young & Young, P.E., and elevations dated December 26, 1985 as prepared by Steve G. Tsontakis, Asscs., 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 Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.
5. Trash 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 stantion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document Lloyd Rasweiler hereby authorizes the Town of Riverhead to enter premises at Main Road, Laurel, New York to enforce said handicapped parking regulations.

RESOLUTIONS Continued

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 way as to cause direct glare on neighboring properties or adjoining highways.

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

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Lloyd Rasweiler and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION made the _____ day of _____, 1986, By Lloyd Rasweiler residing at _____, 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 proved by the Declarant, and

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed do 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 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.

RESOLUTIONS Continued

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

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 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 written.

Lloyd Rasweiler

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of _____ 1986, before me personally came _____, owner(s) of certain real property located at _____ the subject property of the declaration and covenant herein; that he did read the above declaration and covenant and understands its contents; that he did swear to me that he executed the same.

Notary Public

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

The resolution was thereupon duly declared adopted.

#216 AUTHORIZING TOWN OF RIVERHEAD TO REMOVE RUBBISH AND DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY OWNER PURSUANT TO SECTION 96-1B OF THE RIVERHEAD TOWN CODE.

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

WHEREAS, section 96-1B of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds, and

WHEREAS, property located at East Main Street, Riverhead, New York, also known as Suffolk County Tax Map No. District 600, Section 196, Block 4, Lot 11.1 is not in compliance with the requirements of Section 96 of the Riverhead Town Code, and

WHEREAS, the Town Board desires to require the removal of the rubbish and debris and the cutting of the grass at the property above mentioned.

RESOLUTIONS Continued

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Keith M. and Maureen Schapiro by certified mail, return receipt requested and by regular mail in a plain, unmarked wrapper. Such notice to consist of a certified copy of this Resolution and the attached Notice to property owner.

NOTICE TO PROPERTY OWNER

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96, the Town of Riverhead, hereby required that you cause the property located at East Main Street, Riverhead, New York, described as Suffolk County Tax Map No. District 600, Section 106, Block 4, Lot 11.1 to be cleaned of all rubbish, refuse and other debris and that the weeds and grass be mowed within ten (10) days from the date of this notice.

PLEASE TAKE FURTHER NOTICE, that your failure to respond by completing the work required will cause the Town of Riverhead to have the work done for you and you will be billed for the cost. If you fail to pay such bill, a lien will be placed against your property pursuant to Riverhead Town Code, Section 96.

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

The resolution was thereupon duly declared adopted.

#217 AUTHORIZES TOWN CLERK TO ATTEND N.Y.S. TOWN CLERK'S ANNUAL INTERNATIONAL CONFERENCE.

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

WHEREAS, on April 27 through April 29, 1986, the New York State Town Clerk's Association will be hosting a conference with seminars regarding different duties of the Town Clerk's Office in Albany, New York, and

WHEREAS, the Town Clerk, Irene Pendzick has expressed a desire to attend this conference.

NOW, THEREFORE, BE IT

RESOLVED, that Town Clerk, Irene Pendzick be and is hereby authorized to attend the Annual International Conference in Albany New York, April 27 through April 29, 1986, and

BE IT FURTHER RESOLVED, that the Town Clerk shall receive an advance in the amount of \$280.00 to cover the expenses of registration, travel, lodging and meals, which shall be fully receipted upon her return.

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

The resolution was thereupon duly declared adopted.

#218 AUTHORIZES DISPOSITION OF TOWN RECORDS.

RESOLUTIONS Continued

Councilman Pike, "Irene would just explain to them what records these are?"

Irene Pendzick, "These particular records are bingo inspection reports. We have instituted the beginning of a disposition of records which is long over due. It started last year and didn't receive too much cooperation from other department heads. I think it was because they didn't understand how to proceed. So what I'm doing is proceeding with my office to in the sense, lead the way and be a model to show everybody else how to get rid of some records that are obsolete according to the Department of Education standards."

Councilman Pike, "How far do they go back?"

Irene Pendzick, "Oh, these aren't that old. Some of these are '77, '78. There has been a disposition of records in the years passed. We don't get.... It isn't.... Records are not disposed of without several criteria. The Department head has to ok it besides the Department of Education saying what can be disposed of which is in a schedule. The Department head has to ok it. The Town Attorney has to ok it. The Town Historian has to ok it. The first one that has to ok it is the Town Board."

Councilman Pike, "We're throwing out our old bingo reports. If anybody would like a lot of reports on bingo, see Irene."

Irene Pendzick, "I don't think I'm going to give it to them because I want to see if I can recycle it and get some money."

Councilman Pike, "Great. So moved."

#218 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 record item Number 95: (Bingo Inspection Reports and Financial Statements of Operation), on Records Retention and Disposition Schedule No. 19-TC-1, and be it

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.

CERTIFICATION

I CERTIFY, that the above is a true copy of the Resolution adopted by the Town Board of the Town of Riverhead at a regular meeting held on April 15, 1986.

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "One more Irene."

#219 RESOLUTION IN THE MATTER OF STEVEN & IRIT LIBROT FOR THE MODIFICATION OF A DECLARATION OF COVENANTS AND RESTRICTIONS CONCERNING PREMISES SITUATE ON MICHAELS LANE, WADING RIVER.

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

WHEREAS, MARCIA Z. HEFTER, attorney at law and member of the firm of Esseks, Hefter, Cuddy & Angel, Esqs., by application to the Town of Riverhead Planning Board, did request the cancellation of a covenant preventing any further subdivision of premises situate on Michaels Lane, Wading River, Town of Riverhead, owned by Steven Librot and Irit Librot, which said covenant is contained in a Declaration of Covenants and Restrictions dated August 2, 1979 made by Alan Karp, Charles Remnick and Charles Karp, previous owners of said parcel of property, and

WHEREAS, the Planning Board of the Town of Riverhead by resolution March 6, 1986, authorized the Chairman of the Planning Board to execute a Modification of Declaration of Covenants and Restrictions cancelling the portion of said Declaration of Covenants and Restrictions which provides that the aforesaid premises now owned by Steven Librot and Irit Librot cannot be further subdivided.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby adopts the resolution of the Town of Riverhead Planning Board consenting that the Declaration of Covenants and Restrictions dated August 2, 1979 herein referred to be modified by cancelling the restriction which provides that the premises now owned by Steven Librot and Irit Librot on Michaels Lane, Wading River, New York, shall not be further subdivided.

BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute a Modification of Declaration of Covenants and Restrictions.

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 7:56 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING 7:55 p.m.

I have affidavits of publishing and posting of a public hearing to be held on Tuesday, April 15, 1986 at 8:05 p.m. to hear all interested persons regarding: The Change of Zone of Properties at Doctors Path, Riverhead.

Supervisor Janoski, "Thank you. Mr. Rick Hanley."

Richard Hanley, "I don't think the Town Planning Board would mind if I spoke on their behalf on this particular hearing. The subject of tonight's hearing is a recommendation from the Town Planning Board relative to a change of zone on certain properties which are west of Doctors Path and south of Reeves Avenue in the Town of Riverhead. The present zoning on those properties is agricultural "A" and the proposal is to change those properties to residence "C". The reason for the proposed zone change is because the Planning Board feels that there have been some changes in the area that have implications on both existing land use and existing zoning and future land use. Those changes include the fact that the Town has extended municipal water into the area. That the Town has within the past number of years, proposed and constructed a low to moderate income housing project in the area which has a density that's equal to the density for residence "C". The fact that the Town Board has made certain zone changes on Route 58, which have changed from agricultural "A" to residence "C" contiguous with this area and the fact that there is a vacancy rate within the Town that is approaching one percent. The Planning Board feels that this is a necessary change and that it will not disrupt the 1973 comprehensive plan. Rather it will serve to implement that plan by allowing the construction of residential development. Essentially that is the subject of the hearing."

Supervisor Janoski, "Did you relate an acreage?"

Richard Hanley, "Approximately fifty acres is being considered in the zone change. And if you subtract out the amount of property necessary for roads and drainage and recreation, we are talking about a possibility of eighty units of housing being constructed."

Supervisor Janoski, "Is there anyone present who wishes to address the Board on the matter of this change of zone? Mr. Nohejl."

Bill Nohejl, Wading River, "Originally I was for the change of zone when Tara Associates came for the original change. At that time, I requested that I hoped there was affordable housing being changed to a half acre zoning. Is that so?"

Supervisor Janoski, "This particular change of zone?"

Bill Nohejl, "This particular property."

Supervisor Janoski, "This is a recommendation of the Planning Board. There is no applicant here other than the Town government seeking to change the zone."

Bill Nohejl, "But some of these properties include taking in the church property so it can be rezoned. That's why I'm wondering about the fifty acres. Let me make the record clear. Originally, I was looking at this property prior to buying it. And I was

PUBLIC HEARING Continued

Bill Nohejl, Continued

anticipating affordable housing. I went along with the half acre change of zone hoping that affordable housing would be put into this area because I think it's an ideal place for it....."

TAPE ENDED

Supervisor Janoski, "As I said, there is no applicant for a change of zone. This is the Town Planning Board saying to the Town Board....."

Bill Nohejl, "I beg your pardon. I was here when the resolution was put through by Tara Associates to rezone this other property and it was referred to the Planning Board."

Supervisor Janoski, "That may be Bill. But this particular hearing, there is no applicant."

Bill Nohejl, "There is no applicant."

Councilman Prusinowski, "No."

Supervisor Janoski, "Mr. Hanley would you....."

Bill Nohejl, "Well how would you go about rezoning if there is no applicant?"

Supervisor Janoski, "The Planning Board recommended that they felt that this area should be rezoned to residence "C". The Town Board, quite honestly, zipped it right back to them for their recommendation and now we must hold a public hearing which is part of the process. But Mr. Hanley can perhaps...."

Richard Hanley, "If my memory serves me properly, there was an applicant for a change of zone in this area from ag. "A" to residence "C". The Planning Board looked at that petition and also made recommendations for additional changes of zone within that area from ag. "A" to residential "C" on other properties. This would be a motion of the Town Board. Not by an applicant."

Bill Nohejl, "Ok. Thank you."

Supervisor Janoski, "Thank you Bill. Is there anyone else present who wishes to address the Board on the matter of this change of zone? Steve."

Steve Haizlip, Calverton, "If I get what you're saying correctly, the zoning board....."

Supervisor Janoski, "Planning Board."

Steve Haizlip, "Planning Board. I'm sorry. They either look on the maps or they take a ride and they say; maybe we ought to change this zone because people will be coming along and they will be wanting to build houses. And we'll change it now so it

PUBLIC HEARING Continued

Steve Haizlip, Continued

will already be changed. Is this about what's happening?"

Supervisor Janoski, "Essentially, yes. It is the Planning Board's responsibility to provide a master plan, to periodically make recommendations about land use and its management and it is their feeling that areas close to the hamlet, downtown area where there is proximity of sewage and water, is an area where higher density housing and residential property should exist. And this is a motion of theirs or I should say a recommendation of theirs that the Town Board in fact, undertake a change of zone there."

Steve Haizlip, "So it's sort of authorized and sanctioned thing there. Ok. I get it."

Supervisor Janoski, "Is there anyone else present who wishes to address the Town Board on the matter of this change of zone? That being the case and without objection, the hearing is declared closed."

7:55 PUBLIC HEARING CLOSED AT 8:04

Supervisor Janoski, "We could probably fit one resolution."

RESOLUTIONS Continued

#220 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR ONE USED 1980 FORD DUMP TRUCK - HIGHWAY DEPARTMENT.

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

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on One Used 1980 or Newer Ford Dump Truck for use of the Town of Riverhead Highway Department,

AND BE IT RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:00 a.m. on April 28, 1986, and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on April 28, 1986 at 11:00 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation "Bid on One Used 1980 or Newer Ford Dump Truck".

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:05 p.m. has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING ContinuedPUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting of a public hearing to be held on Tuesday, April 15, 1986 at 8:05 p.m. to hear all interested persons regarding: The Consideration of the Establishment of a Proposed Extension to the Riverhead Water District to be known as Extension #34 - Central Aquebogue.

(See Water District Minutes)

8:05 AND 8:10 PUBLIC HEARINGS CLOSED AT 8:13

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

RESOLUTIONS Continued

#221 AUTHORIZES LAWRENCE TAYLOR TO ATTEND INTERNATIONAL MUNICIPAL SIGNAL ASSOCIATION TRAINING SEMINAR.

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

WHEREAS, the International Municipal Signal Association Training Seminar is being held August 3 through 9, 1986 in Milwaukee, Wisconsin, and

WHEREAS, Lawrence Taylor, as the Town employee responsible for the maintenance of traffic signals, has expressed a desire to attend said training seminar.

NOW, THEREFORE, BE IT

RESOLVED, that Lawrence Taylor be and is hereby authorized to attend the International Municipal Signal Association Seminar to be held in Milwaukee, Wisconsin on August 3 through August 9, 1986, and

BE IT FURTHER RESOLVED, that Lawrence Taylor shall be advanced \$1,001 to cover the cost of registration, transportation, lodging and meals, and

BE IT FURTHER RESOLVED, that said advance is to be taken from account SL5182.402, and

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

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

The resolution was thereupon duly declared adopted.

#222 APPOINTS WM. KARLIN TO MEMBERSHIP OF THE RIVERHEAD CONSERVATION ADVISORY COUNCIL.

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

WHEREAS, several vacancies presently exist on the membership of the Riverhead Conservation Advisory Council.

RESOLUTIONS Continued

NOW, THEREFORE, BE IT
RESOLVED, that WILLIAM KARLIN be and is hereby appointed
to membership of the Conservation Advisory Council effective
immediately at the annual compensation of \$250, and

BE IT FURTHER RESOLVED, that a certified copy of this
resolution be forwarded to Wm. Karlin and the membership of
the Conservation Advisory Council.

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

The resolution was thereupon duly declared adopted.

#223 APPOINTS PERNELL FULGHAM TO THE POSITION OF PART-TIME
CUSTODIAN WITH THE NUTRITION CENTER.

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

WHEREAS, a vacancy presently exists in the part-time posi-
tion of Custodian with the Nutrition Center, and

WHEREAS, this vacancy was duly advertised and all applicants
thereafter interviewed.

NOW, THEREFORE, BE IT

RESOLVED, that PERNELL FULGHAM be and is hereby appointed
to the position of part-time Custodian with the Nutrition Center
effective April 16, 1986 at the hourly rate of compensation of
\$4.50, and

BE IT FURTHER RESOLVED, that a certified copy of this reso-
lution be forwarded to Pernell Fulgham and Lois Seay.

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

The resolution was thereupon duly declared adopted.

#224 RE-APPOINTS RICHARD HANLEY AS TOWN OF RIVERHEAD REPRESENTA-
TION RE: PINE BARRENS COMMISSION.

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

WHEREAS, RICHARD HANLEY has served as the representative
of the Town of Riverhead on the Suffolk County Pine Barrens Com-
mission, and

WHEREAS, his term has now expired.

NOW, THEREFORE, BE IT

RESOLVED, that RICHARD HANLEY be and is hereby re-appointed
to the position of representative of the Town of Riverhead on the
Suffolk County Pine Barrens Commission for the year of 1986, and

BE IT FURTHER RESOLVED, that a certified copy of this reso-
lution be forwarded to Richard Hanley and Carolyn Fahey of the
Suffolk County Executive's Office.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#225 APPROVES SPECIAL PERMIT APPLICATION OF FRANK GUARINO.

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

WHEREAS, by application dated February 7, 1986, Frank P. Guarino, did apply to this Town Board for a special permit to construct a non-conforming office building extension in a residential area, and

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

WHEREAS, by letter dated March 10, 1986, the Planning Board recommended that the special permit be approved, and

WHEREAS, on the 1st day of April, 1986, this Town Board held a public hearing wherein all persons wishing to be heard were heard, and

WHEREAS, the Town Board finds:

1. That the applicant seeks to expand a non-conforming use of his premises for his practice of law.

2. That the premises as currently used for law offices do not conflict and are in harmony with the character of the surrounding neighborhood.

3. That the design of the proposed improvements will be residential in character.

4. That adequate parking will be available at the site.

5. That the expanded use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.

6. That the hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the town.

7. That the health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use.

8. That such use will be in harmony with and promote the general purposes and intent of this chapter.

NOW, THEREFORE, BE IT

RESOLVED, that the special permit application of Frank P. Guarino to construct a non-conforming office building extension on property located at the intersection of North Country Road and North Wading River Road, Wading River, New York, be and is hereby approved subject to any and all restrictions and/or limitations outlined in the Riverhead Town Code as may from time to time be amended, and be it further

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this resolution to Frank P. Guarino and the Riverhead Building Department.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#226 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF AUCTION OF ABANDONED VEHICLES.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice of abandoned vehicles to be sold at Public Auction on April 26, 1986, pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York.

Councilman Pike, "Those of you who need anything from an Audi to a Kawasaki to a Ford, there's a list here of very fine vehicles including the Supervisor's Rolls Royce. So moved."

Councilman Boschetti, "Seconded."

Supervisor Janoski, "You know this will be passed according to what he just said. Ok. Moved and seconded."

Irene Pendzick, "I hope my recorder is working."

Abandoned Vehicles to be sold at Public Auction on April 26, 1986, Pursuant to Section 1224, of the Vehicle and Traffic Law of the State of New York.

AV-46-86	1975 AUDI	8552040223
AV-47-86	1975 BUICK	4B69H5K104128
AV-48-86	1975 BUICK	4N39J5H538332
AV-49-86	1977 BUICK	4J57C7G108080
AV-50-86	1970 CHEVROLET	CE140T102355
AV-51-86	1971 CHEVROLET	164671T199570
AV-52-86	1973 CHEVROLET	1D29H3B562540
AV-53-86	1973 CHEVROLET	1H57K3B516021
AV-54-86	1973 CHEVROLET	1Y27F3W237315
AV-55-86	1973 CHEVROLET	1X27F3W104258
AV-56-86	1974 CHEVROLET	1N39U4C116434
AV-57-86	1976 CHEVROLET	1C29Q6B613166
AV-58-86	1974 DATSUN	HLB210502050
AV-59-86	1972 CHRYSLER	CL41M2C281215
AV-60-86	1972 DODGE	JH23C2B285148
AV-61-86	1978 DODGE	NL4508B178236
AV-62-86	1975 FIAT	128AF11961568
AV-63-86	1966 FORD	E14FH747923
AV-64-86	1967 FORD	7T01T163096
AV-65-86	1970 FORD	E36GH589642
AV-66-86	1972 FORD	2K92L180906
AV-67-86	1975 FORD	5E83E151611
AV-68-86	1975 FORD	5H25H203943
AV-69-86	1977 HONDA	SBA5063894
AV-70-86	1984 KAWASAKI	JKAL1NA16DB5369U3
AV-71-86	1973 MERCURY	3F93H577350
AV-72-86	1977 MERCURY	7Z62S608153
AV-73-86	1974 OPEL	OL15ND9175565
AV-74-86	1973 PONTIAC	2L69S3P101762

RESOLUTIONS Continued

AV-75-86	1974 PONTIAC	2F37A41515590
AV-76-86	1975 PONTIAC	2P45S5X123992
AV-77-86	1977 VOLKSWAGON	3372112293
AV-78-86	1972 FORD	2E66S153195

TOWN VEHICLES TO BE AUCTIONED

TV-06-86	1964 INTERNATIONAL	SB401054A
TV-07-86	1978 FORD	8A27H262555

The Auction will be held on Saturday April 26, 1986 at Town Impound Area, Route 58 Riverhead, New York at 9:00 a.m. Inspection of the motor vehicles will be on Friday April 25, 1986 between the hours of 10:00 a.m. and 3:00 p.m.

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

The resolution was thereupon duly declared adopted.

#227 DECLARES AMBULANCE AS SURPLUS PROPERTY.

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

WHEREAS, 1973 Wide Body Chevrolet Van has been inspected by the Municipal Garage and it is recommended that the vehicle has no value to the Town of Riverhead, and

WHEREAS, the Town Board desires to determine the vehicle as surplus property.

NOW, THEREFORE, BE IT

RESOLVED, that as surplus property said vehicle be sold to the Northampton-Flanders Ambulance Corps for a consideration of \$1, and

BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute any documents necessary to convey title of this vehicle to the Northampton-Flanders Ambulance Corps, and

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Chief of the Northampton-Flanders Ambulance Corps and Chief Halliday of the Riverhead Volunteer Ambulance Corps.

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

The resolution was thereupon duly declared adopted.

#228 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING PURSUANT TO EMINENT DOMAIN PROCEDURE LAW, RE: PUBLIC PARKING DISTRICT.

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 public use to be served by a proposed public project and the impact on the environment and residents of the locality,

RESOLUTIONS Continued

NOW, THEREFORE, BE IT

RESOLVED, pursuant to EMINENT DOMAIN PROCEDURE LAW, Article 2, a public hearing will be held by the TOWN BOARD, TOWN OF RIVERHEAD as governing body of RIVERHEAD PUBLIC PARKING DISTRICT NO. 1, on the 6th day of May, 1986, at 7:45 p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons as to the condemnation by the TOWN BOARD TOWN OF RIVERHEAD as governing body of RIVERHEAD PUBLIC PARKING DISTRICT NO. 1, to be used for public parking purposes, of premises north and south of First Street, including First Street, lying between Roanoke Avenue and East Avenue, all in the Town and Hamlet of Riverhead, consisting of seven (7) taking parcels whose reputed owners and Suffolk County Tax Map No. designations are as follows:

- T.P. No. 1-0600-129-01-005
Joseph Newman and Louis Markus d/b/a/
Riverhead Enterprises.
- T.P. No. 2-0600-128-06-000
0600-129-01-000
Town of Riverhead.
- T.P. No. 3-0600-129-01-008
Joseph Newman and Louis Markus d/b/a
Riverhead Enterprises
- T.P. No. 4-0600-128-06-000
Unknown but possibly: Congregational Church
of Riverhead and successors in interest to
Isidore Sigal, Ethel B. Fishel as Executrix,
Jacob Meyer, Inc. and Fenimore Meyer.
- T.P. No. 5-0600-128-06-060, 063, 063
Leon G. Baron.
- T.P. No. 6-0600-128-06-045, 046, 048
049, 050, 053, 054.061
Mavin Realty Enterprises, Inc.
- T.P. No. 7-0600-128-06-047
The Suburban Department Stores Company
of America, Inc.

and be it further RESOLVED, that the Town Clerk is hereby authorized to publish this resolution in five (5) consecutive issues of 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.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#229 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: ADDITION TO TOWN CODE OF CHAPTER 6, "BAY AND CREEK ORDINANCE".

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the addition of Chapter 6, "Bay and Creek Ordinance", to the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of May, 1986, at 8:00 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following addition to the Riverhead Town Code of Chapter 6, "Bay and Creek Ordinance".

ARTICLE I

Definitions

In this ordinance, unless the context requires otherwise, the following terms shall have the meanings indicated:

COMMERCIAL PURPOSE - The taking of shellfish for any use or purpose other than for food consumption by the person so taking or by such person's immediate family or household.

ENFORCEMENT OFFICER - A peace officer designated by the Town Board to enforce this ordinance including the Riverhead Police.

RESIDENT - A person who, during the period of not less than twelve (12) months immediately proceeding his or her application for a permit hereunder, has had a principal place of abode and domicile in and shall have actually continually resided within the Town of Riverhead for said twelve (12) month period.

SHELLFISH - Includes oysters, escallops, hard clams, soft clams, razor clams, crabs, shrimp, all kinds of mussels, skimmer or surf clams, periwinkles and conch.

TAKING - The actual taking or catching, and all lesser acts such as disturbing, or using any implement or device commonly used to take shellfish or other products of the waters, whether the result is taking or not, and includes every attempt to take.

TAXPAYER - A person who owns real property as shown on the assessment rolls of the Town of Riverhead but is not a resident as defined herein.

TEMPORARY RESIDENT - A person who is temporarily visiting and occupying living quarters within the Town of Riverhead.

RESOLUTIONS Continued

TOWN WATERS - Includes all waters and lands below the mean high water mark in any harbor, bay, pond, lake, creek or river in the Town of Riverhead, as shown on the Bay Bottoms Map on file with the Town Clerk.

ARTICLE II

Shellfish

Purpose.

The regulations for and control of the taking of shellfish from the waters and lands under waters in the Town of Riverhead are deemed necessary to protect the propagation of such shellfish, to preserve public peace and good order and to protect the public health and welfare.

Taking of shellfish restricted; permits and fees.

No person shall take shellfish from town waters unless such person:

A. Is a resident or taxpayer, as defined herein and has obtained a permit as prescribed by this ordinance.

B. Shellfish may be taken by resident or taxpayer upon first applying for and obtaining a shellfish permit from the Town Clerk of the Town of Riverhead. There shall be no fee for such permit, and such permit shall expire on the last day of the third year after the date of issue.

C. Shellfish may be taken by a temporary resident upon first applying for and obtaining a temporary resident permit from the Town Clerk of the Town of Riverhead. The fee for such permit shall be five dollars (\$5.00) for up to fifteen (15) days, ten dollars (\$10.00) for up to thirty (30) days, or twenty dollars (\$20.00) for up to ninety (90) days. Permits shall expire on the date marked thereof.

D. Shellfish may be taken for commercial purposes by a resident over the age of sixteen (16) years upon first applying for and obtaining a commercial permit from the Town Clerk of the Town of Riverhead. The fee for such permit shall be five dollars (\$5.00) and shall expire on the 31st day of December in the year of issue. A resident under the age of sixteen (16) years may obtain a commercial permit with parental consent.

E. Shellfish may be taken without obtaining a permit hereunder by a guest of a permittee if accompanied by such permittee or by a child under the age of sixteen (16) years who is a member of the immediate family or a resident or taxpayer. A guest shall be deemed to be one (1) person with the permittee for all purposes hereunder. This subsection shall not apply to a commercial permittee.

RESOLUTIONS Continued

F. No person shall take shellfish of any kind from the waters of the Town of Riverhead by means of, or with the aid of, any device or implement commonly used in the art or practice of scuba diving or by means of or with the aid of, any device designed to permit submergence beneath the surface of the water beyond normal human capacity.

Permit application.

A. Any person qualified as set forth may obtain a permit for taking shellfish from the waters or lands under the waters of the Town of Riverhead by making an application therefor and paying the fee as set forth above.

B. Such application shall be made in duplicate, in writing, in the form prescribed by the Town Clerk and shall state:

- (1) The applicant's name.
- (2) The applicant's residence with street and number, if any.
- (3) The length of the applicant's resident in the Town of Riverhead.
- (4) The applicant's age, sex, height and color of eyes and hair.
- (5) The applicant's domicile outside the Town of Riverhead with street and number, if any.
- (6) The applicant's real property owned in the Town of Riverhead with street and number, if any.
- (7) Any permits issued hereunder shall become void if the holder ceases to be a resident, temporary resident, or taxpayer.

C. Permits shall be in the form prescribed by the Town Clerk and contain the matters set forth upon the application. The original application shall be filed in the Town Clerk's office, and a duplicate application in the office of the Riverhead Town Police and a duplicate application in the office of the Town Supervisor. Permits shall not be transferable, and any person engaged in taking shellfish from the waters and lands under waters of the Town of Riverhead shall be obligated to disclose his name, address and current permit number to any enforcement officer. Failure to do so shall be presumptive evidence that such person has not obtained such permit.

Oysters.

A. No oysters shall be taken from the bottom of the waters of the Town of Riverhead by any dredge or mechanical device operated or powered either by sail or by an engine or motor.

B. No oysters shall be taken from the bottom or from any object affixed or appended to the bottom of the waters of the Town of Riverhead between the hours of sunset and sunrise.

RESOLUTIONS Continued

Escallops.

A. Escallops may be taken with a dredge or scape, having an opening at the mouth not to exceed thirty-six (36) inches in width, when towed by a boat operated by mechanical power or other means, provided that such dredge or scape is brought aboard by hand power without the use of a mechanical device, only from the bottom of the following described waters within the Town of Riverhead:

B. No escallops shall be taken from town waters between the hours of sunset and sunrise.

C. Escallops may be taken from the town waters of the Town of Riverhead during the period from the third Monday in September to March 31, both inclusive, in each year. Bay escallops shall not be taken on Sundays by use of a dredge or other device operated by power.

D. Only bay escallops having an annual growth line or measuring not less than two and one-fourth ($2\frac{1}{4}$) inches from the middle of the hinge to the middle of the bill may be taken. Bay escallops which do not meet the requirements of this section shall be returned immediately to the water where taken.

E. No escallops shall be taken from town waters by any device when towed by a boat operated by mechanical power, except as heretofore provided in Subsection A of this section.

Hard clams.

A. No clams shall be taken from town waters between the hours of sunset and sunrise.

B. Hard clams measuring less than one (1) inch in thickness shall be returned immediately to the waters of the place where taken.

C. No hard clams shall be taken from the bottom of the waters of the Town of Riverhead by any tool, instrument or device except the common rake and tongs used and operated by hand alone.

D. No hard clams shall be uncovered or located by any mechanically operated or power-driven propeller or by any other mechanically operated or power-driven device or means, and no cover, whether plant life or bottom material shall be removed by any such mechanically operated or power-driven propeller or by any such other mechanically operated or power-driven device or means.

Soft clams.

A. No clams shall be taken from town waters between the hours of sunset and sunrise.

RESOLUTIONS Continued

B. Soft clams measuring less than one and one-half (1½) inches in length shall be returned immediately to the waters of the place where taken, except for propagation purposes in town waters, and this may be done only after a written permit therefor has been granted by the Town Board upon written application therefor, subject to the supervision of the Town Board or a committee.

Crabs.

No person shall take female crabs bearing eggs visible thereon from town waters, nor offer for sale or possess same within the Town of Riverhead.

Starfish.

If any fish and/or crustacea are unintentionally taken, contrary to any provision hereof, they shall be returned to the water at once without unnecessary injury. Starfish, drills, drum fish and moonsnails, when taken, shall not be returned alive to the waters of the Town of Riverhead.

Shrimp.

No shrimp shall be taken from the waters of the Town of Riverhead by the use of any dredge, except by the light shrimp dredge and except by the minnow seine.

Special Authority.

A. The Town Board is hereby authorized from time to time to modify, amend or change the method or equipment used in taking shellfish whenever in their discretion they deem it necessary to protect shellfish propagation, or if shellfish are in short supply or their existence in town waters is endangered, upon given ten (10) days notice in the several newspapers in the Town of Riverhead.

B. The Town Board is hereby authorized from time to time to increase or decrease the limits on shellfish to be taken in one (1) day whenever in their discretion they deem it necessary for the protection of shellfish in town waters, upon given ten (10) days notice in several newspapers in the Town of Riverhead.

Limits.

A. Escallops.

(1) Commercial permittees may take ten (10) bushels per day. Two (2) or more such persons occupying the same boat while taking escallops may take in the aggregate not more than twenty (20) bushels in one (1) day.

(2) All other permittees may take individually one (1) bushel per day.

RESOLUTIONS Continued

B. All other shellfish as defined herein, except scallops.

- (1) Commercial permittees: no limit.
- (2) All other permittees: may take individually one-half (1/2) bushel.

Enforcement; severability.

A. This ordinance shall be enforced by any duly constituted law enforcement agency having jurisdiction within the Town of Riverhead.

B. The provisions of this ordinance are declared to be severable. If any section, sentence, clause or phrase thereof shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

ARTICLE III

General Provisions

Pounds; gill nets, fykes.

A. No person shall set, draw or cast any nets or seines in any of the freshwater ponds or streams within the Town of Riverhead.

B. No person shall cast, draw or set any net, seine or other device for the purpose of taking fish from the waters as shown on the official map filed with the Town Clerk.

C. No dock, mooring, pile, structure, fish pond or fyke shall be placed in the waters of the Town of Riverhead unless duly authorized by written permit of the Town Board.

D. No net, seine or other device shall be placed in any channel in the waters of the Town of Riverhead.

E. No fish traps or pounds shall be placed in the waters at any time, with the exception of fykes which may be set in any season, all such fykes shall conform to the following requirements:

(1) Hoops shall be not over five (5) in number or more than approximately three (3) feet in diameter.

(2) Wings shall be straight and not more than twelve (12) feet in length, each.

(3) Leaders shall be not over twenty (20) fathoms in length.

(4) Stakes shall be not over five (5) in number.

F. The number of fykes which may be set by any one (1) person between May and September 30, both inclusive, in each year, shall be no more than two (2), and each fyke shall bear the name of the owner thereof.

Otter trawls (beam trawls).

A. No person shall, by the use of any trawl, scoop, net or similar device, while the same is attached or fastened in any manner to any boat, float or device, pull, drag, shove or move in any manner so as to disturb, scrape or move any lands or the surface of any lands under any of the waters of the Town of Riverhead. This regulation shall apply whether or not any mechanical power is actually employed to move any such trawl, scoop or net.

B. Nothing herein contained shall be construed to apply to a bona fide dredging service while engaged in any work duly authorized by permit from the Town Board, to any bona fide haul seine not in excess of one thousand two hundred fifty (1,250) feet in length or to the taking of eels by a mechanically operated eel spear commonly known as an "eel dredge".

C. No person other than a resident shall pull, drag, shove or move any device in such manner so as to disturb any lands and the surface thereof under the waters of the Town of Riverhead.

Eel dredges.

No eels, fluke, flounders or fish shall be taken from the bottom of or caught from the waters as shown on the official map as filed with the Town Clerk by the so-called eel dredge, or by any mechanical device operated either by sail or power gas engine or electric motor between April 1 and November 15, both inclusive, in each year.

Derelicts.

A. No person shall abandon any vessel in any of the waters of the Town of Riverhead.

B. Any abandoned vessel shall be removed by the Town Board at the expense of the owners and shall be destroyed or sold to defray any expenses in connection with the removal or salvage of any abandoned vessel.

C. Any deteriorated docks bulkheading or spilings shall be removed by the Town Board at the expense of the owners.

D. The term "Vessel" as used herein shall mean any boat or floating structure, whether seaworthy or wrecked, which shall be left anchored or unattended in the waters of the Town of Riverhead for a period of ninety (90) days.

E. Notice of intention to remove or dispose of any abandoned vessel or dock shall be given by mail to any known or reputed owner at the last known address of said owner and by publishing a notice of intention to remove and dispose of any abandoned vessel in at least one (1) newspaper published in the Town of Riverhead at least ten (10) days in advance of such removal and disposition.

RESOLUTIONS Continued

Bays and ponds.

No person shall dam, open up or drain in any manner whatsoever any of the bays, ponds or streams within the boundaries of the Town of Riverhead unless duly authorized by written permit of the Town Board.

Docks, basins and ramps.

A. No dock, basin or ramp owned, controlled or operated by the Town Board shall be used by persons other than residents of the Town of Riverhead.

B. No person shall dock, tie up, moor or anchor any boat or floating structure whatsoever to or within fifty (50) feet of any dock owned, controlled or operated by the Town Board for a longer period than two (2) hours in any twenty-four (24) hour period, except for the purpose of making necessary repairs to machinery or hull, for the purpose of rendering such boat or structure sea worthy, to permit the same to proceed to a place of permanent repairs, the period allowed for such repairs not to exceed five (5) days. Nothing in this subsection shall be construed to apply to the following except for East Creek Marina.

C. No person shall place any obstructions or place, pile or store any nets, boxes, bait cars or fishing equipment or gear whatsoever upon any dock, wharf or pier or highway owned, controlled or operated by the Town Board.

Permits and applications

A. No person shall dig, dredge, or change the bottom of any of the waters in the Town of Riverhead, nor drive or place therein any bulkheading, dock, mooring or obstruction, nor deposit any material whatsoever nor empty any drain or sewage, in said waters, nor dig any boat channel or basin in any upland to afford access to any of said waters, nor cause same to be done unless authorized by a permit issued by the Town Board.

B. No permit shall be issued by the Town Board for any of the purposes described in subsection A hereof, except upon a written application in the following general form:

INSTRUCTIONS: No application will be considered unless accompanied by maps or sketches acceptable to the Town Board of the Town of Riverhead showing exact location and size of property in Riverhead Town at the waterfront and adjoining neighbors as required by the rules of said Town Board.

This application shall be signed by the owner of the property to be benefitted, improved or in any manner served by the project which a permit is sought, or by the person, firm or corporation by whom the work is to be performed acting as agent for the owner of the land.

RESOLUTIONS Continued

Unless the application is for the purpose of obtaining a permit to dredge, the last paragraph of this application is inapplicable. Applicants are advised that while the permit of this Board to dredge, erect a dock or bulkhead is necessary, a permit must be obtained from the Department of the Army, New York District Corps of Engineers, if in navigable or channel waters. A permit may also have to be obtained from the building department of the local municipality having jurisdiction.

Application for permit.

A. the application for a permit shall also contain the following:

To the Town Board of the Town of Riverhead [complete either (a) or (b)]

(a) the undersigned owner (Name), or (Address) or

(b) the undersigned agent (Name of Agent) of Address of agent), agent for (Owner's Name) of (Owner's Address), does hereby make application for a permit to do work as follows (state character and description of work):

The undersigned has read the rules of the Town Board as set forth on the reverse side hereof and is familiar with the same and agrees to fully comply with all provisions thereof, and has signed the reverse side hereof as part of this application. The undersigned further agrees to promptly place and maintain any signs required by said Town Board's rules and upon failure to do so, authorizes said trustees, their employees or agents to obtain, place and maintain same with the right to recover the cost of making, placing and maintaining such signs.

Dated: (Date)
(Signature of Owner or Agent)
Applicant

B. Any permit issued by the Town Board pursuant to the provisions of this Article shall be in the following form:

PERMIT NO.: Amount of fee received (Amount).
Person to whom permit was sent (Name).

An application having been made to this Town Board of the Town of Riverhead by (Owner) or Name of individual acting as agent or (Owner) residing at (Address) for a permit to (description).

Permission is hereby granted to perform or install said work subject at all times to the plans of maps filed with this Board and the rules of this Board, now in force or hereinafter enacted.

RESOLUTIONS Continued

This permit shall be subject to cancellation at any time by the Town Board. No work shall be done after the date of expiration. No extension of this permit shall be granted except for good cause shown and upon writtin application.

This permit is made in duplicate and in the event of any discrepancy between the copy and the files of this Board and the copy held by the applicant, the copy so filed shall control.

No permit shall be valid unless signed by the authorized officers of this Board and sealed with its seal.

This permit is void if not used within one (1) year from the date of issue.

Dated: Riverhead, New York, this _____ day of _____, 1986.

(Seal)

TOWN BOARD OF THE TOWN OF RIVERHEAD
Town Supervisor

C. All applications for permits and all permits shall contain on the reverse side thereof such rules of the Town Board regulating the purpose or purposes for which any such permits may be issued, as said Town Board shall from time to time adopt and enact.

ARTICLE IV

Penalties and Violations

Penalties for offenses.

Any person who shall violate any of the above provisions of these regulations shall be liable to a penalty of fifty dollars (\$50.00) to be recovered in a civil action; and every violation of said provisions shall constitute a separate violation for which a separate penalty of fifty dollars (\$50.00) may be recovered in the same action. Nothing herein contained shall prevent, impair or deny the maintenance of any action or proceeding to compel compliance with or restrain by injunction any violation of these rules and regulations.

Councilman Boschetti, "Before voting, I'd just like to say it gives me a great deal of pleasure to present this one. This particular resolution represents approximately three and a half years of research. Yes."

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#230 APPOINTING GEORGE BARTUNEK TO THE POSITION OF CHAIRMAN OF THE RIVERHEAD CONSERVATION ADVISORY COUNCIL.

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

WHEREAS, with the appointment of Joseph Baier to a position of membership with the Town of Riverhead Planning Board, a vacancy now exists in the position of Chairman with the Riverhead Conservation Advisory Council, and

WHEREAS, it is the recommendation of Joseph Baier that George Bartunek, presently a member with the CAC, be appointed to the position of Chairman.

NOW, THEREFORE, BE IT RESOLVED, that George Bartunek be and is hereby appointed to the position of Chairman of the Riverhead Conservation Advisory Council for a term beginning immediately and ending March 1, 1988, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to George Bartunek and Jane Stromski.

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

The resolution was thereupon duly declared adopted.

#231 REFERS PROPOSAL TO CONDUCT AGRICULTURAL INVENTORY TO THE PLANNING BOARD FOR THEIR REVIEW AND RECOMMENDATION.

Councilman Prusinowski, "Mr. Chairman, the agricultural committee would like to review this resolution further with H2M. So I move to table it."

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

WHEREAS, it is the desire of the Town Board of the Town of Riverhead to continue intelligent planning for the future of this community, and

WHEREAS, farmland comprises a vast majority of the land area of Riverhead, and

WHEREAS, Holzmacher, McLendon and Murrell, P.C.; consulting engineers, has submitted a proposal for professional services in connection with the inventory and analysis of all agricultural property in the Town of Riverhead, and

WHEREAS, the goal of such an agricultural inventory and analysis is to accurately inventory and analyze all actively farmed properties within the Township of Riverhead and to develop management programs and recommendations for the preservation of prime agricultural regions; and shall include but not be limited to such tasks as development of base maps for identified study area, delineation of agricultural activities, develop use rating schedule, field verification and finalization of designations, and computerization of inventory and analysis, and

WHEREAS, such an agricultural inventory and analysis would be essential to the establishment of policy regarding land management of farmland.

RESOLUTIONS Continued

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward to the Clerk of the Planning Board this Board's request that the Riverhead Planning Board review the attached proposal* of H2M and make its recommendation to the Riverhead Town Board as to the advisability of conduction such an agricultural inventory and analysis, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Clerk of the Riverhead Town Planning Board.

*See file for proposal

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

The resolution was thereupon duly declared TABLED.

#232 RECOMMENDATION ON ALTERNATIVES TO INCINERATION OF SOLID WASTE.

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

WHEREAS, that through the passage of the Long Island Land-fill Law, the State of New York has mandated that certain landfills on Long Island, including those currently operating within the five East End towns, be closed by 1990, and

WHEREAS, the preferred alternative technology to landfilling that has been advanced is the incineration of solid waste with energy recovery and

WHEREAS, the estimated costs of constructing a mass-burn incinerator would increase the costs of solid waste management within the Town of Riverhead by 500 percent, and

WHEREAS, the incineration of solid waste has been shown to produce unacceptable levels of dioxins admitted into the atmosphere as well as producing an ash which could be considered to be hazardous waste, and

WHEREAS, the State of New York has yet to identify the site for ash disposal which is environmentally acceptable, and

WHEREAS, an evaluation of solid waste alternatives completed by the Town of Riverhead's engineering consultant indicates that the preferred approach for the management of solid waste is the use of a secure landfill with low technology, energy, and material recovery,

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead take every action necessary to allow the continuation of landfilling on the East End through the utilization of lined landfilling with leachate collection and

BE IT FURTHER RESOLVED, that this resolution of the Riverhead Town Board be referred to Dr. Lee Koppelman, Dr. Aldo Andreoli, and Dr. Frank Cipriani in order that the matter be made part of their legislative agenda; that is to seek an amendment to the Long Island Landfill Law to both exclude the five East End towns from its provisions and to set fail-safe requirements for landfilling operations which would include regulations on landfill design as well as treatment of leachate, in order to ensure the protection of Long Island's groundwater.

4/15/80
RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Is there anyone who would like to add to the record of this meeting with comment or observation? I kind of felt Steve that you might have something on your mind."

Steve Haizlip, "On this number 232; if I'm interpreting it right and I'm listening very close, you're asking that by 1990 that we don't close. That we can get an extension of the landfill. But due to certain regulations it's going to be imposed that we can continue to use it. Is that correct?"

Supervisor Janoski, "Well if I could just in my words tell you what we're doing and you may know the State of New York has passed a law which is known as 1984 Landfill Law. In 1983 a landfill bill which requires that every landfill on Long Island be closed and that it cease operation. The municipalities of Long Island must now identify a way of disposing of solid waste which we, you and I, know as garbage. What has been identified as a method of disposing of solid waste is what we call resource recovery plants which are incinerators which burn the solid waste and the heat is used to create steam which can be used in that form or can be turned into electricity. However, this is very expensive. Resource recovery plants are multi-million dollar investments. The cost to dispose of a ton of garbage will, the resolution says, increase five hundred percent. There is an ash residue which is the result of the burning, incineration of garbage. No one knows what to do with it yet. The other item contained in our thinking is that the five eastern towns, Riverhead for example, has on a good day, a hundred tons of garbage. But yet we are mandated under the same law which addresses Hempstead which has a million people and hundreds of thousands of tons of garbage. So that our experts and people in the Health Department and Mr. Koppelman agree, that we should be able to continue the landfill in a secure landfill which would mean that it be lined, double lined, triple lined and that there be leachate collection systems so that we could pump out that residue, that liquid residue and that we put in place other safeguards. That that we should be able to continue to operate that way. And we are asking that they use their good offices in their legislative agenda to approach the state legislature of the State of New York to accomplish that amendment to the 1984 landfill law."

Steve Haizlip, "Ok. I understand. Today in reading Newsday on page 5, I have to bring this up. It saddened me very much that Mr. Frank Petrone is being forced to retire to do the job that he was appointed. I mean not retire, resign to do the job that he's been hired to do. Now, I always thought that when a head of a department has a regional manager and he goes out and does his job the way he sees it and he states no participation of state and county. Now he's getting beat on the head by Mr. Becton to change that report. If Mr. Becton wants that report

17/13/88
PERSONAL APPEARANCES Continued

Steve Haizlip, Continued

changed, let Mr. Becton change it. But throwing out Mr. Petrone's signature and put his own signature on their because this is the way we do business in the aircraft world. If I write up a report, my boss doesn't like it. I alone will void that report. He will write it up. And I don't get involved and then the later the finger is not pointed to me. But what Mr. Becton wanted to do, he wanted to point a finger at Mr. Petrone and said he's the one that okayed it and did it if something comes up later. So the man is getting beat on and ridiculed and it's not fair to him and I just wanted to bring that up."

Supervisor Janoski, "Thank you Bill. I mean Steve. I'm so used to thank you Bill, it just comes out automatically. Is there anyone else who wishes to address the Board? Then without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 8:30 p.m.



Irene J. Pendzick
Town Clerk

IJP:nm