

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, June 5, 1979 at 7:30 p.m.

Present: Allen M. Smith, Supervisor
George G. Young, Councilman
Francis E. Menendez, Councilman
John Lombardi, Councilman
Antone J. Regula, Councilman

Also present: Henry S. Saxtein, Town Attorney

Absent: Alex E. Horton, Supt. of Highways

Supervisor Smith called the meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Minutes of the Town Board Meeting held May 15, 1979, be approved as submitted.

The vote, Regula, Yes; Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

BILLS

Bills submitted on abstract dated June 5, 1979 as follows:

General Town	\$110,587.43
Special Districts	\$ 8,081.60
Special Discretionary Grant Acc.	\$ 763.00
Highway Barn Renovation	\$ 339.78
Capital Project	\$ 24,501.11
Community Development	\$ 3,779.94
Highway Item #1	\$ 9,260.90
Highway Item #3	\$ 3,978.34
Highway Item #4	\$ 2,267.62
Highway Item #3 Enc.	\$ 1,598.00

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That subject to complete audit the following bills be approved for payment:

RESOLUTION - continued

General Town	\$110,587.43
Special Districts	\$ 8,081.60
Special Discretionary Grant Acc.	\$ 763.00
Highway Barn Renovation	\$ 339.78
Capital Project	\$ 24,501.11
Community Development	\$ 3,779.94
Highway Item #1	\$ 9,260.90
Highway Item #3	\$ 3,978.34
Highway Item #4	\$ 2,267.62
Highway Item #3 Enc.	\$ 1,598.00

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

OPEN BID REPORT - TWO (2) NEW 1979 DUMP TRUCKS -
HIGHWAY DEPARTMENT

After being duly advertised the bid for the Two (2) New 1979 Dump Trucks for the Highway Department was opened by the Town Clerk on Thursday, May 31, 1979:

TRYAC TRUCK & EQUIPMENT CO., INC.
P.O. Box 98, Route 58
Riverhead, New York 11901

YEAR	<u>1980</u>	MAKE	<u>International</u>	MODEL	<u>2524</u>
DELIVERY DATE:	<u>December 1979</u>				
DELIVERED BID PRICE FOR:	<u>Two (2) Units as specified</u>				<u>\$50,845.00</u>
LESS TRADE-INS:	<u>One (1) 1970 International Dump Truck #15</u>				<u>\$ 6,850.00</u>
	<u>One (1) 1970 International Dump Truck #51</u>				<u>\$43,995.00</u>

* * OFFERED AN ALTERNATE BID ON 1980 MODELS - See specifications

FILED.

REPORTS

Supervisor's Financial Statement for the month of April, 1979. Filed.

Conservation Advisory Council - minutes of May 9, 1979 meeting. Filed.

Tax Receiver's report dated May 21, 1979 & June 4, 1979. Filed.

Police Department report for the month of May, 1979. Filed.

APPLICATIONS

Rotary Club, Riverhead - application for Carnival on Route 58, 6/12/79 to 6/17/79 Filed.

Site Plan - Costa Papson (Sol Niego) (loading platform for King Kullen, Route 58). Filed.

Dry Docke Lounge - application for off-premise directional sign. Filed.

Brasby's Restaurant & Lounge - application for off-premise directional sign. Filed.

Frank Schlegel - applicaton for Special Permit (office and storage building, Route 25, Calverton). Filed.

Jamesport Firemen's Association - application for a Bazaar on Route 25, Jamesport; 7/24 to 7/29. Filed.

At this time, Supervisor Smith asked the standing people to try to find a seat.

COMMUNICATIONS

Harvey Arnoff, 5/15/79 - letter of intent to amend special permit applicaton for airport. Filed.

Alex Horton, 5/15/79 - objecting to work being done on 50' right-of-way without permission of Highway Superintendent & stating no responsibility for any accidents. Filed.

John Berezny, 5/16/79 - requesting permission for temporary sign, "Pick your own Strawberries", on corner of Route 58 & Northville Turnpike. Filed.

Alex Horton, 5/16/79 - memorandum to Board stating \$25,000 would be necessary to repair Ostrander Avenue, also requesting approval for a new car. Filed.

COMMUNICATIONS - communications

Brasby's, 5/17/79 - advising compliance with request to remove sign in violation. Filed.

Southampton Town - Notice of Adoption, Zone Ordinance #26. Filed.

H2M Corp., 5/22/79 - forwarding plans & specs for Peconic River Marina & Park & project schedule. Filed.

Suffolk County Department of Planning, 5/23/79 - if no objection to adoption of amendments to Southampton Zone Ordinance, it will be assumed there are none. Filed.

Wading River Fire District, 5/24/79 copy of letter regarding "No Parking Fire Zone" at shopping center. Filed.

L.I. Reliable Corp., notification of fuel oil price change (higher). Filed.

H2M Corp., 5/24/79 - regarding soil borings for Doctor's Path Drainage Study. Filed.

H2M Corp., 5/24/79 - status report on Contract #1, Townwide Street Lighting. Filed.

H2M Corp., 5/29/79 - listing project schedule for Peconic River Marina & Park. filed.

Long Island Rail Road, 5/29/79 - listing 4 sites of grade crossing to be rehabilitated in June. Filed.

John Czygier, 5/29/79 - advising client, Frederick Zaiss, has suffered water damage at 321 Northville Turnpike asking for loss to be reimbursed to avoid law suit. Filed.

H2M Corp., 5/20/79 - copy of letter to County Department of Public Works regarding drainage on County Road 58. Filed.

Legislator William Richards, 6/1/79 - suggesting Town Board adopt resolution raising senior citizen exemption. Filed.

UNFINISHED BUSINESS

Special Permit Application - Courage Realty (Route 25, Jamesport for a gas station).

Site Plan Application - Ray McKay (Route 25, Aquebogue for a fish stand).

Special Permit Application - John O'Neill (Meeting House Creek Road, Aquebogue for marina)

Special Permit Application - Magee Service (10,000 gallon fuel tank, Route 58, Riverhead)

Site Plan Application - Guido Cricchio (cooler house, fish market, Wading River)

Supervisor Smith: "In reference to those matters listed as unfinished business, some of those that are in the proper place having been through the Planning Board, etc., may be acted on later on this evening by resolution.

This will bring us to that portion of our agenda where we will listen to anybody choosing to address the Town Board on any matter. Most of you, I assume, are here to offer testimonies or make comments relative to Mr. Brush's application for an airpark. Those of you that are here for that purpose either in support of the application or oppose to the application, I ask that you hold your comments until such time as we call the public hearing to order, which will be at 8:00.

If there are persons present in the room who choose to address the Town Board about any other matter other than that which is going to be the subject of a public hearing, now is your opportunity to address the Board with reference to those matters."

No one wished to be heard at this time.

RESOLUTIONS

#231

AUTHORIZES HOLIDAY PAY FOR POLICE OFFICERS TO BE PAID FROM FEDERAL REVENUE SHARING

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid Holiday Pay from January, 1979 through July, 1979, to be paid from Federal Revenue Sharing.

1. D. Cheshire

7½

\$489.84

RESOLUTIONS - continued

2.	J. Pleickhardt	6	\$447.92
3.	J. Swiatocha	6	\$392.33
4.	R. VonVoigt	6	\$447.92
5.	D. Weinand	7	\$522.13
6.	K. Woods	6	\$447.94
TOTAL			\$2,748.06

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#232 AUTHORIZES HOLIDAY PAY FOR POLICE OFFICERS
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid Holiday Pay from January, 1979 through July, 1979 as per P.B.A. Contract.

1.	F. Alexander	7½	\$581.61
2.	J. Becht	6	518.62
3.	H. Boden	7	574.26
4.	E. Curven	7½	587.21
5.	A. Densieski	7½	559.24
6.	T. Dorfer	7½	559.24
7.	A. Doroski	6	474.80
8.	W. Droskoski	7½	706.59
9.	J. Dunleavy	7	543.02
10.	F. Foote	6	447.92
11.	V. Gianni	7	522.13
12.	J. Grattan	7	610.37
13.	L. Grattan	7½	699.91
14.	D. Green	6	447.92
15.	L. Griffing	6	467.34
16.	A. Grossman	7½	622.62
17.	J. Hughes	6	447.92
18.	B. Keller	7	522.13
19.	J. Kurpetski	7½	581.61
20.	O. McDonald	7½	581.61
21.	L. Mazzo	7½	654.60
22.	V. Michalski	7	522.13
23.	L. Mickoliger	7	522.13
24.	D. Miller	7	522.13

<u>RESOLUTIONS - continued</u>			
25.	W. Moisa	7	\$548.24
25.	P. Paasch	7	543.02
27.	R. Palmer	7½	788.48
28.	W. Palmer	7½	621.70
29.	J. Psaltis	7½	559.24
30.	R. Quinn	7½	587.98
31.	D. Robinson	7½	700.83
32.	F. Rodgers	7½	559.24
33.	F. Romaniello	7½	559.24
34.	E. Sadowski	6	474.80
35.	J. Seaman	7	604.55
36.	M. Stewart	7	427.11
37.	A. Summerville	7	580.44
38.	P. Troyan	7½	559.24
39.	R. Underwood	7½	676.62
40.	W. Witt	7½	559.24
41.	D. Yakaboski	7½	559.24
42.	J. Zaleski	7½	559.24
		TOTAL	\$23,745.51

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

234 APPOINTS CHAIRMAN AND VICE CHAIRMAN TO THE ZONING BOARD OF APPEALS

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Patricia S. Tormey, and Kenneth Wells have been duly appointed to the Zoning Board of Appeals, and

NOW, THEREFORE, be it

RESOLVED, That Patricia S. Tormey be appointed Chairman of the Zoning Board of Appeals, and be it

FURTHER RESOLVED, That Kenneth Wells be appointed Vice Chairman of the Zoning Board of Appeals.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#235 PERMITS POLISH TOWN CIVIC ASSOCIATION TO HOLD ANNUAL FAIR

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

WHEREAS, the members of the Polish Town Civic Association wish to hold a fifth annual "Street Fair" in the area of Pulaski Street, and

RESOLUTIONS - continued

WHEREAS, the Police Department and Fire Department have been advised by letter of the plans and arrangements of the "Street Fair" and "Dance Festival", and

WHEREAS, obstructions will not be permitted in the street for the passage of emergency vehicles, if necessary

NOW, THEREFORE, BE IT RESOLVED, That this Town Board grant permission that Pulaski Street be closed to vehicular traffic from Marcy Avenue to Osborne Avenue; and also the lengths of:

Hamilton Avenue from the firehouse south to Lincoln Street; Sweezy Avenue from St. Isidore's parking lot south to Lincoln Street and Lincoln Street from Sweezy Avenue to Osborne Avenue;

during the hours of 10:00 A.M. to 8:00 P.M. for the purpose of a community "Street Fair", on August 18, 1979, and

WHEREAS, the members of the Polish Town Civic Association wish to extend the Annual Fair to include a Polish Dance Festival to be held at the Stotsky Park in Riverhead, on August 19, 1979, during the hours of 12:00 to 8:00 P.M.,

BE IT ALSO RESOLVED, that the Polish Town Civic Association be permitted to hold said Dance Festival on August 19, 1979, at Stotsky Park during the hours of 12:00 to 8:00 P.M.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#236 AUTHORIZES TOWN CLERK ADVERTISE FOR BIDS ON 2 DR
SEDAN FOR HIGHWAY DEPARTMENT

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of one (1) 2 Dr. Sedan for the 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 to be returnable up to 11:15 A.M. on June 18, 1979, and be it further

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on June 18, 1979 at 11:15 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on 2 Dr. Sedan".

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#237 APPOINTS AUTOMOTIVE EQUIPMENT OPERATOR - HIGHWAY DEPT.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Jeffrey Bates has satisfactorily completed his six month probation period,

NOW, THEREFORE, BE IT

RESOLVED, That Jeffrey Bates be and he hereby is appointed permanently to the position of Automotive Equipment Operator in the Highway Department at the annual base salary of TEN THOUSAND FIVE HUNDRED FIFTY FOUR and 03/100 (\$10,554.03) Dollars effective May 27, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#238 AUTHORIZES APPOINTMENT OF LIFEGUARDS TO RECREATION DEPARTMENT

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

RESOLVED, That the following be and are hereby appointed to serve as Lifeguards effective June 23, 1979 to and including September 3, 1979, to be paid bi-weekly at the following hourly rate and to serve at the pleasure of the Town Board:

Thomas A. Brady	\$4.15
Amy D. Carlson	3.15
James J. DeCarle	3.50
Christopher E. Gevinski	3.15
Frank F. Heimroth	3.15
James Q. Hirsch	4.15
Thomas M. Mullings	3.25
Emily E. Stewart	3.25

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#239 RESOLUTIONS - continued
AUTHORIZES APPOINTMENT OF BEACH ATTENDANTS TO
RECREATION DEPARTMENT

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

RESOLVED, That the following be and are hereby appointed to serve as Beach Attendants effective June 23, 1979 to and including September 3, 1979, to be paid bi-weekly at the hourly rate of \$3.00 and to serve at the pleasure of the Town Board:

Susan L. Fricke

James M. Gocha

Arthur P. Harrison

Colleen A. Larsen

Raymond J. Turula

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#240 AUTHORIZES THE APPOINTMENT OF RECREATION AIDES TO
THE RECREATION DEPARTMENT

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

RESOLVED, That the following be and are hereby appointed to serve as Recreation Aides effective July 2, 1979 to and including August 10, 1979, to be paid bi-weekly at the hourly rate of \$2.90 and to serve at the pleasure of the Town Board:

Sharon R. Bland

Elizabeth Crawford

Valerie Irene Fuchs

William C. Harrup

Sherry A. Kacherski

Donna M. Pevney

Lauren B. Reeve

Michael E. Ross

RESOLUTIONS - continued

Theresa Ann Ruzicka

Karen Scott

Cheryl Trent

Regina White

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#241 AUTHORIZES APPOINTMENT OF RECREATION SPECIALISTS TO RECREATION DEPARTMENT

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the following be and are hereby appointed to serve as Recreation Specialists (Swim Instructors) effective June 25, 1979 to and including August 17, 1979, to be paid at the hourly rate of \$3.15 and to serve at the pleasure of the Town Board:

Sally Lou Jayne

Barbara A. Scudder

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#243 PROPOSES ADVISORY REFERENDUM RE: NUCLEAR PLANT - HELD

Supervisor Smith: "With reference to resolution #243, there may be people who might like to speak on that one and we're at a point where maybe we can take a break and set up for this hearing that's coming up in ten minutes.

Mr. Arnoff and Mr. Gill, do you need chalk boards, blackboard? Does anybody have any charts? Where's Mr. Arnoff?"

Harvey Arnoff: "We have a couple of maps."

Supervisor Smith: "Do you need any chalk boards, blackboards, or things of that particular nature?"

Harvey Arnoff: "No I don't."

Supervisor Smith: "Let's then establish a few rules and start this hearing. As a preliminary matter, what I propose to do with reference to the hearing on Mr. Brush's application is this. Mr. Arnoff is here representing Mr. Brush. And Mr. Gill is here representing certain opponents to Mr. Brush's application. I propose that we give Mr. Arnoff and whatever expert witnessed he wishes to use, if any, the opportunity to present them, offering testimony as they did in the first hearing. Each confining their comments to ten minutes or less. The same opportunity being given to Mr. Gill, ten minutes or less each. I would then throw the hearing open to anyone choosing to address the Town Board. I would ask that each of you attempt to keep your comments within a five minute time range. If five minutes is not sufficient for you say what you wish to say, just tell me that as we reach the five minutes and after everybody's had their first five minutes. I will call you again to the microphone and you may take another bite of the apple, if you wish, but let's not try to make it into a half hour speech or something of that particular nature."

Harvey Arnoff: "My recollection at the last hearing in January, we alternated pros and cons with each speaker."

Supervisor Smith: "Would you like to do that again?"

Harvey Arnoff: "I would think that that might be advisable, then giving people a chance to respond to each person who speaks."

Supervisor Smith: "All right. I assume you are talking in terms of the public's participation in the hearing? Or do you want to alternate experts? That doesn't seem to make any great deal of sense."

Harvey Arnoff: "I don't propose to do anything but review what their experts may have to offer. I don't intend to offer anything affirmatively in the line of experts but rather in the negative point of view."

Supervisor Smith: "All right. Then Mr. Arnoff do you wish to have Mr. Gill begin, rather than you beginning on this thing?"

Harvey Arnoff: "I think I'd like to make some opening remarks."

Supervisor Smith: "Are either of you going to object to my convening this hearing about seven minutes early."

Neither attorney objected.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of public notice of a public hearing to be held at Town Hall on June 5, 1979 at 8:00 P.M. regarding the special permit application of Joseph Brush to operate an airport.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

Jules Singer, 76 Sound Avenue, Riverhead; May 31, 1979: Asks that permission to operate an airport be withheld, as it would have a very deleterious effect on his property and materially reduce its value. He fears danger of planes having accidents and noise pollution, and suggests the use of the Westhampton Airbase. Filed.

Robert Kaelin, 1099 Ostrander Avenue., Riverhead; June 4, 1979: Objects to the veracity and alarming nature of a full-page advertisement in the local paper, that he does not object to farmers using helicopters, but to the hazard of the way they are used, and asks that the Board favor the application. Filed.

Robert Krudop, 15+ acres in Riverhead, Gregory Carman, 90+ acres in Riverhead, and Myron Kaplan, 113 acres in Riverhead, June 5, 1979: Stating that they are unalterably opposed to this application, listing safety, devaluation of property and increased traffic. Voices no objection to applicant making profits provided they're not at the expense of his neighbors. Filed.

R.A. Leuthardt, East Moriches, June 5, 1979: Requests approval of application stating location as ideal and a privately owned airport is not a financial burden to the town. Filed.

PUBLIC HEARING - continued

COMMUNICATIONS BY TELEPHONE

Called June 5, 1979, unable to attend public hearing:

Mitchell Delavergne, 837 Harrison Avenue, Riverhead - wishes to be in favor of airport.

George Phillips, Flanders Road, Riverhead - wishes to be recorded as in favor of airport.

Peter Bistrim - wishes to be recorded as in favor of airport.

Supervisor Smith: "Gentlemen whether this is viewed as a new hearing or a continuation of the prior hearing, we will deem everything that has been received by the Clerk through the mail either in the form of a correspondence or petitions as being part of this proceeding and also the testimony given by experts or by the public in the prior hearing as incorporated in this proceeding, correct?"

Unidentified Speaker: "Together with all the reports."

Supervisor Smith: "Together with all the reports. Everything that's come into this point, that is part of this proceeding that there would be no technical objections by either of you for the Board to consider anything that has occurred in the prior proceeding. Mr. Arnoff would you begin?"

Harvey Arnoff, Attorney for the Applicant; "Certainly. Do you want me to use the podium?"

Supervisor Smith: "I do."

Harvey Arnoff: "I intend to be a lot briefer this evening than I was back in January. I think, the Board, the four members of the Board have heard my comments and I really don't think I have to repeat a great deal. We are dealing, as you are aware, with an amended application. The only part of the amendment being the re-location of Mr. Brush's airstrip, in accordance with a survey of some 810 feet. I believe it's west of Union Avenue. By virtue of this, what we have succeeded in doing is #1, conforming with the rules that's promulgated by

PUBLIC HEARING - continuedHarvey Arnoff continues:

the Department of Transportation and also additionally no where will there be direct flights or take-offs above anybody's residences. There's a sump at one end and I believe there's about 1400 feet of vacant land at the other end of this proposed airstrip, then we get to Sound Avenue. And further it's of applicable law, I would like to record to indicate that I served a notice upon adjoining owners by certified mail, those adjoining owners being John K. Cichanowicz, Alice Krupski, and the County of Suffolk. The County of Suffolk being the owner of roads as they abutt the land of Mr. Brush."

Supervisor Smith: "Could we have those either after you've copied them or however you wish to do it, to put them in the record."

Harvey Arnoff: "I would offer these. They are signed receipts."

Supervisor Smith: Okay, just give them to the Clerk, please."

At this time Mr. Arnoff gave Mrs. Pendzick the certified receipts of notices on the airport. Filed.

Harvey Arnoff: "It was back on March 14th of this year when I received, or shortly thereafter, I think it was the 16th which I received a letter from the Supervisor of this Town. He requested in that letter, and I think the public should be made aware, that myself and Mr. Ackerman, who was then the representative ostensibly of the opponents of this airport, sit down to negotiate an amicable settlement. Mr. Brush, with whom I immediately spoke, expressed a great desire to do that to avoid what we're going through today or tonight and the extra ordinary expense which everyone is going through. Great many overtures were made to Mr. Ackerman who was then the representative of the opponents and to this day, they have refused to sit down and negotiate or to even discuss any form of settlement where there might be a common ground. I feel everyone should be made aware of that.

I, too, notes with interest, the ad, the full-page ad, that was in the News-Review of Riverhead. There are a

PUBLIC HEARING - continuedHarvey Arnoff continues:

great many glaring inaccuracies in that. The first of many that I would like to point out is that Joe Brush is not Freddie Laker. He has no intention of flying DC-10's in and out of Riverhead Airpark. He merely wants a grass strip. Now that grass strip by virtue of its existence will dictate that nothing larger than single or two-engine aircraft will land or take-off. Certainly we can't envision what, I believe, an inflammatory ad would have us believe is a major jet port in the Town of Riverhead.

Additionally, as set forth in that ad, there is something that reflects that we intend to manufacture aircraft. That's not true. Our application is designed and perhaps it is inappropriately worded, but I think we made clear to the Board the last time, that we intend to repair aircrafts that need repair and to do that which is necessary, to existing aircraft. Mr. Brush does not intend to build airplanes, or compete with the local facilities at Calverton.

On my way home this evening, for dinner, leaving Riverhead, as I was traveling along Route 25, I believe it's a Smith Farm in Calverton, if I'm not mistaken at the end of the four-lane highway. I noted with interest that Island Helicopters or some other similar operation with helicopters landing and taking off. A great many cars were slowing down and there seemed to be a great deal of congestion. I believe there was a truck therefor support facilities, for fuel and support facilities for any of the chemicals that were put down on the farm. Now I think we can all recognize the necessity of helicopter dusting to the eastern part of Suffolk County and more particular of the Town of Riverhead. It's used. It's necessary for on a cost basis by the local farms, up until the recent closing of the airpark, the helicopters had been using Mr. Brush's strip as some form of central location to the best of their ability to then service the various farms in the area, thus avoiding this type of situation where there are volatile chemicals and whatever parked alongside our highways while children and whatever else go by. We have an airpark which we're going to establish. It's going to enable all the farmers and all the East End to utilize — by the East End, I don't mean from here to Montauk, but with that I mean within a reasonable vicinity of the airport to utilize this helicopter service.

I also know the interest of general business law which provides that if any type of aircraft takes off from the same spot more than once, it's technically an airport and I think I've had a minor discussion with the owner of. Island Helicopters and the last time he disagreed with me on that point. But I think on a purely technical basis, we could have each farm in the area as being an airpark. Additional, our

PUBLIC HEARING - continued

Harvey Arnoff continues:

application sets forth that we intend to have general aviation facilities.

We feel that there will probably at no time be more than ten to twenty-four aircraft located on the ground in that area. There will be private flying and some charter flying out of there, although that is not in the immediate future. The course area of photography, mapping, and maintenance repairs are implicit in what we're going to do. The support facilities which we intend to utilize and submit are those basically that are there and probably a rebuilding (at this time Mr. Arnoff was interrupted by a change of tape)...

I submit that the use of the airpark will not be adverse to any of the zoning ordinances and especially section 108 in the ordinance of the Town of Riverhead. I don't think and I think it can be established and has been established, and the use of this airpark will not provoke or substantially impair the reasonable and orderly use and development of any other properties in the area. They have been used for farms. They will continue to be used for farms. It's a green belt. The housing disadvantages to the neighborhood considering the location are at a minimum. Considering the advantages to be gained by the Town, by the proximity of an airpark at its various support facilities and its employment which it may render to the area.

There is again very little risk for health, safety, welfare, comfort, and convenience and order in this Town, mainly because it's in a remote area, to be sure there are a few houses, but they are not and I stress that, not in the flight path.

Now the element of noise pollution has come up and will come up again tonight, I'm sure. I ask each and everyone of you how many times you've heard an irrigation motor running twenty-four hours a day on a farm in the vicinity of Sound Avenue or at various hours and the noise it makes. Compare that to the noise of a single-engine aircraft that passes over once or twice and I think you have the comparison that I'm striving to reach.

Finally, I feel that the use of this airpark would be strictly in harmony with the general purpose of our statutes here and the ordinances of the Town. The location as I stress is suitable. Its characteristics are suitable and I feel the Town would benefit strongly from this type of an airpark.

There's one other thing that I mentioned recently to someone who called me in regard to this airpark and I hope someone will mention it tonight as a flier, which I am not, and that is that Mr. Brush's strip it's really Riverhead Airpark such that it has a peculiar characteristic. That characteristic being that it is probably the last landing area to fog in on the eastern coast, on the northern coast of Long Island. It provides a safe haven for fliers. We close that down, we

PUBLIC HEARING - continued

Harvey Arnoff continues:

close down one place where they may land and I submit, even that alone, is sufficient to allow the operation of the airstrip. Thank you."

Supervisor Smith: "Thank you Mr. Arnoff. Mr. Gill please."

Thomas E. Gill, 320 North Sea Rd., Southampton; "Good evening. I'm appearing in Council of Leonard Ackerman, the attorney of record. I represent the friends and neighbors of Riverhead, an unincorporated association and Mr. Newkirk and Mr. Hartmann. My job tonight will briefly be to put on the expert witnesses who will update their reports from the January hearing. So I'm going to go right to that and make some comments after the experts comment. The first expert is Norman Gerber who is a planning and consulting expert and he will briefly update his report and make whatever comments he feels is appropriate."

"My name is Norman Gerber. I have an office at 7 Green Avenue, Amityville."

Supervisor Smith: "Mr. Gerber is an expert witness. Do you swear that the testimony that you are about to give in this hearing will be the whole truth and nothing but the truth?"

Norman Gerber: "I do."

Supervisor Smith: "Thank you Sir. We can agree to waive any testimony about the credentials of Mr. Gerber, Mr. Arnoff. Mr. Gerber, to the point please."

Norman Gerber: "To the point. Essentially the report that was submitted back in 1978 is essentially the same as if it would be prepared from scratch tonight. The only amendment to the application was the re-location of the runway, about 810 feet to the west of County Road 105. I find, that this amendment does not at all change my opinions and conclusions reached.

In the first instance, that is, that this location for a general aviation facility is still contrary to the Town of Riverhead Master Plan, to the Suffolk County Master Plan.

PUBLIC HEARING - continued

Norman Gerber continues:

It will, in my opinion, be incompatible with the existing and permitted land development pattern in the surrounding area. It would in my opinion, set a precedent for possible further non-residential re-zoning. It would in my opinion, also have a problem in complying with the Environmental Impact Statement requirement which has not yet been taken care of.

I do not believe that this facility does satisfy the special permit provisions in the Town of Riverhead zoning ordinance. I think that, in addition, there has been much written and much money spent in the developing the Suffolk County Airport in Westhampton and if, in fact, there really is a need for additional general aviation facilities to serve this part of the Town, that location is not that far from Riverhead at all. And this is going to be the major general aviation facility. So it's not only a question of site specific problems, it's a question of general need for such a facility in the first place. Everything else I have to say, essentially, is contained in the report you have there before you."

Supervisor Smith: "Thank you Mr. Gerber. Mr. Gill your next witness please?"

Thomas E. Gill: "My next witness is an appraiser. His name is John Glander and he's going to make a few comments with respect to his appraisal that he formerly submitted."

"Good evening. My name is John Glander. I live in New Suffolk. I'm a Real Estate Appraiser and a senior member of the Columbia Society and my report basically states. . ."

Supervisor Smith: "Mr. Glander?"

John Glander: "Yes Sir."

Supervisor Smith: "Do you swear that the testimony that you are about to give in this hearing is the whole truth and nothing but the truth?"

John Glander: "I do."

PUBLIC HEARING - continued

Supervisor Smith: "Did you get an address out of that?"

John Glander: "I re-iterate — my reports stands as it did on January 16, 1978. If you gentlemen have any questions that . . ."

Thomas E. Gill: "I've got a few questions."

Supervisor Smith: "If you want to use that format, go ahead."

Thomas E. Gill: "Mr. Glander, in your appraisal on the first page, second paragraph . . ."

Supervisor Smith: "There's one problem, Tom, with this kind of a recording system you're not going to . . ."

Thomas E. Gill: "Second paragraph, it provides that that it is your opinion the damages to the neighborhood properties to the Riverhead airpark is as follows: 'Properties directly under the flight path of landing and aircraft taking off are reduced greatly.' Then you go on to say 'properties within the flight area and the general neighborhood by reason of the airpark are reduced by 25%. Could you assign a percentage to the value — the decline of the value of the property directly under the flight path of the landing and taking off of the aircraft?'"

John Glander: "Yes, I can. It is my opinion that the flight path — the property under the flight path would be reduced by 75%, and the adjacent property would be reduced by 25%."

Supervisor Smith: "We're here to learn some things and we're going to give everybody a chance to speak and say whatever they want to say and no shouting, no screaming. We're leaving that to the lawyers. They're getting paid for it."

Harvey Arnoff: "Have you ever done any appraisal work for the County of Suffolk?"

PUBLIC HEARING - continued

John Glander: "Yes."

Harvey Arnoff: "With regards to the farmland acquisition program. What is your opinion of the impact of the airport concerning adjacent properties with respect to the acquisition program?"

John Glander: "The development rights would be lowered. The value of the development rights would be lowered by the County of Suffolk, if and when they took property in that area. I have no further questions."

Supervisor Smith: "Mr. Arnoff."

Harvey Arnoff: "Mr. Glander are you familiar with the re-location of the airstrip?"

John Glander: "Yes."

Harvey Arnoff: "Are you familiar with what exists at the southerly end of the strip?"

John Glander: "Yes."

Harvey Arnoff: "Do you know what that is?"

John Glander: "Farming."

Harvey Arnoff: "More particularly 260 feet directly south of the re-located airstrip?"

Supervisor Smith: "Let's get it straight. Are you going north or are you going south?"

Harvey Arnoff: "I'm going south."

Supervisor Smith: "Towards Northville Turnpike."

PUBLIC HEARING - continued

Harvey Arnoff: "That's correct Mr. Supervisor. Well Mr. Glander if I talk you it was a sump, how much of the value would the County of Suffolk sump be reduced by the location of the airstrip since that is at one end of it?"

John Glander: "Obviously, I have not studied the sump of Suffolk County."

Harvey Arnoff: "Would it be fair to say that the value of the sump would not be affected in any way by a re-location of an airstrip?"

John Glander: "I have not studied that and I would not answer that question because I cannot."

Supervisor Smith: "Ask your next question Mr. Arnoff."

Harvey Arnoff: "And if there's vacant farmland at the other end of the strip, it's your testimony that the usefulness and the value of that farmland is reduced by virtue of the location of the airstrip? Is that correct?"

John Glander: "No question."

Thomas E. Gill: "Have you done any research or investigations as to other airstrips in the vicinity within let's say a twenty mile radius?"

John Glander: "Yes, I went to the Easthampton Airport. And the Easthampton Airport has a large buffer zone of industrial property. I also went to Mattituck Airport and I found property that was sold, I believe in, February of '77 — thirty-five acres sold for a lower price contiguous to the runway than general properties in the area of lower acreage. I also found . . ."

Supervisor Smith: "John, aren't these in your report that you gave us January 16th of 1978?"

John Glander: "That's correct."

PUBLIC HEARING - continued

Supervisor Smith: "So it's in the record."

Thomas E. Gill: "Mr. Glander, what did you find at the Easthampton Airport? What was the buffer zone consisted of?"

John Glander: "I'd say over 1,000 acres."

Thomas E. Gill: "What is the buffer zone? What is it zoned?"

John Glander: "It was zoned industrial."

Supervisor Smith: "All right. Mr. Gill do you have anybody else?"

Thomas E. Gill: "I'd just like to make a comment. Thank you Mr. Glander. I'd just like to make a comment at this time regarding Mr. Glander's appraisal. With regard to the County acquisition program, he testified that his opinion, that the development rights would be of a lesser value. I submit that the farmers may not be as willing to submit their properties to the county if they know their values are going to be lessened.

Now I'd like to call Mr. Ron Freeman, excuse me, Mr. John Newkirk from the development of agriculture. This is a new witness, so I'm going to have him introduce himself. This is Jonathan Newkirk. He's with the New York State Department of Agriculture. He's Executive Assistant of the Officer of the Commissioner."

Supervisor Smith: "Name and address Sir?"

"I am Jonathan Newkirk. Rail route #1, Middleburg, New York."

Supervisor Smith: "Mr. Newkirk, do you swear that the testimony that you are about to give in this hearing will be the whole truth and nothing but the truth?"

Jonathan Newkirk: "Yes I do."

PUBLIC HEARING - continued

Supervisor Smith: "Are we going to go through his credentials?"

Harvey Arnoff: "No I have one question, Mr. Supervisor. I would like this witness to identify whether he's here in an official capacity, or he's here as a witness called by them."

Jonathan Newkirk: "I'm here in my official capacity. I was requested — an initial appearance was requested by the group that Mr. Gill represents. But I do represent the position of the New York State Department of Agriculture and Markets in this proceeding."

Supervisor Smith: "All right Sir. Your expertise, your field is?"

Jonathan Newkirk: "I am a policy coordinator for Commissioner Barber for the New York State Department of Agriculture and Markets as it relates to agricultural land use questions and other policy issues."

Supervisor Smith: "Do you have a degree?"

Jonathan Newkirk: "I have a Bachelor's Degree, biological sciences, George Fox College, Newburg, Oregon."

Supervisor Smith: "All right. Thank you Sir. Your testimony please?"

Jonathan Newkirk: "I would like to submit my testimony for the record to save time, I'd like to address three points. One which relates to my being here as an official representative of the Department of Agriculture and Markets. We at the department are very sensitive that the decision making prerogatives that Town Boards have and sensitivity that Town Boards have of state agencies sticking their nose into a Towns' business. We're very sensitive of that for two reasons. One, Commissioner Barber serves as an elected Town Supervisor for a number of years and secondly, I'm very personally aware of that because my wife is a former Town Supervisor and presently serves as a Town Councilman on the Town Board. So I would like to put

PUBLIC HEARING - continued

Johathan Newkirk continues:

our statement in that context and that we would hope to point out some additional issues that we hope the Town Board would take into consideration as they made the decision.

These relate to that fact that on the eastern end of Long Island we have one of the highest concentration of primary cultural lands found anywhere in the State of New York. And as part of my testimony, I'm submitting two exhibits. The first exhibit lists the prime farmland, map and units which have been established by the United States to inventory prime unique and important farmlands in the United States. The criteria developed for the State of New York were developed in cooperation with my agency in which I was a member of the committee that worked with the Soil Conservation Service and other representatives to develop those criteria.

The second exhibit which is here is rather bulky, is a map of the important farmlands in the area that we are concerned about and it outlines prime unique important farmlands. There is two quotes that I would like to read from the information which is a part fo exhibit #2 which is prepared by the United States Department of Agriculture and I would like to adopt these as my own testimony tonight also. And these are that the important farmland maps of New York provide information for decision makers to help plan for the wise use and protection of the valuable natural resources.

The second one is which relates to the importance of primary cultural land which is becoming more important each day and which I highlight in my testimony relates to the question of energy and energy efficiency. It is important to emphasize that prime farmland is one of the most important resources of the nation. This exceptional land can be farmed continuously or nearly continuously in the proper management without degrading the environment. They will produce the most food and feed with the least amount of energy used. As I said earlier, we have the highest concentration of such land found anywhere in the State of New York on the eastern end of Long Island and in the Town of Riverhead. For those who just — two of the key points that I want to pull out for verbal testimony."

Thomas E. Gill: "Mr. Newkirk in referring to your exhibit #2, I see the area designated on this map is the Riverhead Airpark. It's interesting to know that when this was prepared, who prepared this?"

Jonathan Newkirk: "United States Department of Agriculture Soil Conservation Service."

PUBLIC HEARING - continued

Thomas E. Gill: "Note the area is known as River-head Airpark. Could you explain to the Board what the coloration is and what it means?"

Jonathan Newkirk: "Yes. There are several different shadings on this map. A lighter green, a darker green, a bright yellow, gray, and white. Gray areas are land areas, predominantly already converted to urban uses. So they didn't address the soil capabilities, or the technical . . ."

Supervisor Smith: "Mr. Newkirk, tell us about the land around the airport."

Jonathan Newkirk: "The land that the airpark presently sits on is in sod production. The land just to the east, I believe, it's County Route 105, I'm not entirely aware of that, it's a fairly new highway. Just to the east of that, I believe is in potato production. Just to the north of Sound Avenue is some wooded area. To the northeast is potato production and to the west is predominantly potato production."

Supervisor Smith: "And the quality of the soil in your testimony is good soil? Is that what you're telling me?"

Jonathan Newkirk: "Yes. It's the best?"

Thomas E. Gill: "I have no other questions. I'd like to put in the report of Mr. Newkirk together with his exhibit."

Supervisor Smith: "All right. Mr. Arnoff?"

Harvey Arnoff: "Mr. Newkirk, could the value of this land for agricultural purposes be diminished if they were unable to spray it?"

Jonathan Newkirk: "Well if they were unable to spray it at all . . ."

Harvey Arnoff: "By the use of helicopters today in

PUBLIC HEARING - continued

Harvey Arnoff continues:

today's society and the usefulness and dependence upon helicopters, would there be any substantial depreciation in the usefulness of this land as farmland?"

Jonathan Newkirk: "In the first instance, the denial of the application of this airport would not mean that they would not use it for helicopters. But the answer more specifically to your question, I am not knowledgeable in the area of agricultural land appraisals as specifically on eastern Long Island, so I could not address that question."

Harvey Arnoff: "I'm not talking about its monetary value, I'm talking about its agricultural value, its usefulness as agricultural property."

Jonathan Newkirk: "If it could not be airily sprayed, the yields that has been shown that the yields for potato production would be less."

Harvey Arnoff: "Now are you also familiar with the fact that another state agent has given its acceptance to this particular airstrip without meeting the Department of Transportation."

Jonathan Newkirk: "I do not believe the Department of Transportation gave its acceptance. I believe that the wording in the letter of the Department of Transportation said that the operation of the airport was consistent with the safety regulations of the State of New York. And I believe the wording specifically meant that this action did not in any way connote approval of this airpark by the Department of Transportation."

Harvey Arnoff: "Then you will agree there's nothing negative in that letter, will you not?"

Jonathan Newkirk: "There was nothing positive, nothing negative."

Supervisor Smith: "All right. Thank you Mr. Newkirk."

PUBLIC HEARING - continued

Thomas E. Gill: "I'd like to call upon Mr. Maurie Semel. I think he can expand upon the answer of the questions of Harvey Arnoff."

"I'm Maurie Semel, R.R. #1, Sound Avenue, Riverhead."

Supervisor Smith: "You're appearing in your professional capacity Sir? Do you swear that the testimony that you will give in this hearing will be the whole truth and nothing but the truth?"

Maurie Semel: "Yes I do."

Supervisor Smith: "Go ahead Sir."

Maurie Semel: "I'm going to respond to the question that Mr. Arnoff just asked because I think I have enough expertise in that particular field and the field of agriculture to answer that question. The helicopter operation as regard to spraying for the control of insects and diseases in our area is a common and ordinary use of an agricultural implement for the protection of the agricultural crops in our area and as such currently as constituted by regulations which abound throughout the country do not really require the use of an airport, airstrip, helicopter pad for the landing and take off of this particular piece of equipment to treat agricultural land. And as such, I do not think, the question that Mr. Arnoff posed has any particular relevance to the use of the helicopter operation protection for crops."

Thomas E. Gill: "I'd like Mr. Semel to put on record what his qualifications and credentials might be unless its stipulated."

Supervisor Smith: "We don't have the time. We accept the fact that the man is an expert in his field."

Thomas E. Gill: "Now I'd like to call Mr. Ronald Freeman. He's an expert with regard to airports in general."

"I'm Ronald A. Freeman. I reside at 5 Horseshoe Road, Mt. Kisko, New York."

PUBLIC HEARING - continued

Supervisor Smith: "Mr. Freeman, do you swear that the testimony you will give in this hearing will be the whole truth and nothing but the truth Sir?"

Ronald A. Freeman: "I do."

Supervisor Smith: "Go ahead, please."

Ronald A. Freeman: "The report which I had prepared for the purpose of the January 1978 hearing, which was presented at that time, is essentially the same report which I would have adopted and submitted tonight, subject to some very minor adjustments relating to the shifting of the proposed runway and the re-application. And I would like to have that re-submitted tonight. I have it re-dated, January 9, 1979 and I do wish to emphasize a couple of points that were contained in that report just so they don't get overlooked.

One key point relates to our Suffolk County Airport at Westhampton. At the time of the initial report submission, I made reference to the fact that the F.A.A. had made a grant for a master plan study. That master plan study for the Suffolk Airport has now reached a stage of its final draft and I would like the report to be submitted into your record for its value in general discussion as to the nature of the facility, plans for its use as a general aviation facility, with the point being that its proximity to the location under consideration here tonight being within five or ten minutes would indicate the necessity for another general aviation facility would be as questionable. We should not look for proliferation of aviation facilities, but rather attempt to concentrate the uses where some controls can be exercised.

The granting of the application would create a continual use, even though its now discontinued which would have an adverse effect on potential for residential development and I believe would be countered to plans which currently exist, master plans be they may. Once the door is permanently open to such use that could expand, the use of these light aircraft can be objectionable from a noise point of view to residences in the areas of the take off and landing pads. That's all I have to offer."

Supervisor Smith: "Thank you Mr. Freeman. Mr. Gill do you have any further questions or inquiries or witnesses?"

Thomas E. Gill: "No I have none."

PUBLIC HEARING - continued
Supervisor Smith: "Mr. Arnoff?"

Harvey Arnoff: "None."

Supervisor Smith: "None of Mr. Freeman. Now Mr. Gill are you going to say something and wrap . . ."

Thomas E. Gill: "I'm going to say a few brief words. Before I do that, I'd like to submit a petition that has been signed by sixty some odd residents representing some odd 3500 acres. I'd like to point out that this was done hastily within the past few days. I think I share the opinion of the Town Board, that zoning matters are not a popularity contest otherwise we would do them by referendum, but I think it is at least worth it that the owners of 3500 acres were able so quickly to get together and petition the Town Board for a denial of the application."

Supervisor Smith: "All right. Submit it please."

Thomas E. Gill: "I believe a few people have indicated to me that — who will describe the area of the property that there is a house adjacent to the airport that planes have flown very low over their homes and I'm going to defer that to the people who talk on that. I do have a question regarding the involvement of the Suffolk County Planning Commission. I don't know if Mr. Arnoff or the Board can answer this question for me but has this matter since this application has been amended, has it been re-submitted to the Suffolk County Planning Commission?"

Supervisor Smith: "I can't answer that off the top of my head. But during the break we will look into that."

Thomas E. Gill: "I just want to be certain that the Suffolk County Planning Commission recommendation is in the record."

Supervisor Smith: "It is."

Thomas E. Gill: "At this point, I have no further questions."

PUBLIC HEARING - continued

Supervisor Smith: "All right. We've been at it for an hour this evening. What I would propose to do is give our stenographer over here a chance to rest her fingers for five minutes and we'll get back and let the public portion of this hearing begin."

Supervisor Smith recessed the hearing at 8:35 for five minutes after which the meeting resumed at 8:44.

Supervisor Smith: "In the same sequence, if we could please. I'll begin and recognize people as fast as we can. I will not be taking any testimony from the public in a sworn nature. If anybody wishes to give sworn testimony we will be happy to take it that way and I will take it in the same sequence as that we have begun. First with someone in support of the airpark and then someone in opposition. Would somebody, you Sir standing up. Are you in support Sir?"

Edward Przybylinski, Port Jefferson; "I'm a G.I. Government Trained Pilot for thirty-three years, didn't cost me a penny to fly and also I would like to say in support of this airport I took a stress test for Nassau and I was one of the first to get these pictures of the moon. This is Frank Vernon, Lovell, and Nandez, autographed. This is one of the first pictures of the moon— of the earth rather from the moon. And this is the other pictures if anyone wants to examine them, by all means do so. I'm in support of that park."

Supervisor Smith: "Yes Sir. All right. Thank you Sir. Now someone in opposition to the airpark? Mr. McCombe?"

Thomas E. Gill: "I'd like for him to get sworn in."

Supervisor Smith: "Give your name and address to Mrs. Pendzick, please."

"I'm Clark McCombe, 79 Sound Avenue, Riverhead."

PUBLIC HEARING - continued

Supervisor Smith: "Mr. McCombe, do you swear that the testimony that you will give in this proceeding, this hearing rather, will be the truth and nothing but the truth?"

Clark McCombe: "Yes I do."

Supervisor Smith: "Proceed Sir."

Clark McCombe: "First I'd like to correct the misimpression that Mr. Arnoff gave us that there's no house at the northern end of the runway. At 77 Sound Avenue, which is the house that I grew up in, is directly across the street. It is not represented on the map that Mr. Arnoff has, but on the northern side of Sound Avenue and it lines up. If you look down, you can look through the master bedroom window and see the northern portion of the sump which is on County Road 58. And right now my cousin Heida Poliska lives there with her husband and two children. They're here tonight. They have told us that if this airport is approved, they think they feel they will have to move because of the danger.

Mr. Arnoff says the runway is 1400 feet from the house, but still that is awfully close for someone to be living when they're going to be looking down a propeller every time a plane takes off and in light of the crash two weeks ago at Zahn's Airport in Massapequa where six people were killed altogether, and two were killed in their bed while they were sleeping. I think this should really be brought to the Town Board's consideration.

Now the property that that house is located on is owned by myself and my two brothers and we're the ones who are the victims in this because according to Mr. Glander, the appraiser, it would be devalued by 75% and we intend to live here in Riverhead and to farm here and we don't see why we should give up 75% in property value in the land that we work so hard to keep for someone to benefit from. It's just going to be taken away from us if this airport is put through. And let me say that we have no intention of letting that happen.

Now I think perhaps I should review for the Town Board, some of the things — the agony that we've gone through these past eleven years trying to stop this airport from being put through. In 1969 was that Mr. Brush came to my father, Mr. Reed, Mr. Hartmann, and there was a meeting in Mr. Hartmann, Senior, Mr. John Hartmann is still alive and this was on Sound Avenue. And Mr. Brush proposed to have a grass strip for his own use and he said for his one or two friends to fly in once in a while for a barbecue. Now no one opposed this at all. Everyone shook hands on it. It was agreed that

PUBLIC HEARING - continuedClark McCombe continues:

a grass strip was going to be fine. But within weeks there was a newspaper article describing a stall port that Mr. Brush proposed to introduce to service New York City. Now Mr. Brush broke his word to his neighbors and the neighbors felt very deeply about this and there's different talk of why there's opposition to this, but Mr. Brush broke his word. He said that this was going to be an airstrip for his use alone and for a few friends and what he was looking for was a full fledged commercial operation.

Now when the neighbors found out about this in the newspaper it was brought before the Town Board in the hearing of 1970. Now at the hearing when there were quite a few complaints that all the neighbors raised and they still apply today. The noise of the aircraft whether it be single engine or twin-engine aircraft, the danger involved, because it is a residential area and the substantial loss of property value. Now as it stood then, the Town Board decided, Mr. Young was a member of the Town Board in 1970 the Town Board decided that an airport was inappropriate and they fought it five to nothing against that airport. And after that we thought the issue was settled, Mr. Brush had his grass stripped, he still had his plane which he was allowed to use. His grass strip was perfectly legal for his own use, but we noticed right away that there were a number of other planes flying in and out of there and this activity continued and we felt that we had to find some way to stop this because it was illegal. And I remember going with my father to the former Supervisor's Office to find out how we could stop this airport from operating across the street from us. We were given the run around, quite frankly, by the Supervisor, and both the Town Board then. We were referred to the Police Department. There we were referred to the Building Department and at the Building Department we were referred to the Town Board. This continued right up to 1977, until Mr. DeLuca finally shot down this illegal operation.

During that period of time there were several crashes of airplanes and I'd like to point out that one of these happened after midnight. I think the application stated that the flying would be restricted to daylight hours, but in fact during the time Mr. Brush was acting in defiance of the law, there were planes flying after dark and there was a specific crash. The newspaper stated that June 11, 1973, Newsday, and the Town Police said the Riverhead Airpark accident happened just after midnight yesterday, Gregory A. Falk, 3 Oxford Lane, Smithtown was piloting a four passenger

PUBLIC HEARING - continuedClark McCombe continues:

cessna 150 into a landing at the airport, a grass landing strip between the potato fields off Union Avenue, Aquebogue. The police said that Falk told him that the plane's engine acted erratically and that as the plane was landing, the right wing hit a utility pole and the plane crashed. The damage of the plane was estimated at \$4,000 to \$5,000. Now that was one crash. There were several. Another crash occurred where there were pieces of debris on our front lawn.

Now when that happens and the proposed runway is only 1400' from the house that I grew up in, I feel that is unsafe and if I was living there now, I don't think I would feel safe there and I'm certain that if I try to rent that house or try to sell it some day, being directly at the end, lined up with the runway, I wouldn't be able to do it. Who would move into it."

Shouts from the audience.

Supervisor Smith: "Wait. No debates. Mr. McCombe it's approximately five minutes. Do you have any additional points you might like to add in this initial comment and such that if you wish . . ."

Clark McCombe: "I think that if in just another minute and I could say . . ."

Supervisor Smith: "Sum it up quickly."

Clark McCombe: "Another issue, I don't know if it was brought to the Town's attention was the possibility of a flying school. In fact, I don't have specific evidence of a flying school operating at Mr. Brush's strip, but there was a yellow and white plane that my father inquired about and the pilot who, after a time of flying over our house and just circling it, we lost count after twenty times, my grandmother was ill and was very much bothered by the noise. My father went to see the pilot and asked him if he could please circle somewhere else. The pilot responded tough, we have an F.A.A. flight plan. Now I can't believe that the F.A.A. is God, but it seems that this plane was used for training purposes and that particularly, I feel and I would assume that a great many people would feel unsafe.

To sum up, as far as planes using our land as a right-of-way, the markers on the high tension wires along Sound Avenue indicate the planes are flying well below 500 feet which is the

PUBLIC HEARING - continuedClark McCombe continues:

legal limit over a stationary object and telephone poles have been taken down along Northville Turnpike which is an indication that the planes are flying below 500' there. I'd just like to say that the land that these planes are creating a right-of-ways through is zone: class A residential.

We're paying \$13,000 a year taxes on that land. That kind of money is not easy to come by. And in fact of the property devaluation and just the continual annoyance and harrassment received, I don't see how I could sit still and let this airport be pushed through. And I think rather than having the issue settled in court, it would be much better for the Town Board to stand up now and oppose this application. I'm asking the Town Board to do this on behalf — or as I am a member of this community and I'm a property owner and I'd just like the Town Board to consider the things I've said this evening."

Supervisor Smith: "All right Sir."

Clark McCombe: "Thank you."

Supervisor Smith: "Thank you. We will have someone in support of the airpark. Your name please to Mrs. Pendzick."

Arthur T. Seaman, 78 Sound Avenue, Riverhead; "It's been pointed out once before — I'm not a property owner — whether Mr. Brush gets the airport, it's no consequence to me. He can't hurt me. He can't do anything for me. As far as safety, I'm about as close as you can get to the runway. The planes go right over the house I'm living in or did and I feel it's a lot safer up there than it is right up on the corner there that Mr. McCombe is talking about. There is by the way, one street light that is missing that is in front of Mr. McCombe's house which would help the safety of that corner, by the way. If Mr. McCombe would like to sell that house right here — And as far as me, I have heard very little noise from the aircraft, really. And I feel it would be better for Mr. Brush or anybody else that wants to run it, that airpark out in the middle and have the helicopters manning out there. You drive around Town and you see the helicopters doing their thing, and all these Sunday drivers lolly gagging around, I'm sure we have more than one little fender bender. That's all I have to say."

Supervisor Smith: "Thank you Sir. Someone in opposition?"

PUBLIC HEARING - continued

Dr. Caryl Granttham, 73A Sound Avenue, Riverhead;

"What I have before me and the bureaucrats have done it again. A paragraph from the letter of the D.O.T. dated, April the 30th which I understand, you, the Town Board was waiting for before this hearing could be called or a decision made on this special application made on this special application. I'd like to read it to you, if I may. This determination that is namely the removal of the airstrip 810 feet to the west of the present airstrip reads as follows:

'This determination should not be construed to mean State approval of the physical development involved in the proposal as the law does not give us that authority. Our determination is concerned only with the effect that operations of an airport will not conflict with or affect the safety of public buildings or facilities, or operations on public highways or waterways and so on.'

I can only tell you that I live, as well, to the northwest of this proposed airstrip. The planes take off if they're turning back south right over my house. I believe there is a 500' requirement. There have been many times when I've counted as high as twenty planes on a weekend or on a Sunday right over the house.

I have no objection, by the way, I live in that area by choice. I have no objection what-so-ever to the private use of the airport as it should be called in terms of the fact of his own use. I have no objection what-so-ever to the helicopters. They have been used all around us. They land on ends of property, on ends of farmland when they imply that this endangers the public highways or indeed restricts it in any way, the operation of helicopters that's a total misconception and I hope it doesn't confuse the public.

I would like to read just briefly, if I may, from the Sunday New York Times, June the 3rd, Pilot errors, blamed in most small plane collisions. Now this is a report that's just been released by the National Transportation Safety Board which says in effect the safety board in approving this study by a three to one vote noted that it had determined that pilot error was involved in 86% of all accidents of small planes and that 90% was due to pilot error in the case of fatal accidents.

And I don't need to refresh you. It's already been mentioned to you about the accident recently in Massapequa when that small plane was headed in exactly the wrong direction and hit a residence with two sleeping people and six people were killed as well as the very same incident that day, when at Selden at hours later, another small plane crashed also in the vicinity.

I would like to go back though, as important as I think the safety issue is. The real crux and my real concern is really the first part of this paragraph which came in that letter to you or to Mr. Fishbein from the D.O.T. in effect which said that they do not imply by this approval of any of the physical developments that might concur if this airport were — if this special

PUBLIC HEARING - continuedDr. Caryl Granttham continues:

permit is granted.

This is my master plan. Nobody worked harder for this guy than I did. Money was spent and hours and hours of time and consideration. I think we all said that we love this community. We need a guide that will give us some pattern in the future in the public interest. I don't think I could ever be accused of speaking in my own interest. If I've ever done anything in this community, it's been in general for the public welfare. I'd like to read you just very briefly two selections. This is to the introduction.

'Although Riverhead's population has grown comparatively slowly as predicted, guidance and a development for a master plan, the area of need may be different in view of different people. But this Master Plan seeks to achieve a balance between the various concern for Riverhead's future development and the general welfare. General agreement has been reached on the basic concept of such a plan and that it is needed if effective guidance and implementation be realized.' That's the introduction.

I'd like to read you, you could just pick it up any place, and I'd like to read you from the Master Plan, page 8, dated as you well know, 1973.

'The general concept of development projects for Riverhead's more intensive development in an Urbanized Development Band approximately two miles deep in a north-south dimension, parallel to and just north of the Peconic River open space preserve and bays. The high traffic volume Long Island Expressway, providing access to this development area, is located either in or on the edge of that area. All public utility services, traffic generators, transportation services will also be located within the Urbanized Development Band. With the exception of existing localized intensive developments, this general concept of development provides for relatively low intensity residential development and open space preserves, both public and private, to the north of this band in what is called a Low Density be made in cooperation with the owners of farmland to preserve this resource in a manner beneficial to all concerned. As a result, all public sewer systems and so should be considered out of that band, and I could go on and on with that.'

And as you well know, the addendum came out of many hearings was the fact that no concern was more greatly expressed than what happened to Sound Avenue and later on went on to take some credit for getting it set aside as a historic corridor. And again, it makes the same point that this is so unique and so special that it has to be given special consideration. I can tell you from experience having been active in historic preservation for the last several years that you'd be surprised in the number of comments I get from all directions to keep the special quality of the north low residential open space area. Once intrusion is made, this foot is in the door, and that's the end of it. And I'd like . . ."

PUBLIC HEARING - continued

Supervisor Smith: "If you have a specific point?"

Dr. Caryl Granttham: "One moment. If they want to quote numbers with me, do it. I don't know if you people fully realize the amount of tourism and trade going on on Sound Avenue. People come to pick their own, to shop at the various stands, to travel and sightsee and enjoy the area. I don't see industrial intrusion improving that. We have one of the easiest, cleanest, quickest sources of revenue from that and it can well be developed. And in conclusion, I want to read to you . . .

Supervisor Smith: "Doctor let's . . ."

Dr. Caryl Granttham: "Very very briefly, because I feel so very deeply about it and I thank you for your indulgence. This is the conclusion.

'The Town of Riverhead has a considerate amount of undeveloped land and farmland within its borders. Yet, the total number of acres available is a finite quantity. The Environmental Plan is based on the philosophy that the natural environment and the quality of life should have a high priority in this Master Plan. This means that the community cannot successively develop and discard any substantial areas of that community. Eventually, such a policy would only lead to the destruction, natural environment and the quality of life in Riverhead'

I, therefore, strongly urge you to consider in the public interest the rejection of this special permit. Thank you."

Supervisor Smith: "May we have someone in support, Mr. Rogers."

Fred Rogers, P.O. Box 169, Aquebogue, N.Y.; I work for Joseph Brush. I'm his assistant. Of course, I urge the opening of the airpark. Several points were brought up that I want to explain to the people.

One, if we are open, we probably may have a small school. This is more or less common knowledge. The orientation of the schools is very important. The prime consideration is to keep the pilots that are based there and the pilots that fly in current on all the latest changes in F.A.A. regulations make sure they're checked right to current, minimize any accident due to pilot neglect or due to a time lapse has flown or not.

PUBLIC HEARING - continued

Fred Rogers continues:

We also plan to maintain whatever few based airplanes there are there, we will maintain a record of them, make sure they're annualled property if they want to stay on the field. Make sure they stay in compliance."

Supervisor Smith: "Mr. Rogers, for the record, we know you and unfortunately, someone reviewing this tape at a future date, doesn't know you. You are a certified instructor, etc.?"

Fred Rogers, "Yes Sir. I'm a certified Commercial Pilot with an instrument rating and I'm also a certified flight instructor."

Supervisor Smith: "All right, continue please."

Fred Rogers: "Safety is one thing that we are going to adhere to on the field.

Another point that I would like to bring out that was mentioned as far as the grass goes, there's going to be no paved areas. There's going to be a grass runway. What's grass now, it's going to continue as grass. Also what was mentioned before, it's just going to be a light aircraft. And things, in my opinion, have been blown out of proportion considerably. So this is what I'm going to leave you with at this time."

Supervisor Smith: "Thank you Sir."

Fred Rogers: "I urge that you support the airpark."

Supervisor Smith: "Someone in opposition."

Dr. Al Smith: "I'm neutral."

Supervisor Smith: "I'm neutral?"

Dr. Al Smith; Northville area, Riverhead; "When we had the hearing way back in '70, there are a great many fly boys from all over the east coast that came to give their opinions.

PUBLIC HEARING - continuedDr. Al Smith continues:

And at that time, they went on to tell out they were not frivolous. They were not taking chances. And then as you all know, somebody got up and said they were driving down Northville Turnpike and a plane came down and hopped over them. And Mr. Hartmann was plowing his field and he saw this and they got up and said it can't be. It wouldn't happen. These boys are not that irresponsible. And then one woman got up and said she was in the car. And that was the thing that blew if off.

I didn't know about the details of this accident that occurred down there, that Mr. McCombe read off a little while ago. This is a fly boy who is a very experienced pilot and that night about 11:00, he flew over our house and we all went out to see what was going on because he just came over the top of it. And he made a couple of circles around the house next to us and this was to alert his cousin that he was going to land down in that park and he knew damn well it didn't have any lights on it. He had no trouble with his plane. He was going to land down in that park that night and the cousin was to go down and pick him up by car. The cousin went down there and when he did, the guy crashed in the field. He was using a plane of a doctor from I think it was Freeport and he crashed the plane, but this was no accident. This was a planned thing. Now if this is going to happen again, we're going to have more of these. I didn't know the details that were given. The F.A.A. went through it and investigated it and the kid is still flying around."

Supervisor Smith: "All right Doctor, thank you. Now Mr. Rambo."

Harry Rambo, 612 East Main Street, Riverhead; "I just want to answer Dr. Granttham. I have something else I'd like to bring up later, but before I forget, the statement she made I have a copy of her Master Plan for the Town. She should have known it if she made it. I turned in at the last meeting in 1970, page 34. That brings up the issues of airports. And it mentions that Riverhead should indeed have an airport. And it says: 'Such a facility would be a considerable asset to the Town.' It doesn't mention Joe Brush's or anybody elses. But the Town of Riverhead needs an airport. And as to where it should be well there was plenty of discussion on that. But this Master Plan says it and the Board has a copy. I gave you some. I just wanted to bring it up at this point because the Master Plan, as she says shouldn't have any airports in it."

PUBLIC HEARING - continued

Supervisor Smith: "Okay, someone in opposition.
Mr. Nohejl. "

Bill Nohejl: "Neutral."

Supervisor Smith: "This has got to be a first."

Bill Nohejl; Wading River; "Do you gentlemen know of the plan of the airport?"

Supervisor Smith: "Why don't you raise certain considerations that you think are important and ask that we take note of them, okay."

Bill Nohejl: "I'm asking you or the Planning Board. do you have plans of the airport?"

Supervisor Smith: "There is a survey with the layout of the strip. Essentially as Mr. Arnoff has set it in motion this evening and that the prior occasion they're talking about the present facilities that are there or the one that was burnt down."

Bill Nohejl: "The public is not aware of this. This is why I have been continuously at other meetings asking for a description or a display for the general public to show a diagram of the properties and the airport or whatever is to be on it, post it. Now look, George, this is only a little paper. I ask continuously for something to be posted, legible to the back of the room so every individual in the Town who is concerned can see it and be aware of what is going on. And that you have failed continuously to do this. And I state it should be done for the public. You know the Planning Board, the people who are presenting it know, but the public does not know it."

Supervisor Smith: "In a very few moments we will get a thumbtack type board in the lobby out there. We'll get a copy of the site plan and we will get it posted for you. Someone in support? Mr. Velys."

PUBLIC HEARING - continued

Bill Velys, Aquebogue: "One note, because of the geographical location of that airport and stays free from fog considerably longer than Suffolk, Easthampton and Brookhaven. And I have been forced to land at the airport because I couldn't get into either of the other three."

Supervisor Smith: "Again so the record — the written page knows you're a pilot and you've flown out of all of those airports."

Bill Velys: "Yes Sir."

Supervisor Smith: "Someone in opposition please. Sir in the back."

Richard Spanburgh, Union Avenue, Aquebogue; "I'm in opposition because, unlike many other people that have gone up here to speak, the fact remains that whatever the Town Board decides, in particular, if they decide in favor of the application for the Brush Airport, the people that are going to have to bear the inconvenience of the airport are not the people in Brookhaven or in Islip, or in Southampton, in those parts in Riverhead that aren't in proximity of the airport. The people that are going to have to bear the inconvenience of the airport are the people in the immediate vicinity. I don't know what revenues this airport is going to generate for the Town of Riverhead. I haven't heard anything in favor of generating any particular revenues for the Town of Riverhead, why the people in that proximity to the airport have to be inconvenienced by the noise, by potential danger of the airplanes coming down on their property. There's something that I cannot understand.

I could not even appreciate it if you were to tell me tonight that they were going to generate thousands of dollars in revenue for the Town of Riverhead, then maybe being a tax payer I could understand that point. How this is going to enhance our Town is another point I don't understand. Possibly it is how again, I don't know. I don't know the revenues are going to be generated to the Town of Riverhead. Why the people in that area have to be awoken at 6:00 o'clock in the morning at the roar of an engine, there's something I don't understand. I don't understand why we have to be put in that peril and in that jeopardy. I mean it's very nice for five gentlemen to sit behind there and possibly vote in favor of an airport. And then that accomplishment is done.

But the people that have to live with the reality of the airport are the people in the immediate vicinity. You

PUBLIC HEARING - continuedRichard Spanburgh continues:

studied the site plan, you realize its proximity to Union Avenue. I've stated when I got up here that I was a resident of Union Avenue, therefore, I certainly have a stake in the outcome of your decision. But I don't understand for one moment why we have to be subjected to an airport.

I mean no one has come up here tonight and proven it is a revenue source for the Town of Riverhead. If it were then possible, my consideration would be quite different if I thought it would lower the tax base of the Town, but it's not doing that. I don't see any impetus that this airport will add to the Aquebogue area and in particular to Union Avenue or to the surrounding areas around it. If you've noticed the people are in opposition to this airport, I would say 98% of those people are the people directly effected by it. I mean if each one of you gentlemen are staying in bed on Saturday morning, I can come along with the same sounds that emanate from that airport. You'd be waken up. Fine, that's one thing you can deal with. But with your immediate homes being in jeopardy of a possible crash, of a possible fire in the woods, something that would damage your investment, I think it's a consideration that we have to give and a very concise consideration that must be given to the fact that people in the area are the people that are going to suffer by it. I don't want to be accused of being too parochial, but the fact remains that everytime that I come before the Town Board, and I have asked for things concerning our area I have tried to do so with an open mind. I come here tonight with an open mind about the airport. But I don't understand why we have to have it. What is the main reason that the Town would acquiesce to grant a permit for the airport to be there. What source of revenue is in general in for the Town. I think you may be conveniencing a lot of people, but where do those people live. Are they next to the airport. Are they living in dangering their property values being down-graded. I don't think so. If they are, if my property values are going to be upgraded and we're going to generate a source of income for the Town then that is something I'd be willing to. But so far tonight that has not been presented to me. The only thing that has been presented to me is the fact that an airport may get in there and then I, as a resident in that vicinity, must endure whatever your decision is and I wish you take that into consideration that there are people in the area that are affected by the decision and that they don't live in Brookhaven or Southampton, or Islip. They live right next door to the airport. Thank you."

Supervisor Smith: "Thank you Sir. Someone in support?
In the red coat, Sir."

PUBLIC HEARING - continued

David Spahn, Orient, New York; "Good evening gentlemen. I'm a commercial pilot. I fly for an airline. I'm in support of the airpark. I like the saying "troubled by air and aviation is an integral part of today's society", when the greatest air carriers in the nation right now is general aviation.

I fly for a commercial airline and there is almost just as many people carried in small aircraft as in the airlines. The airspace above us is federal airspace. It is for travel just as the sewers are. What is needed is an entrance and an exit from each Town into this federal airspace for travel. Therefore, a small runway between a half and three quarter mile long, becomes a runway to any place. In today's situation energy, I think it's greatly needed to have a small airport in each community, because of the efficiency of aircraft for travel. The aircraft that he's talking about for his operation are single and twin engine. Some of the single engine aircraft weigh in the neighborhood of 1600 to 1700 pounds. They are powered by engines in the range of 100-110 horse power which is far less than a lot of cars that are used in the local area today. And they are efficient per gallon wise. They get twenty-miles per gallon. And if you're going to seek miles per gallon, it's even greater. I think it's a valuable asset for any community to have a small general aviation airport in its boundaries.

I do not have a prepared speech. I would like to address some of the things I've noted said tonight and a reference to a height above the boundaries of an airport, it's on a twenty to one plane. So when you're over the edge of the runway, you don't have to be at 500 feet, you're allowed to be at less than 500 feet on the approaches and the exit from the runway depending which way you're landing.

If there's any specific questions regarding some of the technical aspects, I would like to answer them. I am presently on the group that is trying to promote an airport for Southold Town. Perhaps some of the people here may have read some of the articles. And I was a part of a committee to study the cost of establishing an airport for Southold Town, so I am conversant with land prices in relation to farmland preservation and the open land in the areas. There is a great deal of open land and there is a great deal of land being farmed, but a lot of the land that is opened is owned by investors and an airport is an open area. The same as farmland. It is open, it is kept neat and clean. And we have heard in our investigation and I can't quote the source, but I can dig for it, that to operate an open area airport is more environmentally sound than farming in the same area. And this in relation to the nitrates and the dusting and spraying for crops. I think that's about all I have to say at the moment. But I would feel that I would like to offer to answer any specific technical questions."

PUBLIC HEARING - continued

Supervisor Smith: "All right. If occasion arises during the evening, we'll ask you at the tail end. Thank you."

David Spahn: "Thank you."

Supervisor Smith: "All right someone in the opposition? Mr. McCombe you've had your one bite. We'll get back to you. Opposition, someone else. Sir."

Clark McCombe from the audience: "I feel that I should respond to Mr. Spahn's testimony."

Supervisor Smith, "I don't doubt that that's how you feel. I will give you the opportunity consistent with the rules that I established as we began. Anyone in opposition who has not already spoken to this point? Your name and address to Mrs. Pendzick."

Barry Palifka, 77 Sound Avenue, Riverhead; "That's the house where these planes will be coming right down our throat. Both of my children, one nine and one four, have lived on the farm all their lives. They love the farm and I love the farm. My oldest boy wasn't too far from where the plane crashed. He was in the field. And the reason I'm in opposition is because they're going to come right up my front door and I'm not going to allow my babies to have that thing going over their head when they're sleeping in bed. Thank you."

Supervisor Smith: "Thank you Sir. We have gone for another hour. I would propose to take a five minute break such that the smokers can go smoke and we can all stretch our legs."

Supervisor Smith recessed the public hearing after which the public hearing resumed at 9:36 p.m.

Supervisor Smith: "You may have noted that since we're back, two of us have taken our jackets off. Gentlemen you may do the same, if you like.

The other thing is, Mr. Regula has a resolution that is on. It is relative to the calling of a public referendum with

PUBLIC HEARING - continued

Supervisor Smith continues:

reference to the nuclear plant. Mr. Regula wishes me to advise you that he would like to offer that as the first resolution at the next Town Board Meeting and that it appears that we're going to go rather long in this public hearing. So if you're here specifically to address the Town Board on that resolution, that will be the first item on our agenda, next meeting which is June 19, 1979.

We've reached a point of — a speaker in support of the application."

"I'm Tony Gambino, past President of the Aviation Council of Long Island, representing General Aviation Pilots all of Long Island."

Supervisor Smith: "Mr. Gambino, your address please."

Tony Gambino: "Headline Road, Deer Park, New York."

Supervisor Smith: "And your testimony Sir."

Tony Gambino: "I would like to see, and we wholeheartedly support the re-opening of the Riverhead Airpark as we said an airpark. I'd like to sort of elaborate just for a moment on words bandied around here tonight that it's an airport. Well actually it's a flight strip. Being a flight strip you know it's going to be containing its nature as an unpaved strip and therefore only accommodate light aircraft or the type we use in general aviation which I use as a light two place and four place aircraft. I feel that this airport could do something to help the economy of the east end of Long Island. I don't believe it will interfere with the operation of Suffolk County Airport and we don't believe that land values will be effected if this airport or strip goes back into operation.

As a matter of fact, if anybody in this room can show me how you can buy land at a depressed value somewhere around the airport, which not Islip or even the Kennedy area which is jet alley — I'd like someone to see me after the meeting and then we can conduct some business. We also would like to say that possibly this airport will not interfere with the operation of Suffolk County simply because I think they will be hopefully be handling a different type of operation and will have here at this airpark. I do feel that we at this time have got to give a report back to the fact that some people feel that because of the national transportation safety board making some

PUBLIC HEARING - continuedTony Gambino continues:

remarks this past week in reference to the past accidents that we've had. I'd just like to just suggest a few remarks in that as far as our safety record, I believe it's second to none. I believe the air transportation of passengers in both the airlines and by general aviation are a safe mode of transportation.

As a matter of fact, I believe it's one of the safest that we have at hand at the moment. I do believe that there's a lot of emotionals and there's a lot of property problems and you try to select a piece of land and try to put it into operations of an airport, there's no doubt that the people surrounding the airport feel that their lives and the lives of their loved ones are being jeopardized.

I live next door to Deer Park Airport for some twenty-five years, and during the entire time of the operation we had no occasion where we had a non-occupant fatality. And in lieu of the fact of this safety record, I've been operating aircraft myself for over 35 years and we never had any fatalities or any injuries. What I'm trying to bring out here surely we do have accidents. We saw what happened here this last week with a DC-10. You know that we must all realize that we're all going to be involved in this thing, and we're going to try to get to the bottom of this. But once in a while, we do have a pilot or a situation where someone will do something which is contrary to federal air regulations. We'd like to tell you that, we, of the aviation community, don't uphold that type of operation. We want to know that — we want you to know that we do everything in our power to uphold what the F.A.A. rules are, the federal regulations are, and we want a safe operation conducted, not only at Joe's Airport, but anybody's airport.

We do think that an airport can be of some value to the community. We do feel that the future is in the air. We do feel that the future of any community will be that they should have some access to the air. So, we of the Aviation Council, whole-heartedly support the re-opening of the airport. Thank you."

Supervisor Smith: "Thank you Mr. Gambino. Someone now in opposition to the airport. All right. I'll take another supporter."

John Rambo: "I've been flying for quite a few years around Riverhead, in fact a little over thirty years."

Supervisor Smith: "John would you please give your address, not only for Mrs. Pendzick."

PUBLIC HEARING - continued

John Rambo: "I live in Wading River. And I lived here in Riverhead Town almost fifty years. It's a very nice Town. It has been growing very slowly. I did notice that when Mr. Brush's airport was open before that Northville Dock had captains and different persons fly out there and land in his field which is a very short distance away. I've already brought people to Town on business in my car that flew out there in their aircraft from Connecticut and Massachusetts and different places. We have businesses in this Town that do own airplanes and actually they can't use an aftertime because they're fogged in over on the south side which we don't have too much around here. And besides it's very detrimental to a plane to be in that weather. So I'm in favor of having Mr. Brush's airport open and it will be conducted in a proper manner. He showed us that when he ran it before.

And the reason I'm in the condition I am in, is because the airport wasn't conducted in the proper manner. And I do know Mr. Brush and everybody down there does take care of their place and the people that do come in there. Once in a while there will be a straggler that just flies crazy, but you can't help that. There are people that do that on the road with cars. And I'm in favor of the airport."

Supervisor Smith: "Thank you Sir. Now in opposition? Someone in support?"

Francis Davis, West Middle Road, Calverton; "I got two things from the experts that had to rush out and fly back Upstate. One, they're against the airport. Secondly, the only thing they could say is go to Westhampton. I am an owner of a 1941 Bronco Chief which does not carry radios and in that capacity, you cannot really do a control field. So I'm in strong favor of Mr. Brush's Airport."

Supervisor Smith: "Thank you Mr. Davis. Sir?"

James Brush, 78 Sound Avenue, Riverhead; "The first thing I'd like to mention is the land values that Mr. McCombe brought up. I am the most immediate property owner to the vicinity to the proposed airstrip. If Mr. McCombe wants to sell his land for 75% devaluation, I'll be glad to buy it at that price. I'm not about to let mine go for 75% below the current value.

The second thing, safety, seems to be a very big thing here. You can't find a safer strip anywhere around.

PUBLIC HEARING - continuedJames Brush continues:

Any of the pilots that fly in are the ones that you should be asking about this. Number one, in our minds because we live right there, there's no haphazard going ons to happen there. That's about it."

Supervisor Smith: "Thank you Sir. Let's have somebody from this side of the room. Earl?"

Earl Espeland, Woodcliff Drive, Mattituck; "I'm general manager for terminals at Northville Industries and at Northville. We're very close neighbors to Joe Brush's Airport and in recent years (had to put in new tape)"

Supervisor Smith: "... all storage facility that receives tankers from ocean going traffic?"

Earl Espeland: "That is correct. Located just northeast of the subject airport and as mentioned before we have tremendous support in many ways from the local airstrip. Both for the vessels and also for our own activities. I also feel that the Board should consider very seriously, the need for additional business to come into Riverhead and I feel that an airport such as this or an airpark such as this with limited activity can have tremendous value for many small businesses and it's about time that we support a small business and seek to attract new business coming into this area. We're in support of this airport and urge you to vote in that deduction. Thank you."

Supervisor Smith: "Thank you Sir. Next please, All right Sir."

Bob Kaelin, 1099 Ostrander Avenue, Riverhead; "There seems to be a great deal of talk about Westhampton, and also the Suffolk County Master Plan and Suffolk County Planning Board, but we ought to keep in mind that the Suffolk County Planning Board and those creators of the Master Plan would naturally be biased and in favor of that airport in Westhampton. And I don't think the thing has made a very good showing so far. And, of course, it would be politically expedient for them to push their airport in Westhampton and try to squeeze the little guys out and that's happening, and it's happening a lot in this country today. Thank you."

PUBLIC HEARING - continued

Supervisor Smith: "Thank you Sir. In the back of the room?"

Lester Davis: "I developed and build the Coram Airport over twenty-five some years ago."

Supervisor Smith: "Mr. Davis, if you would please, for the record, give your address."

Lester Davis: "241 Middle Country Road, Coram; and I went through something similar to this at that time twenty-five odd years ago and there was some twenty-three property owners either adjoining or directly across the street from my property and every single one of them signed off on a petition. And we've done quite a bit of flying over the years and we're proud of the job we've done. In fact, I saw John Talmage in the back room before. He's had to come way down to our way. We're glad to have him with us, but there was no one nearby then. He could do that when he was getting some of his instruction and his son a few years ago.

But anyway, the — I've never heard a single complaint with any one of these people, the property values at all. I know there's been reference made here to the Massapequa crash. It's interesting. That was many, many miles from the airport. And Massapequa did have an airport one time. If that airport were here today, those people might be alive today.

I know there's been reference made to the helicopters, well there's also aircraft used for spraying, but they just can't land like the helicopters can, of course. I might also, this is very significant. The Bayport Airport, some three years ago, the owner of the field he decided he was going to sell it for his eventual use and the neighbors, the immediate neighbors they decided they'd rather have the small planes there than 1,000 people move next door to them and they took this to the Town of Islip, and subsequently the Town of Islip has bought the field to preserve it. And they also have their MacArthur field for the airlines as Westhampton has I mean for the jets and so forth and then closing — there's been reference made to the fog problem. Well there's at least one case where the life was saved by our field. We were the only field on the north central side of the island that was not fogged in. In fact, I could even get you the man's name. This is some number of years ago, he was a New York State Trooper at the time, and this man probably wouldn't be alive today if it weren't for a field where it's not prone to fall."

PUBLIC HEARING - continued

Supervisor Smith: "Thank you Sir. Next please.
Yes Sir."

Allen Harrison, 346 Flanders Road, Riverhead; "I'd like to say I'm in favor of the airport. I am now working in aviation. I've been working for three or four years now in Mattituck as both a pilot and mechanic. I'd like to see the growth of aviation in Riverhead so if possible some day I could possibly work there and make a living — Also on this safety stand point, it seems to me anything is as safe as the person makes it. Whether he's operating an airplane or a car, you have accidents in aviation, but you also have them with a car. There have been times when a car has gone through a school yard fence and have killed a few kids. Also I am restoring an airplane now and I would like to see if fly out of Riverhead for convenience sake. Thank you."

Supervisor Smith: "Thank you Sir. Next please.
You Sir in the middle."

Jerome Minasi, 14 Cora Court, Hampton Bays; "I'm a certified flight instructor. Just some comments on some of the things I've seen here mentioned. Easthampton Airport was mentioned earlier, I think by Mr. Freeman trying to compare it to Riverhead and the situation is exactly the same. That's a much bigger field with three paved runways. The last and only accident I can remember there the airplane hit about 50 feet from the side of the runway. I get the impression that the people in opposition to this airport don't really have too good an understanding of aviation itself. It would do them a lot of good, I think, if they went down and took a ride in an airplane, and had some things explained to them.

Another thing concerning people's houses right near the runway and the last thing anybody in aviation wants to do is land into a house. There's also the possibility that you control the patterns leading to and from the runways. That proposed runway is certainly long enough so you can have what they call displaced threshold. This would mean that airplanes would be passing over our house probably about 500 feet. The point of law is actually 500 feet above a residence except for the purpose of take off or landing. There is right and left hand patterns. These things I'm sure Mr. Brush would be interested in setting up for these people. But we don't want to bother anybody."

Supervisor Smith: "What's the phrase again Sir?"

PUBLIC HEARING - continued

Jerome Minasi: "Which one — displaced runway — displaced threshold. This is where you don't touch the airplane down on landing except beyond this line. This gives you a much higher and steeper approach so you clear everything and any obstructions that would be in the way. Also you don't have to make a direct approach to the runway. Many airports, for example, Spaderos's Airport in Center Moriches, you approach that runway at an angle. These things can be done right here to avoid a house. With the displaced threshold it would almost eliminate the possibility of an airplane landing on a house. I didn't care for someones reference to 3500 acres — the owners of that. It gave me the impression of sort of a hamiltonian situation. Well maybe we ought to have one vote per acre or something. That didn't stick to well. With reference to Zahn's crash"

Supervisor Smith: "Another philosophical — what's next?"

Jerome Minasi: "The Zahn's crash that could have happened anywhere. We don't really know what happened in that particular instance and you ought to consider the advantages of an airport in the Town. Many communities have realized what an asset an airport is. So many businesses rely on them. And as the airlines with their fuel problems keep decreasing the amount of fields they serve, it's extremely convenient. I personally had the opportunity to use Mr. Brush's airport during weather conditions. When that south part of the island seems to go all fog. You can always get right in there. I instruct most of my students where that airport is so that in cross countries, they can use it.

Someone mentioned the land use of helicopters, of choppers for dusting that airport would serve better probably two or three miles in radius, to the farmers in that area. Anywhere else, anybody has to land a helicopter somewhere. Now if you're going to have refueling trucks and chemical trucks in some area on the farm, you can't use that area for farming. As far as the eventual expansion of this airport, I don't really see — if because of its very nature of being a grass strip and because there's no way that you could subtly put a mile runway in there. It just wouldn't happen. Well that's about all. Thank you very much."

Supervisor Smith: "Thank you Sir. Next? Sir, ladies first. I saw you before, but I was distracted."

PUBLIC HEARING - continued

Maria Ulmet, Mattituck; "I am an airstrip resident. Mattituck airbase has been there for many years and we moved out in 22 years ago. We are the third house in the area. And since then, east and west of the airport have developed into very lovely homes — communities. The owner of the airbase had just completed designating and building his own private home right at the south base of his airstrip. At the north strip across the street his son and his wife and baby have just built a new home. Our property value has more than tripled since we have been there the past three years. The strawberry festival which brings thousands of people to our Town of Mattituck is very close to the northern end of the airstrip and nobody has ever been effected by it. We feel that Mattituck and the whole Town has benefited very much from our community airport."

Supervisor Smith: "Thank you ma'am. Mr. Hartmann? Mr. Hartmann, I'm told by your lawyer that you should be sworn in. Give your name and address."

"I'm Robert Hartmann, 66 Sound Avenue, Riverhead."

Supervisor Smith: "Mr. Hartmann, do you swear that the testimony that you will give in this hearing will be the whole truth and nothing but the truth?"

Robert Hartmann: "Best as I know it Sir."

Supervisor Smith: "Yes Sir please."

Robert Hartmann: "Gentlemen I didn't intend to even speak tonight. I thought that after ten years maybe even eleven, I got quite a bit of documentation put up on this case. Everybody says it's going to be so peaceful, quite, safe. I know they don't want to crash. I know they don't want to cause trouble. I know a lot of the fliers. They're good guys. Of course, they don't want to hurt anybody, they don't want to crash. But those things happen.

We've had over the long period of time that we've been against the airport there's been at least three crashes there that I know of. The airport has operated all of this time without a permit. So for a very little short time at the beginning, all this time it has operated illegally.

During that time, there's been many Supervisors,

PUBLIC HEARING - continued

many changes in the Town Board, many changes in the Building Department. Many complaints have been made and they all went unanswered. The only time that airport really got shut down when the headlines hit the front page of the local paper that the airport is operating illegally. Bango, somebody had to do something. I lived there, worked there. I'm there all the time. I see these guys they're doing good.

And I'll back up John Rambo what he said before. He said in general, the fliers to respect everything and they do. But you have absolutely no control over outside fliers coming in there. None. And they've played some pretty fancy stunts cause I've seen some of them and I can just imagine how many I didn't see. I've been a party to some of them, so close. While all of this has been going on, we've been telling the past Supervisor's and past Town Board, but you guys aren't down there, nobody else is either. You don't realize what the local residents put up with. Nobody minds if Joe Brush would fly his plane and if he had a barbecue and a couple of guys flew into visit him, nobody would ever say a word and everybody said that for years. But he doesn't want that.

Mr. Talmage operates down there very nicely. He doesn't bother a sole. But operators of the airport don't want that. They want something more. They want a commercial operation. Now what would make us believe that this is going to stay a grass strip or just have one runway? There's no agreement, no nothing. There's 200 acres laid out there. It can be all changed very quickly. Runways can be paved very quickly. Boy, there's guys that sell that stuff everyday that want to put blacktop down. And you have, indeed, when you crisscross it, you, have, indeed, some long areas for long runways.

Now what could make local residents believe that this would go exactly the way it's going. To depend on the Town Board, I don't mean to criticize anybody, but look at the past performances. It's all on the record. Who could we depend on? Allen, it's just that a few of the local guys flying, that's all well and good, if it didn't create a problem. But you're talking about outside fliers coming in, Sunday traffic, flight schools. Believe me, I've seen that flight school stuff and let me tell you, they come in there fifteen, twenty times just as quick as they can spin around, touch down, and back again. And that's not even with a flight school from there. These planes are (word uncomprehensible) from, I don't know Zahn's; or where they come from, but they come on like every fifteen minutes and maybe it's longer than that. Maybe it's a half an hour, but as quick as they can make five, ten, fifteen, twenty drops, they're gone and within five minutes there's another one back. And you look a little while later, it's the same plane back again. And on beautiful

PUBLIC HEARING - continued

flying days, man that's continuous. But you know nobody else, they don't live down there. They don't work down there. They don't own property down there. A gentleman referred to 3500 acres — I don't even make small of him, but the idea of it is 3500 acres of people that own farms and houses and property all in the general area, right close around, man they got to pay taxes on that land. You guys know that. And that's the reason they stress the acres because you're talking about a lot of people there. Their lives, they invested in those acres. They broke their back all their life for that. Not for the privilege of just paying taxes on it. Now we got down the street, you got Flagg Country Club in there. You got Warner's beautiful development up there. You got Roanoke Landing. You got Dolphin Way. All that, I hate to ask you guys how much you're pulling out of there in taxes in just what I named. They're the highest things going in the Town just about, I guess. All that coming down, is the same rating. You're putting an airport in there, you're taking away from that. You're setting the pace for the future development right there. As far as . . ."

Supervisor Smith: "you're running a little long tonight."

Robert Hartmann: "I'm going to wrap it up pretty quick."

Supervisor Smith: "Okay."

Robert Hartmann: "As far as commercial use of that by Northville or other general business in the area, there's other industrial parks on the island that's quite far from runways. They built there knowing no one having a runway and specifically State Plainview Industrial Park which is, it's not the largest, it's just about the largest on the island. And you got a twenty minute ride from there and there's no airport nowhere around there. But that didn't stop them from developing that.

I would just like to pose one question to you. Where does the responsibility of the Town Board start and stop in reference to the owners of the 3500 acres around the area? Look, in my estimation, we got all the airports we need around here. But you can't just throw an airport in there without a buffer zone. Easthampton Airport, they got a tremendous buffer zone around it. There's nobody complaining. Same with the County. Other fields down west, they were built long before the area was built up. There was nobody around there that disapproved it. Later on it built up. Sure it built

PUBLIC HEARING - continuedRobert Hartmann continues:

up, because industry comes around and they want to be by the airport. As long as there was space available there, they went there. You wouldn't get anybody to build a house there unless it was the last place to build a house, or the guy was a flier. Thank you."

Supervisor Smith: "All right, that's ten minutes. Mr. Krudop,"

Robert Krudop, Penny's Road, Riverhead; "Gentlemen our letter arrived somewhat late today. I hope that you'll have a chance to read it, but in the event you miss a portion of it, I'd like to read it to you now.

This is not part of it, but the balance of it will be, we open this meeting tonight with a solid Pledge of Allegiance. The Pledge of Allegiance proffering liberty and justice for all. That's right. And gentlemen, not justice for one airpark at the expense of all the neighbors. It is with this and the closing statement of our letter, we remain confident that our Town Board will exercise its sworn duties to protect and insure the general welfare of the people by denying this application. Thank you."

Supervisor Smith: "Thank you Mr. Krudop. Ma'am, Mr. Rambo, this lady is here to speak, please."

Nancy Seaman: "I live as close to the airstrip as I think anybody in Riverhead. I live in the Fanning and Brush house. I don't own the house and as I stated over a year ago, I live there because I choose to. I have a fifteen year old son that I love dearly and he is not a bit afraid of the planes and I'm not either. We're not ever afraid to go to bed at night and our house is very big. If anybody wanted to hit it, they surely could. And I've never, only once, in all the years, had one plane come in before I could even get out my door that frightened me, before I could get out my door, Mr. Brush was there with the truck and he had the plane blocked in. And he told the man never to bring his plane in like that again. That was once in I think about five years. That's all I have to say."

Supervisor Smith: "Thank you Mrs. Seaman. Again, Mr. Rambo, we're going to let everybody have firsts first, Sir."

PUBLIC HEARING - continued

John Kaloroumakis, 147 Northern Parkway, Riverhead;

"I would like the Town Board to know that one of the people who sent a letter of opposition for the airport personally wanted to buy my plane and the only reason he didn't buy it was because he offered me a price way below market value. Okay, that's one thing. He didn't tell me personally, but I heard rumors that he wanted to use it on his land right in the vicinity of Brush's. The other thing is a lot of these people coming up and saying that they have worked hard all their lives farming, or worked hard all their lives developing this land, and worked hard all their lives, maybe with a stand on their land. Why can't Mr. Brush be entitled to his own living. He happened to work hard all his life to do what he has done. Thank you."

Joseph Brush III, Sound Avenue, Riverhead; "My brother was up here to speak before and I thought he was going to cover it all. My business is selling farm tractors to farmers. This may even lose me a few sales with a few farmers, but I'm just happy to see the farmers do well, daily prosper as anybody is here. If the people, I won't name names, are so interested in their property value — why? If you're a farmer that's going to be there, that's all you intend to do is farm all your life and pass it on to your children, you're not intended to sell it. You're going to pass it on from generation to generation which my father's farm has been passed down through all of our generations. That farm has been in the family since before the Revolutionary War.

I love Sound Avenue as much as Mrs. Granttham or anybody else. I grew up on that road, it's beautiful. I don't want to see it change. Change is inevitable. Melville used to be a beautiful place to farm. Look at it now. My point is, if you're so intent on property value, you must have other reasons. Certain members of our community now have only been there for a few short years. I don't take that away from them, but they had made money buying farms. They'd been farmers, but they made a lot of money starting out west and working their way east. And every time they made a lot more money than they paid for the farmland. Anybody can make money. But don't try to say you're going to stay and farm forever, if in the back of your mind — first off if potatoes don't pay \$6.00 this year, 50% of the farmers are all going to go broke anyway. So I would like to keep it green. You and I would, everybody. It's beautiful.

I've been all over this country and every state there is. I drove a truck for several years and there's no place prettier to me that has the water, the farmlands. It's beautiful. We all know that. We all live here. It's a grass strip. It took us ten years to get us this far. How long do

PUBLIC HEARING - continuedJoseph Brush III continues:

you think it would take us if we even mentioned the fact of doing anything else? We'd be twenty years. My father would be gone, I hope not. I'd be an old man. That's all I have to say."

Supervisor Smith: "Thank you Sir. All right Sir."

Allen Daters, Middle Road, Riverhead; "I live about two and one-half miles or so from the airport. I wouldn't mind living closer to the airport, but I don't. I just wanted to say that I noticed a few remarks about Westhampton Airports which is a substantially larger airport than would even be possible on the property that we're talking about and I find it interesting that the people say well little planes should all go over there. Well the F.A.A. has long stressed the idea of separating high performance airplanes and larger airplanes at larger airports suited to handle them and to have smaller airplanes using smaller airports that were also closer to the people who were interested in using them. And Long Island has worked out pretty much that way there.

McArthur and even Brookhaven is fairly large and Easthampton is fairly large and dotted around are airports like in Montauk, or the two in Eastport or the one in Coram or Edwards down in Bayport, would serve their communities of people who have their planes which are not suited to 10,000 feet of concrete, but rather to a couple thousand feet of grass. And I see no reason why Mr. Brush's proposed airport shouldn't fit into that scheme of things. I also find these people kind of optimistic that he's suddenly going to find the business to justify a giant airport when they have a giant airport sitting in Westhampton which can't manage on its own. The business isn't there for that type of traffic. The business is there for a small airport. That's some of my reasons on that."

Supervisor Smith: "Thank you Sir. Sir again, the rule is we'll get through everybody first and we've had some people stick their hands up for seconds already. Anybody else? Against the wall Sir please."

Jerry Williams, North Railroad Avenue, Jamesport; "I don't want to go into a lot of things that have already been said this time and last time. I just want to bring up

PUBLIC HEARING - continued

Jerry Williams continues:

a few facts that are mentioned tonight. One is safety. Any reasonable man is going to operate his airport in a safe manner. Mr. Brush always had. It's a record of people he's chased out of there for the way they've flown. You can't bring into safety the fact on a whole airport because of one nut. He could crash a plane anywhere. If he's going to fly like a nut, he can crash anywhere. Fifteen miles away from an airport. One hundred miles away from it, or right on top of it.

Another, I'd like to bring up is that as far as developing this thing into a monstrous airport that again would have to be brought into zoning, approval by the Town Board, and approval by the people. I really don't think a lot of the people sitting here tonight that are approving this would be in favor of a monstrous airport. I don't think I would myself, but I am in favor of this small airport and I'd just like to put that on record and I firmly believe at this time that's what the people want."

Supervisor Smith: "Thank you Mr. Williams. Next please. All right looks like we've come to seconds. Mr. McCombe would you like to being?"

Clark McCombe, Sound Avenue, Riverhead; "I'd like to respond to Mr. Spahn's testimony as to clearance over the wires and buffer zone. I have here one of the articles Mr. Spahn was referring to about the push for an airport in Southold. It's an article from Suffolk Life. I don't have the date on it. It's March of this year. It's by Ruth Packman. I have a copy I'd like to submit for the record also. Mr. Spahn in Southold was hoping that ..."

Supervisor Smith: "We're going to assume that Ruth always reported it right. She's now an employee of the Town Hall."

Clark McCombe: "I'd like to quote from this article. 'Southold has 451 acres designated for the County Farmland Preservation Program and Spahn was hoping that some of it might be used for the airport buffer zone. The County officials told him last week this was not a permitted use of the land. Now if County farmland or farmland that the County's bought development rights from, is not appropriate for an airport buffer zone, how much more inappropriate is it for private farmland to be used for a buffer zone.

Now as far as what defines a buffer zone, I found

PUBLIC HEARING - continuedClark McCombe continues;

in the Town files on the airport, a map that Mr. Brush submitted in 1969. On that map, it has the old airstrip alongside of what is now County Road 105. And Mr. Brush drew in in red pencil his flight path directly over our land. I assume at that time, Mr. Brush was considering that as his buffer zone. And I'd like to show the Town Board, this will also be submitted for the record, there's a copy in the Town file, how Mr. Brush flies his plane and how other people flying planes approach the runway. It's right here. Now as far as — it was also mentioned by someone else that airplanes can approach a runway by making a turn. Now the ideal situation or ideal place for an airport, as Mr. Spahn points out in one of these articles, it should be next to the Sound. It says here to cut some of the required property needed as a buffer zone for an airport. Spahn said they're looking into the possibility of land abutting Long Island Sound. Now what Mr. Brush is doing with his airport is using our land which extends from Sound Avenue right back to the Sound as his buffer zone. And I feel that that is taking away from my rights as a property owner and I would hope that the Town Board could respect my rights in that position."

Supervisor Smith: "Thank you Mr. McCombe. Sir we've got other people for seconds that got their hands up first. Mr. Rambo being the first of those."

Harry Rambo: "Do I have to give my name and address again."

Supervisor Smith: "Mr. Harry Rambo."

Harry Rambo: "As I said before, I only wanted to answer Dr. Granttham and I have other things to say. But in the meantime, Mr. Hartmann asked a question of the Town Board asking what your duties were. I think your duties are to the majority of the tax payers of Riverhead, not just a hand picked few, and you have petitions signed by thousands of people compared to a small one hundred people that he has recruited in his favor. I don't know Mr. Hartmann, I don't know Mr. McCombe. But I have heard all the statements they made, distorted and twisted statements over the years. Now, this, as Mr. McCombe said himself, this is a feud between the Brush's and the Hartmann's and the McCombe's and everybody else that is paying for this. I understood this meeting tonight was to get the facts and gather the facts from both sides so that the Board

PUBLIC HEARING - continuedHarry Rambo continues:

could make an opinion. Letting Mr. Brush do business or let him not do business. Either they would give him his blessing and a permit to operate, or they would cancel him out.

Now one fact is Mr. Hartmann and Mr. McCombe are the two major opponents. The rest are recruited for his benefit. But they have been for seven or eight years, major opponents. Over this period of time, the full spectrum of complaints hasn't changed. It's been their rights, only their rights, their pleasure, their noise abatement, Nobody elses. Just theirs. All their facts have been distorted, twisted, and falsely presented to the Board. Even their publishing in the paper, way out of proportion. I'm not an engineer. I'm not a surveyor, but I know that Joe Brush's property doesn't run from Sound Avenue to Doctor's Path. Their picture says it does. If you put Joe Brush's airport on their picture, it wouldn't be a pencil width. And they have an area covering all the way from Northville — from Sound Avenue all the way to Doctor's Path. They also say they've recruited friends and neighbors. Now that's a misnomer if I ever heard one. They're neither friendly or neighborly to anybody for that matter.

But Riverhead needs an airport. It needs it for its own existence, not only for the people that want to fly. Business has to come in. There's no transportation in or out of Riverhead. The Long Island Expressway is not transportation. There's no railroad that comes in. You have no business terminal here. It needs it. I understand you're going to get one. I applaud you for it. But it needs an airport. We may even need it for evacuation which maybe somebody said something about — there's a man who lives down here on Union Avnue, that's his rights. He's a long ways from it. He's a boat man. He doesn't complain about the peoples rights around his marina when he gets down there and revs his boat up at 5:00 in the morning. Everybody has their thing and they're entitled to it. Whether it's playing tennis or boats or airplanes. I think the Town would be hard pressed to find a location for an airport that would be any better. This is a location within a thousand acres of farmland and not only are there no schools, there's no factories, there's no stores. There are a couple of houses that this new location of the airstrip will not go over. Now these people got up and said these planes are going to run in their front door. If the Board went up and looked at this location, there are no houses on either end, north or south. and word uncomprehensible it's an ideal location. It's the area that stays open the longest. And one of your board members knows that. He has flown out of there and he's most qualified to tell you so.

Another thing is not a nickel of the tax payers money has to be spent to furnish an airport for the use of everybody in Town. And I think the rest of the tax payers

PUBLIC HEARING - continuedHarry Rambo continues:

that aren't interested could appreciate that fact, including these people that are complaining. They don't have to pay for this airport. Now if the residents of the Town demand an airport as the Southold people are beginning to do, the Town will build an airport eventually and then these people will have to pay out of their pocket.

I think it's a most valuable asset to the Town as your Master Plan says and it's in there and I think it's right. The grass airport is limited by Sound Avenue on one end and Northville Turnpike on the other end and those are physical limitations that nobody could do anything about for a long, long time. They're not going to dig up Northville Turnpike so that Joe can make a longer runway. The weight of an aircraft, when you say general aviation and light aircraft, light aircraft goes up to 12,500 pounds. And anything over that wouldn't be able to land on a sod field. They'd bury it right there."

Supervisor Smith: "It would land, it can't take off."

Harry Rambo: "They may plant them there."

Supervisor Smith: "You're getting long."

Harry Rambo: "Well I can't remember what I was going to say, that's why I have to write it down and I can't read my writing. What I was going to say, though, in seven or eight years that this arguments has been going on the feud between neighbors. Joe Brush expanded at a rapid rate, from one airplane eight years later, he had nine. Now that's a tremendous expansion. I will say that Mr. McCombe stood across the street on his property and watched these airplanes from out of Town, out of State, land, walk across the street and buy his farm products and his manufactured products go back in the plane and take off again. And never once did he refuse to take their money. My point he's viamint about this. Now he didn't mention to these people, we don't want you flying over here to buy our products and he had 80% or better of the traffic that went in there because those nine planes that were stationed there, half of them didn't fly and mine was one of them. It didn't fly, it was grounded there and others were grounded there. But all the traffic was transit traffic and the greatest percent — and I think the man's very selfish and I'll say so."

PUBLIC HEARING - continued

Supervisor Smith: "Let's stick with the facts Harry."

Harry Rambo: "This is a fact. Mr. Hartmann on the other hand, as soon as his field was closed down, he had the spraying operation, not a helicopter, a fixed-winged sprayer and all his equipment moved over to Mr. Hartmann's farm and he sprayed Mr. Hartmann's farm which nobody objects to, he sprayed other farms. That makes him an airport with no permit, but these planes were flying out of Mr. Hartmann's farm and spraying other farms so he was having a no permit airport himself and I think he is very selfish, the same way. I think I'm going to run out of time. I have a lot of notes that I had made at random."

Supervisor Smith: "I'll give you a chance. You make new notes and I'll ask you to come up again."

Harry Rambo: "All right, I'll try to study the ones I have."

Supervisor Smith: "Now we have the gentleman who was standing alongside there for the longest while. Our first speaker tonight."

Edward Przyblylinski: "Had Brush's airport had a civil air patrol plane, they might have been able to find Cliff Robertson's son out in the boat and he just drifted out to sea. We had to come out of Zahn's to try to look for him. It took us a little while to get out here. Now with the Brush's field if they had a couple civil air patrol planes they might have rescued the kid."

Supervisor Smith: "Thank you Sir."

Edward Przyblylinski: "Thank you for listening to me."

Supervisor Smith: "Mrs. Hallock."

PUBLIC HEARING - continued

Hilda Hallock, 81 Sound Avenue, Riverhead; "I've lived there for thirty-nine years. I live there because I like it there. I like the peace and quiet. I was not recruited to come tonight. I came out of our interest and the interest of the community and for Mr. Rambo's benefit. That's why I'm here. I wasn't asked to come. I came because I wanted to and because I wanted these gentlemen to know again how I feel. I'm not in opposition to Joe having a plane, my husband and I have always enjoyed plane flights. But I am objecting to people flying over our house, circling there over and over again, going into the field, coming out again. Sunday mornings, afternoons, anytime. And that's what happens. I know there are people that have gotten up tonight and spoken in favor of this, in favor of the airpark, who are from a distance, who believe that this kind of thing isn't happening, but it is happening and it has happened. And this is what we're objecting to and also objecting to the flight, training program because that's where all this occurs. Flying in, out, buzzing and just generally being a nuisance. Thank you."

Supervisor Smith: "Thank you Ma'am. Ladies and gentlemen we have again gone for another hour. I propose it's appropriate that we again take another five minute break."

Supervisor Smith recessed the public hearing at 10:38 p.m. and resumed at 10:50 p.m.

Supervisor Smith: "Dr. Granttham, Mr. Semel reminded me that I left him out of the — Dr. Semel, excuse me Sir. You start."

Dr. Maurie Semel: "I'm afraid that this form was not meant to be a form which would include personal vindictiveness as the last speaker used the occasion and I hope that the rest of the speakers will not take that particular course of action, but rather try to address the Board of why they're opposed or why they're in favor of this particular application before the Board tonight.

I have no quarrel at all. I have no personal quarrel with Mr. Brush nor do I have a personal quarrel with the matter of flying or am I personally opposed to airports. I flew during my service career and I realize the importance of flight in the modern age. Mr. Rambo did bring up the matter of the Master Plan mentioning the Town airport. I would remind

PUBLIC HEARING - continuedDr. Maurie Semel continues:

him at that particular time, there was a Town airport, a Town owned airport planned and at that particular time the people working on the Master Plan felt that since it had progressed so far that they might include it within the Master Plan as something which was almost a matter of certainty. And I can probably remind at least one member of the current Town Board that we did have a referendum on that particular airport which was sited, at the Peconic River and it was overwhelmingly defeated. Defeated because of a place where the airport was going to be sited along the Peconic River and in a residential zone. The purchase originally, intended for park purposes, and then after was going to be converted into an airport, which certainly was not going to the park purposes and everyone here knows now it is a park, indeed a park which is very, very much used. A golf course with a large number of people able to utilize that particular type of facility.

I would also remind the Board that because of the new siting of this particular airport, the proposed airport, that it would seem to me that it would be necessary, once again, to require an Environmental Impact Statement since the site of the airport, the site of the runway has been moved onto agricultural land and this is certainly a type I class action and should require an Environmental Impact Statement, when the first and second proposals were made by Mr. Brush, concerning an airport, The first proposal brought before the Planning Board. The Planning Board recommended granting the airport, however, I would remind the Town Board that that occurred prior to the adoption of the Master Plan and that occurred on April 15, 1975. And I would say that currently there is a different attitude prevailing now in regards to that particular location.

The current Planning Board, most of the members of the current Planning Board which did see the second application of Brush, found that it was necessary to consult with the Suffolk County Planning Commission to get their particular ideas on this particular location. And as for the reasoning which Mr. Kaelin presented before, the reason why it was disapproved because they had a Suffolk County Airport and they were pushing for that and that was very far from the truth. The reason that it was disapproved was not because of that, but because of the fact that it was located close on to Route 105, the new route.

And I would say that the current application has not been referred to the Planning Board where I think it rightfully should go now before the Town Board makes a decision because I think we will have a chance, the opportunity to study this in depth and I know that the five members of the Planning Board will come up with a reasonable recommendation, whether to accept or to deny with a recommendation to the Town Board.

PUBLIC HEARING - continuedDr. Maurie Semel continues:

In response to the question which was asked back at the beginning of these hearings, I don't think that the Suffolk County Planning Commission has been apprised of the new site plan for this airport and I don't think that they have in anyway have the opportunity to rule one way or another as to the propriaty of this particular location.

Now another one of the speakers pro for the airport, Mr. Gambino mentioned the fact that this was only going to be a flight strip. And I agree with him. It was what I considered to be a flight strip. However, the Town Board recognized the fact that the Joint Boards have been meeting recently, discussing a revision of a zoning ordinance as regards to a definition of the zoning ordinance as regards to the definition of airport and airstrip. And I can contend that in light of the proposals or proposed changes which are now underway that any action on this particular airport should be deferred until at least we can come up with a definition of what an airport is or what an airstrip is, so that we know what we're talking about in light of the proposal which has been made to the Town Board in this application.

Now, one of the other speakers also, Mr. Davis from the Coram area, mentioned the fact that there's an airport there and values around that airport have increased. I have an article here taken from the Newsday which says 'two injured as the plane goes down near Coram.' And this is the same airport that Mr. Davis was talking about. The pilot of the plane and passenger was seriously injured when their small craft crashed seconds after take off. And this is the sort of thing that Mr. McCombe is afraid of, that the Palifka's are afraid of and the individual who resides there on Union Avenue are afraid of. Yes, there may be safe fliers, but they never know when the airplane is going to crash.

Another article in the Newsday said at least twenty people have been killed in fifteen small plane accidents on Long Island in the past five years, and it goes on to enumerate where some of these accidents took place. So these accidents are possible. It's not to say that everyone is an airplane jockey. Most of the people that are flying airplanes are considerate and they're doing everything possible to fly safely, but the aircraft isn't always in safe condition and doesn't always operate as they want it to operate.

So finally, Mr. Supervisor, Members of the Town Board I'd like to say this. Should the Town Board judge the application favorably, which I earnestly hope they will not, I would hope that the Town Board would see to it that a number of covenants are included within the final form which would insure that the airport, this so-called flight strip, would not be increased in any manner, further expanded because we're talking about a north — south runway. There's lots of area to go an east — west runway as well, which no one has really

PUBLIC HEARING - continued

Dr. Maurie Semel continues:

addressed as yet. We would hope that only day flying would be permitted and under V.F.I. rules and that seriously considered would be the traffic patterns that would be permitted wherein they would not encroach upon the privacy of the McCombe residents or the Hartmann property. Thank you very much."

Supervisor Smith: "Thank you Dr. Dr. Granttham?"

Dr. Caryl Granttham; "First of all, you very well know that I was not recruited to come here and testify at this hearing tonight, as one of the speakers has alleged. I'm a fairly regular attendee at these meetings. And I think the Board well knows that.

Secondly, I think it's unfortunate that anything degenerates to a personal vendetta. I think that's totally uncalled for and I hope that that's weighed in your consideration.

Thirdly, to comply that those of us who are concerned have never flown, I've been to Europe several times. I've crossed the Country, flew regularly to Chicago and to Washington in the days when we used to fly in DC-3's. So I'm quite familiar with air travel as I'm sure all of you are and I'm sure I'm in the air as much as they are. But what distrubs me more than anything else, is the fact that he implies that this discussion of an airport and I use that advisedly, was a part of master planning. I was in the Master Plan process from the beginning to the end. I even have the final recommendations and as far as I know it's totally beyond the scope of the Master Plan and I also want to make clear that if this has not been referred to the County Planning Commission, I certainly urge it to be done and in their old letter of April ths 16th, 1978 the County Master Plan and Mr. Newman whom I know personally for Mr. Koppleman said that the earlier site plan which has only been moved over 810 feet it is in consistent with the 1973 Riverhead Town and Suffolk County Master Plan which designates premises and surrounding areas, for agricultural and single-family residents development.

And on point three, it would tend to provide the impetous for unwanted further prepetuation of non-residential development patterns in the locale and number six which is even more important, that ample airport facilities exist in Eastern Suffolk to adequately accommodate general aviation needs in the area. And I do in that sense, recommend that you do seriously observe what we think the obligations of the Board, is the general public interest in this case. Thank you."

PUBLIC HEARING - continued

Supervisor Smith: "Thank you Doctor. Mr. Celic, you have not spoken before."

Joe Celic, Jr., Aquebogue; "I've been a life-long resident of Riverhead. I've had a plane. I've had two planes, both based at Joe's and I'm a businessman. I've had a daughter that went to Providence College which I flew many times. I've gone up to Connecticut and I've had people tell me, Joe if they could only find a shorter way to get to Riverhead other than forget Suffolk County Airport.

He said first off if you go in there, there's no one to get from that airport to any place. They have no ground services. We would do more business in Riverhead if we had an opportunity to get to that Town except going by the Ferry which in the winter time if you have a little queasy stomach, you wouldn't take it, or go around Manhattan. It's a five hour trip from Hartford, which is only an hour by airplane from Joe's to Hartford. Now you're talking about gas, \$1.50 a gallon. It isn't very far away. If you want to travel that at five hours and burn up that \$40 worth of gas, this is what the people are talking about between Connecticut and Long Island. They're talking about building a bridge to increase commerce between us and Connecticut. That bridge, by the time, if it ever becomes a reality, will cost a billion dollars that we're all going to have to pay a little bit of. Here is an opportunity to help the commerce between here and Connecticut, or here and down south without going through the bottle necks of New York.

I do business out here, not only on the Island, I do business in many other states. So I, myself, am very much in favor of this airport, and one thing is done with private money. Most airports in this Country are done with public money. At least give this man the opportunity. You're talking about two people or three people being inconvenienced. Well I'm very much inconvenienced, too. And by the way, I'm an \$18,000 tax payer. Thank you."

Supervisor Smith: "Thank you Mr. Celic. Now for your second."

David Spahn: "Good evening again. I would like to take this opportunity to answer Mr. McCombe. On his reference to a newspaper article, in reference to farmland program and buffer zones. I can't look at you Mr. McCombe because I'm to this . . ."

Supervisor Smith: "No you talk to us."

PUBLIC HEARING - continued

David Spahn: "The reference is this. The zones and clearances required are different for a federally funded airpark than a private airpark, in the first place. In the preliminaries that are developed by the Department of Transportation in the State of New York are those required for Mr. Brush's airport. Now for an airport that we are proposing which will require federal funds, requires greater buffer zones.

Now the reference in the article that you refer to regarding 451 acres of farmland in Southold Township, the beliefs for a buffer zone were in this matter. The airport as a strip in the tie down and building areas require about ten acres. Now that expands into 64 acres, will you get the necessary buffers?

So since the farming program, which is paid for by Suffolk County tax money, and since the airport that we're proposing would be paid for by federal money, which comes from tax on airline tickets, tax on airline fuel, tax on tie down and tax on landing fees. So the biggest portion comes from funds that are generated by aviation for aviation. So in order to see the expenditures of funds, I looked into the possibility of using farmlands for buffers, because one of the prerequisites of farmland program was that before they're green — not be built on, just the open area. So, therefore, I was trying to see if it was possible to buy just ten acres and have the balance be farmlands which were supposedly forever green. Now part of the idea came from the time I spent the last 28 years flying the eastern half of the country. There aren't many airports that use the inner areas between the runways to grow crops, so this gave me the idea. And in reference to the answer in the paper was they said no, you could not use the farmland preservation program for buffer areas required by your airport plan. But it's perfectly compatible to be next to. It just would not reduce the requirement of acreage for the strip. So when you really look into the farmland program, you find out that they're required to have a buffer also. And one thing to keep in mind is that housing developments are not compatible with the farmland program. That's stated in your book. So I hope Mr. McCombe fully understands the reference made using the farmland program land for buffer for an airport."

Supervisor Smith: "Yes Sir. All right. Thank you. Anyone else on this particular issue. Yes Sir, Mr. Talmage."

John Talmage, 36 Sound Avenue, Riverhead; "I'd like, I should say where I'm from in the sense that I am an aviation enthusiast so that there be no mistake about

PUBLIC HEARING - continuedJohn Talmage continues:

that. I am also a bona fide farmer. And our family has farmed in the Town of Riverhead for 100 years. I have Sons who plan to stay in this Town and farm. I personally don't feel there is any more compatible use of an area that's farmed than an airport. I think any of you who have ever flown into Dallas, Fort Worth, would probably have noticed it is a huge airport complex and the only use of the huge areas around the runways is for agriculture. Plants and animals don't seem to mind airplanes. I think it is a very compatible use and open space use. Long Island has been referred to as the cradle of aviation. It owes much to aviation. It's industry. It owes much today to aviation and yet one time after another we seem to deny that heritage. Many of us are quick enough to get on an airplane to fly some where to see our families, or on business, but most of you probably have not thought about the question of where did the pilot of the 747 or the DC-10, or the DC-3, what kind of a plane did he learn to fly in. I will tell you he did not learn to fly on a large aircraft. He learned to fly in a small aircraft, probably in one very similar to those that operate out of small airports, grass strips. So bear in mind that you deny Long Island part of its heritage when you deny a future for aviation on Long Island.

I think you are not realistic when you say that there is no place for general aviation on Long Island. If any of you want to fly with a pilot who learned to fly from a book without some practical experience, if I asked you to line up, I think it would be a short line. So I would hope that the Town Board not lean on the crutch of the administrative road blocks that are available today that seems to impede our progress. Many of, perhaps abusers have caused the necessity for environmental impact studies that I think that all of us know that environmental impact studies and reference of a question which effects Riverhead to a County Planning Board is a road block that is going to perhaps administratively kill this question. So I would hope that you do not lean heavily, too heavily at an item on this administrative road block. Thank you."

Supervisor Smith: "All right. Now Mr. Talmage, may I ask you a question Sir? I ask you, as one of the farmers of our community, would it be possible in terms of crops dusting aerial applications of various chemicals that they must use to say either at Brush's airport or certain other locations in the Town of Riverhead that these areas be the areas designated for the purposes of pick-up and discharge of both chemical and fuel necessary to fly the plane. Rather than have maybe Smith, or giving at this

PUBLIC HEARING - continuesSupervisor Smith continues:

case, Bill Fedun, you, Hartmann, Hallock, everybody else each landing and taking off aircraft of various discreptions, whether there would be, let us say, three or four different particular locations, maybe Brush's, for instance. That being a central, say four or five or them désignated, maybe Mr. Brush has a term of condition of his permit if he were to get one, we'll have to make that strip available for this purpose and then maybe the people to the west and the east will have to comply with a similar provision. Does that make any sense as possibly consistent with the agricultural industry and consistent with some of the safety issues that are raised here today?"

John Talmage: "And if fixed-wing aircraft were to be used, they are confined to the use of airports or a strip that's identical in size. They have to operate off a semi-improved field. So for fixed wing use, you would need something, either an airstrip or something just like it."

Supervisor Smith: "In other words, what you have up there in your place does not accommodate a fixed wing spread."

John Talmage: "The private strip that I have would. However, helicopters cannot ferry for very many miles without losing — the reason that helicopters are effective is that they can operate vertically, but horizontally they're not efficient to ferry a number of miles. They're slower than fixed wing. So they're two different animals. So helicopters need to be fairly close to the farms that they're operating on. Fixed wing can be further away and they could be in the Town of Riverhead if there were two or three that would suffice for fixed wing. But bear in mind in the Town of Riverhead up until the last year or two, almost 95% of it was done by helicopters. There is some change. We have not changed. I do not know what the percentage is today."

Supervisor Smith: "Okay. Thank you. Anyone else? Mr. Segal?"

Morris Segal, Riverhead; "I want to touch on a subject that Harry Rambo just touched on briefly, evacuation."

Supervisor Smith: "Mr. Segal, if we could the street or a mailing address?"

PUBLIC HEARING - continued
Morris Segal: "Box 188, Riverhead."

Supervisor Smith: "Thank you Sir."

Morris Segal: "I'd like to touch on a subject that Harry mentioned, evacuation. I had to drive to New York today on the expressway and on the way back there was two tractor trailers going westward with nuclear waste, which proves that Brookhaven National Lab is operating very nicely. Shortly we're going to have the Shoreham Nuclear Lab operating, hopefully very nicely, with the good Lord's blessing.

I'd like to mention that we recently read about the Three Mile Island incident in Pennsylvania and just yesterday I read in the paper, heaven forbid, if we have a nuclear accident here on Long Island, there's just no way that anyone can get out of here. We're pulling in the magnitude or any mishap, heaven forbid.

The point that I'm making is that every airstrip is very important now. Westhampton, Mattituck, South, Joe Brush's, Mr. Davis' airstrip, Bayport, you just name it. And every row boat. Now the ferry boats on the east end of the Island are very important and it's published so. So, I am definitely in favor of the airport. For that reason, I'd like to get out of here with my grandson and my family and take a friendly politician along, if necessary. We're all friends.

I'd like to digress on another subject before my few minutes are up. I'd like to suggest, if I may, if you folks are good enough to grant Joe Brush permission to operate restrictive to the one runway, fi that would make the people in Sound Avenue very happy and if he proposes to on top to macadimize the runway, well he has to come to you folks for permission. So you have the ball in your hands, when it comes to it, or if he has to make a third runway, or a second runway, that's all in your hands.

I'd like to touch again on the subject of helicopters and I'd like to say that it might be wise for you folks to make an Environmental Impact Study on what helicopters spraying is doing to the local community. I'd like to give you a for instance where there's been no complaint, but I'm aware of it and I'm going to make this subject public right now. Every year, I sell some bags for grain to a group of people that come here from Brooklyn and they convert this grain to boxes, they're Jewish people from Brooklyn. They're a large group. What they're doing, they're buying grain and they're using it for some reason — stick to the area of Sound Avenue,, not far from Joe Brush's airport, and the fields are sprayed by helicopter, the potato fields, both morning and night. And the drift of these poisonous sprays are going into the grain.

PUBLIC HEARING - continuedMorris Segal continues:

Now what would happen if these fields of grain which are combined and used for unleavened bread were to be poisoned. It's a lot of people involved here and no study has ever been made. I've never said anything to these people that have come out from Brooklyn, but I've talked to the farmers that have sold the grain and they advise me that they will now create buffer zones in this sprayed grain.

So now we have a situation where people are eating grain that could be poisoned. So what I'm saying is maybe an Environmental Impact Study should be made on the helicopter spraying. What's happening here? Once again gentlemen, I feel that we should give careful consideration to Joe Brush's airport for the little point of evacuation and thank you very much."

Supervisor Smith: "Thank you Mr. Segal. All right anybody else that chooses to address the Town Board on this particular issue? Harry you've been reading your notes."

Harry Rambo: "I've been reading them and I find out it's a lot of repetition that everybody else has brought out. I believe that Joe Brush never did operate his field illegally. He had a permit originally to run a commercial airport and it was rescinded and he was told he could run a private strip which he did. And he ran it for many years until this Board or the inspector stopped him. But he never ran a commercial airport. He had some friends tie down there, which he could do. And I think there's been a lot of misunderstanding and a lot of distrust and I'm not trying to blame anything or get nasty to these people. But I think the facts, as I say, should be brought out, and I think and I'm not a lawyer, but I don't think if the record is looked back into he was operating legally. He was operating the same as Mr. Talmage is operating. And Mr. Talmage has friends that visit him and fly in and fly out and that was legal.

Now Mr. Brush was legal. He didn't operate a commercial airport. And as far as the environmental review is concerned on January the 5th, Judge Gerard ruled that the Environmental Quality Review Board's finding are only advisory. That's all. And that was printed in the News-Review on January the 19th. And in the same newspaper on January the 12th, the Riverhead Review Board decided the impact statement was needed. I don't see why they should change that now. He hasn't gone away where he's on the same field and the same side. Nothing has changed. So I don't think they'll have to change that. It's just stalling and stalling and stalling. I think the issue has been stalled for years. And it should be settled.

I think I'm going to leave the Board off on that, but I'd like for the record, say I'm 100% in favor of operating

PUBLIC HEARING - continuedHarry Rambo continues:

the airport as an airport."

Supervisor Smith: "Thank you. Now what I'd like to do is, I assume that both you and Mr. Gill have something to say wrapping this up. You lead."

Harvey Arnoff: "Mr. Supervisor, gentlemen of the Board, again I'm not going to go over the rehash, what you've heard tonight and what you heard back in January — what four of you heard on January 18th. We're dealing here with private enterprise. That's all we're dealing with. Joe Brush wants to put in an airpark. We choose to call it an airport. I think by definition under the general business law, it's an airport. There's no question as to what it is. There's no question as to how we intend to limit the use. I think we've been extremely explicit in our application and very candid with the Board. This particular airstrip has been approved or has been determined that it has been in conformity with the rules as promulgated by the Department of Transportation in the State of New York.

It also has been determined by the federal aviations administration that this airstrip is also in conformity with its rules and regulations. We have to go to agency after agency after agency. We're asking you, that you tonight are the final agency. We don't see a need to go beyond this Board. We've been everywhere, I think, where we've been made to go. Joe Brush wants to be a good neighbor to everybody on Sound Avenue and for the Town of Riverhead. I think that we can all be aware of the fact, that if there's a change in the use permitted that Mr. Brush will probably suffer some increase in taxes, which in turn would be a revenue to the Town. There also are some support facilities. There will be people employed again which will supply revenue to the Town. I know what peculiarity that Mr. Glander talked about a 75% decrease in poor property values or appreciable decrease on real property values. Well we all know Joe Brush operated that strip legally or illegally just about continuously for the past ten years.

We also can see from Mr. Glander's self same report which has been submitted to the Board comparable sales in the neighborhood of subject property, \$3,914 an acre and that was in April 19, 1975. Joe's strip was going then. May 16, 1974 \$3,886 an acre. July 30 1973, \$3,698 an acre. July 23, '76, \$2,826 an acre and September 26 '76, \$2,788 an acre. Here are residents of the Town are familiar with the value of farmland and now the market in the early '70's bottomed out. And it is only because of John Klein and his Farmland Preservation Program that the farmers or the speculators, if you will, have

PUBLIC HEARING - continuedHarvey Arnoff continues:

been able to reap any benefits. I'm personally familiar with two or three farms that have been taken back by families. Speculators can't do anything with them. Try as they might, they can't peddle these farms, they can't give them away. So John Klein came along and said all right, I'll pay you \$2,000, \$2,500, \$3,000 an acre and you keep the farming rights which in turn sell for 1,000 an acre.

There's been no depreciable decrease, no appreciable decrease I should say. And any of the neighboring land around the airport during its entire existence. In fact, what we have is an airport that's been out of existence for two years, or a year and a half. And what Mr. Glander would have this Board believe is that if they re-instate that which is already there, you're going to see a drastic reduction in real property values. I submit, gentlemen, that that flies in the face of reason and also flies in the face of this very same report.

Finally, I think the time is now for a decision. Joe Brush has waited. I think this community has waited. I think this airport will provide a vastly needed service for this Town. I think you've heard from enough people. You've heard enough from me tonight and another night at that and I think I'll bid you good night."

Thomas Gill: "I think mine will be just as much appreciated since it will be much briefer. A couple of questions I want to clear up. The Board fully understands it. The attorneys fully understand it, and the experts fully understand it. But the audience should know the record is replete with testimony of experts from the January hearing, and that's why a lot of things that could have been talked about aren't talked about. The Board has received a lot of things tonight that it must consider before making a determination. We had experts regarding airports. Mr. Ronald Freeman who is a leading expert in airports has stated that simply the airport is not needed. We had a land use expert explain that this isn't a proper use of the property. We've had Mr. Maurie Semel who is also explained that this is not a proper use of the property who has had some planning experience. We've had a man from the Department of Agriculture. We've had somebody here state tonight that this is an appropriate use for an agricultural area. We've had a representative in his official capacity state that this is not consistent with the policy of the agricultural department to correct Mr. Arnoff. Mr. Glander stated that the 75% depreciation in value was on direct flight path of the airplanes, not the properties that he recited in their sales.

I live in Southampton, I am familiar with the Real Estate Market and I do appreciate the value of waterfront

PUBLIC HEARING - continuedThomas Gill continues:

properties. As you know, directly to the north of Sound Avenue up to the Long Island Sound. It's well treed. It's Rolling Hills and it's waterfront property. Most ideally suited for the pressure for the need of waterfront properties. I think you can see in time and it's happened on the south fork already, nearly all your waterfront property has disappeared. You're starting to see developments on the north fork now and the waterfront properties. You have Iron Pier Woods going in on the boundary of Riverhead and Southold, and I expect that you'll see an expansion of the residential use of those properties.

Something that the experts were quite emphatic about in their reports that they are always dealing with problems that could have been prevented. Here it can be prevented. We are talking about what looks to be an improper use for this area. It can be prevented right now. If we grant the strip with conditions, he'll have the right to come back in and modify those conditions. What's so bad about changing that condition. What's so bad about having a garage repair the airplane. What's so bad about having a gas tank that will fuel that airplane. Then the guy will say what's so bad about having a hangar that will store my cauliflower, that will go to Connecticut. And then it will go on and on and you'll have an industrial park. The most, I think, the significant things from the Town Board's point of view is that we are not running a popularity contest here, that the basis and principles of the ordinance must be adhered to and those are value of real estates, safety, health, and welfare. I'm finished."

Supervisor Smith: "That's the end of another hour. Mrs. Pendzick has got to get yet another tape. This proceeding is adjourned and the Town Board Meeting will continue in a very few moments, after we take a break this time."

Thomas Gill: "Is this meeting adjourned or is the record closed."

Supervisor Smith: "No the hearing on Mr. Brush's application is at this point closed, if there are no objections. That does not mean that the Town Board is going to stop work tonight and can consider either this matter or any other matter in the balance of its agenda."

No one else wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the hearing closed at 11:42 p.m.

Supervisor Smith recessed the meeting for five minutes after which the meeting resumed.

Supervisor Smith: "Is there anybody that wishes to address the Town Board on any other matter?"

No one wished to be heard at this time.

RESOLUTIONS

Before any resolutions were offered, Supervisor Smith stated: "Let me do this. I'm going to summarize each of these resolutions. Anybody that's interested in the verbatim of any of these resolutions, holler."

#244 AUTHORIZES THE BURNING OF PREMISES KNOWN AS 500 DOCTORS PATH

Before resolution was offered Supervisor Smith stated: "The Riverhead Fire Department and such other Fire Department that want to join in a mutual aid to burn the structures we know as 500 Doctors Path."

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Town has acquired certain property, known as 500 Doctors Path, and

WHEREAS, The demolition of the existing structures at that location is being undertaken by the Town Board, and

WHEREAS, A savings can be accrued to the Town Board by having these structures burned by the Riverhead Fire Department, in conjunction with such other Departments as may wish to participate on a mutual aid basis, and

WHEREAS, The Board of Fire Commissioners and the Riverhead Fire Department have requested a resolution of this Board warranting title to the property and assurances relative to liability insurance,

NOW, THEREFORE, be it

RESOLVED, That this Town Board does hereby warrant title to said premises, does hereby agree to defend any action commencing relative to the burning of these premises, to hold harmless the Riverhead Fire Department and the Riverhead Fire District from any judgments, fines, etc., as a result of the burning of these premises and does warrant that the Town carries liability insurance covering any acts of negligence of the Town relative to these premises.

RESOLUTIONS - continued

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#245 INCREASES ALLOWABLE INCOME FOR SENIOR CITIZEN
EXEMPTION

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

WHEREAS, The State Legislature has enacted certain legislation permitting the Town of Riverhead to increase the income limit for homeowners over 65 years of age,

NOW, THEREFORE, be it

RESOLVED, That the Town Board of the Town of Riverhead does hereby increase the allowable income for senior citizen exemptions to the sum of Eight thousand and 00/100 (\$8,000.00) Dollars per annum, in accord with the applicable State enabling legislation.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#246 REQUESTS ACTION OF COUNTY LEGISLATURE, COUNTY
EXECUTIVE AND DEPT. OF PUBLIC WORKS RE DREDGING
OF PECONIC RIVER

Before the resolution was offered Supervisor Smith stated: "We're making an application to the Department of Public Works and the County Executive to dredge the river. Does anyone want to hear it?"

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

WHEREAS, The Supervisor has requested the County Executive and the Commissioner of Public Works to perform maintenance dredging on the Peconic River, and

WHEREAS, This Board wishes to support said request,
NOW, THEREFORE, be it

RESOLVED, That this Town Board does hereby request that the County Legislature, County Executive, and County Department of Public Works take those steps necessary to perform maintenance dredging on the Peconic River from the Indian Island County Park to the Peconic River Parking Lot.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued
 #247 AUTHORIZES RIVERHEAD HOUSING DEVELOPMENT CORPORATION
TO ADMINISTER 50 UNIT SECTION 8 PROJECT

Before the resolution was offered Supervisor Smith stated; "We have previously had before this Board and it's been the subject of some other resolutions, and certainly some press coverage is the administration by the housing agency that we created some time ago of what's called Section 8 existing project. This is a scatter site, rent subsidies. Does anybody want to hear this one?"

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Pursuant to the powers of the Laws of the State of New York, this Town Board has authorized the incorporation of the Riverhead Housing Development Corporation, and

WHEREAS, Said Corporation may only undertake such projects as are approved by this Town Board, and

WHEREAS, This Town Board has previously authorized the Riverhead Housing Development Corporation to apply for an award of fifty (50) units of Section 8 existing subsidies, and

WHEREAS, by letter, dated May 4, 1979, the Riverhead Housing Development Corporation has been advised that its application has been approved,

NOW, THEREFORE, be it

RESOLVED, That this Town Board does hereby authorize the Riverhead Housing Development Corporation to take those steps and actions necessary to administer a fifty (50) unit Section 8 existing application (HUD Project, No. NY 36-E 127-002).

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Before the next two resolutions were offered Supervisor Smith stated: "Resolutions #248 and #264 are transfer of funds. Does anybody want to hear those?"

#248 RESOLUTION AUTHORIZING TRANSFER OF COMMUNITY DEVELOPMENT
FUNDS

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

WHEREAS, The Community Development Office has requested a transfer of \$5,000 from the Community Development Consortium Year III Account to the Community Development Consortium Year II Account for the construction work on the Morrell Property, now, therefore, be it

RESOLUTIONS - continued

RESOLVED, That the Financial Administrator is hereby authorized to transfer \$5,000 from the Community Development Consortium Year III Account to the Community Development Consortium Year II Account.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#264

TRANSFER OF FUNDS

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

RESOLVED, That the Supervisor be, and he hereby is, authorized to make the following transfers in the General Town Account:

	<u>FROM</u>	<u>TO</u>
A1990.400 Contingency Account	\$9,600.00	
A8160.200 Sanitation Equip.		\$7,000.00
A3620.210 Safety Inspection- Field Equip.		\$2,600.00
A7110.410 Contract. Exp. - Parks	\$20.00	
A7110.200 Equip. - Parks		\$20.00

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#249

APPOINTS RUSSELL A. FLEISCHMAN PERMANENTLY EMPLOYEE
IN TOWN HIGHWAY GARAGE

Before the resolution was offered Supervisor Smith stated: "Resolution #249 is that Mr. Fleischman has passed six months of being in his position at the Town Highway Garage."

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Russell A. Fleischman has completed six (6) months of service in the Town Highway Garage and has requested confirmation of his appointment in that position as a permanent employee,

NOW, THEREFORE, be it

RESOLVED, That Russell A. Fleischman be, and he hereby is, confirmed as a permanent employee in his position in the Town Highway Garage.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued
#250 AWARDS LANDFILL MACHINERY BID TO H.O. PENN MACHINERY CO.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, This Board advertised to receive bids for certain landfill machinery to be opened on March 26, 1979, and

WHEREAS, Four (4) bids were received on various types of equipment, and

WHEREAS, These bids have been analyzed by the Town Board's consulting engineers, Messrs. Holzmacher, McLendon and Murrell, and

WHEREAS, This Board, at this time, elects to purchase a front end loader, and

WHEREAS, The low bidder on this item is George Malvese & Co., Inc., and the second low bidder thereon is the H.O. Penn Machinery Co., with a bid difference of Six thousand four hundred forty-six and 00/100 (\$6,466.00) Dollars, and

WHEREAS, This Board, on advice of its engineers, finds that the low bid of George Malvese & Co., Inc. does not comply with the bid specifications and that the difference in price between the two (2) machines does not justify waiver of the specifications, and

WHEREAS, The Town Board has taken those steps necessary to let a bond sufficient to pay for the machinery to be purchased,

NOW, THEREFORE, be it

RESOLVED, That this Board does hereby award the above-referenced bid to the H.O. Penn Machinery Co. on a Caterpillar 988B for a net contract price of One hundred seventy-four thousand twenty-six and 00/100 (\$174,026.00) Dollars, in conformity with the plans, specifications, bid documents, etc., on file with the Town Clerk, and be it

FURTHER RESOLVED, That the Supervisor be, and he hereby is, authorized to take those steps necessary to effect this bid award.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#251 APPOINTS TEMPORARY TOWN HALL SUMMER EMPLOYEES

Before the resolution was offered, Supervisor Smith stated: "We hire summer interns every year. This year it's Stony Brook, Cornell, and a couple of other places. The pay scale rate is from \$3.75 an hour down to \$3.12 an hour. Does anybody want to hear it?"

RESOLUTIONS - continued

Councilman Menendez offered the following resolution which was seconded by Councilman Regula.

WHEREAS, This Town Board does employ temporary summer employees for specific projects,

NOW, THEREFORE, be it

RESOLVED, That the following named persons be, and they hereby are, appointed to the positions and at the rates of pay stated below, to serve at the pleasure of the Town Board:

<u>Summer Laborers:</u>	<u>Effective Date</u>	<u>Rate of Pay</u>
William E. Wegener, Jr.	May 22, 1979	\$3.75 per hour
Dennis A. Deegan	May 22, 1979	\$3.75 per hour
Douglas Van Slyke	June 4, 1979	\$3.75 per hour

Re-Valuation Students:

Erik J. Bertel	June 4, 1979	\$3.12 per hour
Robert L. Lattanzio	June 4, 1979	\$3.12 per hour
Robert J. Koshar	June 4, 1979	\$3.12 per hour
Robert L. Clough	June 4, 1979	\$3.12 per hour
Sherry R. Meier	June 4, 1979	\$3.12 per hour
Eileen R. Finkel	June 4, 1979	\$3.12 per hour
Warren B. Berger	June 4, 1979	\$3.12 per hour

Summer Interns
(Cornell University
Program):

Frederick Edel	June 5, 1979	\$3.12 per hour
George Bartunek	June 5, 1979	\$3.12 per hour
George Chester	June 5, 1979	\$3.12 per hour

Summer Intern
(Community Development
Department)

Adele Conklin	May 29, 1979	\$3.12 per hour
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The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#252 RESOLUTIONS - continued
AUTHORIZES CONTRACTS OF EMPLOYMENT WITH CONFIDENTIAL
AND MANAGERIAL EMPLOYEES OF THE TOWN

Councilman Menéndez offered the following resolution which was seconded by Councilman Young.

WHEREAS, This Town Board has heretofore petitioned the Public Employment Relations Board to exclude certain employees from the Civil Service Employees Association and the Police Benevolent Association bargaining process, and

WHEREAS, Negotiations and arbitration have resulted in contracts with those employees represented by the Civil Service Employees Association and the Police Benevolent Association, and

WHEREAS, This Board has undertaken negotiations and has obtained settlements with the confidential and managerial employees set forth below, and

WHEREAS, The Town Board finds that the contracts of employment for the confidential and managerial employees of the Town should be amended so as to eliminate therefrom reference to longevity, overtime, hours of work, etc.,

NOW, THEREFORE, be it

RESOLVED, That the Supervisor be, and he hereby is, authorized to execute contracts of employment with the employees named below, at the annual salaries stated herein, effective January 1, 1979. Said contracts to be individual to the employee and to contain such contract language as to eliminate overtime and longevity, and further terms as may be established by the Supervisor and agreed to by the employee.

<u>Name</u>	<u>Period</u>	<u>Amount</u>
Roscoe Palmer	1979-1981	\$30,500.00 per annum
Robert M. Scheiner	1979-1980	\$22,500.00 per annum
Zahn Williamson	1979	\$21,400.00 per annum
	1980	\$22,900.00 per annum
Clement Petrazewski	1979	\$20,000.00 per annum
	1980	\$21,400.00 per annum
Stanley Grodski	1979	\$20,700.00 per annum
	1980	\$22,200.00 per annum
John J. Hansen	1979	\$19,000.00 per annum
	1980	\$21,000.00 per annum

Supervisor Smith: "Yes ma'am would you give your name and address."

RESOLUTIONS - continued
Chris Kohler: "Riverhead."

Supervisor Smith: "Your address ma'am, please?"

Chris Kohler: "Riverhead, New York. There's just some things that I don't understand on this."

Supervisor Smith: "Yes ma'am."

Chris Kohler: "First of all, I'd like to know how much of the increase is this over their present salary? Is it a 7%, a 6%, 5%?"

Supervisor Smith: "These were not initially in terms of percentage. I will get you the exact figure in a moment. I will attempt to deal with your question off the top of my head and if you want accurate figures, we'll do that. For instance, Chief Palmer, may not as a matter of law, receive less of a per dollar increase than that of the most superior officer in the bargaining unit immediately, subject to his jurisdiction. So if you want to analyze where Chief Palmer is, you have to go and analyze the arbitration award granted by the arbitration panel to the P.B.A. Unit and examine the most senior lieutenant in the unit, and what the per dollar cost with reference to what that particular employee was.

With reference to Mr. Scheiner and the other employees they are in the Civil Service, the non-police category. The salary awarded Mr. Scheiner is very much dependent upon the federal dollars that he handles. He gets paid out of federal funds exclusively. Mr. Scheiner administers approximately four million dollars in the Community Development Office. His total staff as far as being paid by the Town is a staff of three people. That particular wage, you should consider that the entire four million dollars is — it's actually four million dollars plus, is being administered at a 1.6% of the total four million dollars.

Mr. Petraszewski and Mr. Grodski — let's deal with Mr. Williamson, Mr. Petraszewski and Mr. Grodski are currently — because of — however it came into existence prior to my being involved with the negotiations, were being considered together with the employees that they administer. The current contracts with those three employees and then again with Mr. Hansen, which I will deal with in a moment, provide in part that they may claim overtime that they have set hours of work and that they are included in longevity arrangements. So that in

RESOLUTIONS - continuedSupervisor Smith continues:

negotiating with Mr. Williamson, Mr. Petraszewski, and Mr. Grodski, if we were to go to mediation with them and they are covered by the Taylor Law, among other things they would get a step increase and would be legible to claim any non-business hour overtime, etc.

The only one I worked it on was Mr. Hansen, who is similarly involved. Mr. Hansen is very well known in the Town Hall and probably, I'll say I work a little harder than he does, but he puts in a lot of hours. The philosophy of changing the system under which these employees are paid to eliminate this kind of step process and overtime provisions and the hours of work provisions, so in contracts that were recited here by Doctor Menendez, we are talking about eliminating therefrom longevity, overtime and hours of work which are currently provisions in the contract. So that rather than deal with them on a per hour basis, we're talking about an annual salary basis. If Mr. Hansen were to be paid overtime, which he has not claimed in three years of service in the Town of Riverhead, his base salary at the moment would be \$15,669.56. It is fair to say and I don't know that's anyone on the Town Board or in Town Government would challenge the fact that Mr. Hansen puts in approximately sixty hours of work a week. The basic hours of work in this unit, in the Town Hall unit are thirty-five hours a week that would be twenty-five hours of overtime per week. You can do the math or you can accept my figures. Over a yearly basis, Mr. Hansen's overtime on that basis would be \$15,504."

Chris Kohler: "Okay, so let me ask you this. Did all the department heads and elected officials receive raises? Or some did and some didn't?"

Supervisor Smith: "We had negotiated settlements with all managerial and confidential employees except Mr. Wiwczar and I think the position of the Board will be with reference to the other two employees that they will get the same raises as the Civil Service Unit, which is my secretary, Mrs. O'Hara and Mr. Saxtein's secretary, Miss Papish."

Chris Kohler: "Well what about the head of the building department? Did he receive a raise?"

Supervisor Smith: "He has not. He will receive a raise in some degree, yes."

07/31/79
RESOLUTIONS - continued

Chris Kohler: "Why hasn't he received it at this time?"

Supervisor Smith: "He did not agree with the offer with the Town Board and it seemed fairly unfair to — a resolution with reference to Mr. Wiwczar. Unfortunately, as we were attempting to complete these negotiations with Mr. Wiwczar, he took an unscheduled vacation."

Chris Kohler: "Okay fine. What about the elected officials? Have they received raises?"

Supervisor Smith: "Not at this point. There is a resolution that follows this one that may or may not result in my getting a raise."

Chris Kohler: "Were the others considered for a raise? Why is it that some are getting raises and others weren't even considered for a raise? To say the least, that they are getting substantial amount of raises. If you're going to give to one, why not distribute it. Why is that only a few where and a few there? Who selects these people that are going to get raises?"

Supervisor Smith: "I can't answer for any of the other Town Board members, I can only speak for myself. With reference to the employees, Palmer through Hansen . . ."

Chris Kohler: "Right."

Supervisor Smith: "Okay. It deals with responsibilities. It deals with expertise. It deals with education. It deals with abilities to administer the department without trouble. I would take the factors such as whether or not you can handle employee discipline within your department without constantly going to the Board or other people, are factors that would be considered. We have said, for instance, with Mr. Scheiner, he administers with a two person staff, a budget of four million dollars. That isn't bad. And I don't want Mr. Scheiner to leave."

Chris Kohler: "But what I'm asking you is that I asked you a question. Are all elected officials receiving

RESOLUTIONS - continuedChris Kohler continues:

raises? Now I see down here there is in fact a salary change for the Town Supervisor."

Supervisor Smith: "That's right."

Chris Kohler: "Why haven't the others also been approached about a raise?"

Supervisor Smith: "They were."

Chris Kohler: "They were?"

Supervisor Smith: "Yes ma'am. We had to budget the entire budgetary process with reference to elected officials was the subject of extensive hearings in October of 1978. And the figures are published yearly in the Review with reference to the Town Board, myself, Mr. Horton and Mrs. Pendzick, if there are going to be any increases, and there was testimony at that particular time with reference to those officials. There were also questions at that particular time with reference to J.P.'s, Tax Receiver and Assessors."

Chris Kohler: "Right, but now I see just a few are getting raises and others are being left out."

Supervisor Smith: "I don't doubt . . ."

Chris Kohler: "That's the part I can't understand."

Supervisor Smith: "The consensus of the Town Board is that they are not going to take raises for themselves and that they are not going to award raises to other elected officials."

Chris Kohler: "The consensus is that they will not?"

Supervisor Smith: "You got to let them motion themselves,"

RESOLUTIONS - continued

Chris Kohler: "And all of them refused the raises."

Supervisor Smith: "That's true."

Chris Kohler: "What about the elected officials? Were they asked the right? Did they have the right to refuse their raises?"

Supervisor Smith: "I don't think they were asked in terms of refusing their raises. In the budgetary process they were asked, and it was debated by the Town Board in that particular point in time."

Chris Kohler: "What about this particular point in time? I'm here because I don't understand this?"

Supervisor Smith: "What are you saying? Do you want Mr. Flanagan to get a raise?"

Chris Kohler: "No I'm not saying that at all."

Supervisor Smith: "You don't want me to get a raise?"

Chris Kohler: "No I'm not saying that either. I hope you do get your raise. But I can't understand how this selective process is. Why is it that the J.P.'s and the Tax Assessors, I don't see any raises for them and they are in fact in elected positions."

Supervisor Smith: "Yes that's what they get elected to do."

Chris Kohler: "You get elected to do that, but there are no raises for them."

Supervisor Smith: "The Town Board, the five of us, that's our job."

Chris Kohler: "It's to give them the raises."

RESOLUTIONS - continued

Supervisor Smith: "Or not give them their raises."

Chris Kohler: "Or not give them the raises."

Supervisor Smith: "Or not give it to the Police as best we can. That's what we do."

Chris Kohler: "But the Town Board, how do you pick out who you choose to give to and who you choose not to if it's an elected position?"

Supervisor Smith: "It may be a function of how late people stay. How hard people work. Whether they can have outside employment."

Chris Kohler: "I see."

Supervisor Smith: "I used to teach school. And I hussle my butt over across the way to teach college."

Chris Kohler: "Well I worked for establishments, too, and I know that you were graded and either you were a secretary 1, 2, 3, or 4. But you knew when you were coming up. But yet, there are people here who haven't gotten a raise in three years. And others who have gotten raises every year."

Supervisor Smith: "Well you know this is our job. It's distributed in terms of responsibility . . ."

Chris Kohler: "Who you like to give a raise to and who you dislike, not giving a raise. You're telling me it's your job, but you're not answering my question directly."

Supervisor Smith: "Well you don't understand. I don't think you deal with terms of responsibility, size of budget, education, competitiveness in the market, past performance, all these things."

RESOLUTIONS - continued

review as Chris Kohler: "Did every elected official have a far as a raise, as far as saying yes, you will get one, no you will not get one? That's what I'm asking."

Supervisor Smith: "Yes."

Councilman Menendez: "That's right."

Chris Kohler: "Everyone of them did?"

Councilman Menendez: "Also with other Towns."

Supervisor Smith: "After they were compared with other Towns."

Chris Kohler: "Okay fine. Then I was under the impression that these people were not considered for a raise and I wanted to know why. I wanted to know why money is going here to everyone else — not to everyone else, to a handful of people and yet others aren't considered at all."

Supervisor Smith: "Quite to the contrary. These employees have waited until—how many employees do we have, Jack, one hundred and forty?"

Jack Hansen: "About one hundred and sixty."

Supervisor Smith: "So we have one hundred and sixty employees. One hundred and fifty of them aren't even settle."

Chris Kohler: "And when will the others be settled?"

Supervisor Smith: "Now."

Chris Kohler: "And what about the people not on that list, not receiving raises?"

RESOLUTIONS - continued

Supervisor Smith: "They won't get raises, I guess."

Chris Kohler: "But why not. I'm asking because, say you have five elected officials and you decide . . ."

Supervisor Smith: "We've got more than five."

Chris Kohler: "I'm using that as just an example."

Supervisor Smith: "Okay."

Chris Kohler: "You decide to give a raise to one, what about the other four? They're all in the same category."

Supervisor Smith: "No."

Councilman Menendez: "Maybe they aren't worth it."

Councilman Young: "They're not all as good as everybody else."

Chris Kohler: "But they all had a review?"

Patricia Tormey: "The rest of us who are not included here were settled as of the first of the year and I think maybe this is what the young lady doesn't understand. We all went through the budget process. We talked about the salaries then and they were set except for these people, these work conditions are changed. That's why they're done now. And I think maybe she doesn't realize we did this all in November."

Chris Kohler: "No, I did not realize that. All I'm saying is . . ."

Supervisor Smith: "My apologies to Mrs. Pendzick."

Chris Kohler: "You're telling me that all elected officials and department heads were all settled as of November? Is that what you're saying to me?"

RESOLUTIONS - continued

Patricia Tormey: "Yes as of the first of the year."

Chris Kohler: "They were all settled and taken — That was all settled the first of the year?"

Supervisor Smith: "Yes ma'am."

Councilman Regula: "I'd say about February."

Supervisor Smith: "Yes. Give or take a few days."

Chris Kohler: "Okay fine. I was under the impression that these people were not even considered for raises and . . ."

Supervisor Smith: "I can show you budetary requests signed by every department head . . ."

Chris Kohler: "I would like to see that and until I see that, I would ask that you table this resolution until fair consideration can be given to everyone, because right now . . ."

Supervisor Smith: "You show up on June 6th, I've never seen you before. I'm sorry you're a lovely lady, but . . ."

Chris Kohler: "That doesn't matter whether you've seen me or not, you're avoiding — are you telling me because I've never been here before you're not going to answer my question or give me the things that I am requesting? I pay taxes, too. I have a right to know where this money is going and how you people select to give it to the officials, because I have a feeling this is a personality conflict here. You can't answer me why one official is getting a substantially large raise and others aren't getting nothing, and haven't gotten anything in three years."

Supervisor Smith: "Who do you want to get a raise?"

Chris Kohler: "It's not who I want to get a raise. All the people who haven't been considered, the other elected

RESOLUTIONS - continued

Chris Kohler continues:
officials that have not been considered for a raise."

Supervisor Smith: "You are not correct."

Councilman Menendez: "The Councilmen haven't had a raise in five years."

Chris Kohler: "I beg your pardon."

Councilman Menendez: "The Councilmen haven't had a raise in five years."

Chris Kohler: "Any why not."

Councilman Menendez: "Because we're trying to hold the budget down."

Chris Kohler: "But you have money in the budget to give these high raises. You're giving \$2,000 and \$3,000 raises . . ."

Councilman Menendez: "Most of it's your union. Go talk to the P.B.A. and talk to the rest of the unions."

Chris Kohler: "Apparently I'm just wasting my time, because you people. . ."

Councilman Menendez: "Why don't you talk to us during the day instead of midnight?"

Chris Kohler: "Because now is the time when the hearing — I don't have anything further to say, only that the respect and courtesy that you have shown me here Sir . . ."

Councilman Menendez: "You are not showing any courtesy either ma'am . . ."

Chris Kohler: "She is sitting there . . ."

RESOLUTIONS - continued

Supervisor Smith: "Hey, you're going to get your heart up."

Councilman Menendez: "I don't give a damn if I get my heart up or not."

Supervisor Smith: "Peace, peace, please, please."

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#253 AUTHORIZES CLOSING OF HINDER BLVD. ON JUNE 24, 1979 FOR BLOCK PARTY

Before the resolution was offered, Supervisor Smith stated: "We're going to close Hinder Blvd. for a block party. Does anybody want to hear that one?"

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

WHEREAS, The Clearview Civic Association wishes to hold a Block Party on June 24, 1979, in conjunction with graduation ceremonies from the Riverhead High School,

NOW, THEREFORE, be it

RESOLVED, That this Board does hereby authorize the closing of Hinder Boulevard from Industrial Boulevard to Mill Road, between the hours of 4:00 p.m. to 10:00 p.m.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#254 SALARY CHANGE FOR TOWN SUPERVISOR

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, This Board voted to include a salary increase for the Town Supervisor during the budgetary process in the Fall of 1978, and the required notice was published on that salary increase, and

WHEREAS, During the budgetary hearings, support was given to this particular salary change, and

WHEREAS, No action has been taken on this salary

RESOLUTIONS - continued

change, in part because of the pendency of labor negotiations,
NOW, THEREFORE, be it

RESOLVED, That the Town Supervisor's annual rate of compensation for the year 1979 be amended to the sum of Twenty-eight thousand and 00/100 (\$28,000.00) Dollars.

The vote, Regula: "I would just like to say the new figure of \$28,000, I realize it's comparable to the other Towns, however some months ago, there were proposals on other raises for elected officials and none of them have been finalized and nothing else has happened. So on that note, I vote No.

Lombardi, Yes, Menendez: "You pay a man what he's worth. Now if Mr. Martocchia is worth \$29,000 to the Town of Southold, well I think Allen Smith is worth a lot more than that in Riverhead. If he's only getting \$28,000 which is still peanuts. I vote Yes."

Councilman Young: "When does this \$28,000 start?"

Councilman Regula: "January 1, 1979."

Councilman Young: "East January or next January?
I'll vote Yes."

Supervisor Smith: "I thank the three yes'. I understand Tony's reluctance in part, because it's some of the things he campaigned upon. I wish that it were otherwise. With not teaching and with my wife unemployed, I quite frankly have some difficulties holding this position. In any event, I'm forced by my own financial circumstances to vote Yes."

The resolution was thereupon declared duly adopted.

#255 AUTHORIZES SUPERVISOR AND BOARD OF ASSESSORS TO
PROCESS TELCOM DATA CORPORATION CONTRACT.

Before the following resolution was offered Supervisor Smith stated: "On resolution #255 we're contracting out the processing of data cards which are being done by the re-valuation. Anybody want to hear that?"

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, This Board is in need of certain temporary data processing time relative to the Town-Wide Re-Valuation effort, and

WHEREAS, This Board has consulted with Robert J.

RESOLUTIONS - continued

Finnegan and Associates, Inc., relative to the selection of a processor for said work, and

WHEREAS, The most economic and competitive form available to this Board is Telcom Data Corporation,

NOW, THEREFORE, be it

RESOLVED, That the Supervisor and the Board of Assessors are hereby authorized to take those steps necessary to process date with Telcom Data Corporation, at a perform cost of Five hundred fifty-eight thousandths of a dollar (\$.558).

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#256 RESOLUTION AUTHORIZING PUBLIC HEARING FOR CODE
AMENDMENTS

Before the resolution was offered, Supervisor Smith stated: "Resolution #256 is all sorts of code amendments that are going to be in the paper. Nobody wants to hear those, right?"

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

RESOLVED, That the Town Clerk be and she hereby is authorized to publish and post the following public notice calling for a public hearing for amendments to the Code of the Town of Riverhead.

PUBLIC NOTICE

PLEASE TAKE NOTICE, That on the 19th day of June, 1979, at 8:15 o'clock p.m., will be held before the Town Board of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons wishing to be heard with regard to the following proposed amendments to the Riverhead Town Code which pertain to Chapter 48, Beaches and Recreational Centers, Chapter 73, Landmarks Preservation, Chapter 88, Sewers, Chapter 100 Vehicles Abandoned, and Chapter 108, Zoning.

RESOLUTIONS - continued

CHAPTER 48 Beaches and Recreation Centers.

Article IIIUse of Parks and Park Preserves§ 48-23. Definitions.

PARK - a use of land owned by the town kept for ornamant and/or recreation, including but not limited to parks, park preserves, playgrounds, athletic fields, swimming pools, beaches, boardwalks, entrances, approaches, and facilities together with structures and buildings under the jurisdiction of the Recreation Department.

PARK PRESERVE - land, owned by the Town, found to possess unique flora or fauna, geological formations, marine wetlands, fresh water wetlands, shorelines, or unique scenic values, or any other features that may qualify for recognition or protection.

§ 48-24. Purpose.

A Town Park Preserve shall provide that all or a specified portion of the town land being dedicated shall be kept forever wild, or in its natural state, or that it may be used only for the purposes specified in this Chapter. Due to the nature of a park preserve and its importance to the environmental character of the community, decisions concerning plans for and use of those designated areas will be made jointly by both the Recreation Committee and Conservation Advisory Council.

§ 48-25. Procedure.

(A) The Town may dedicate real property, Town Park lands or a portion of park land owned by the Town to the Town Park Preserve.

RESOLUTIONS - continued

(B) The Town Park Preserve may also include lands acquired through philanthropy.

(C) Unless authorized by the Town Board, after mandatory referendum, land owned by the Town and dedicated under this ordinance to the Town Park Preserve shall not be taken or otherwise disposed of, nor shall it be used for any purpose not specified in the ordinance by which the land was dedicated to the Town Park Preserve.

§ 48-26. Town of Riverhead Park Preserve Committee.

(A) The Town of Riverhead Park Preserve Committee shall be made up from the members of the Recreation Committee and Conservation Advisory Council.

(B) The Town of Riverhead Park Preserve Committee shall analyze and evaluate recommendations for the Town Board concerning those areas that should be dedicated Park Preserves for conservation and preservation. The following are the advisory responsibilities:

(1) Analyze and recommend Master Plans for Park Preserve use, design, development and management to the Town Board.

(2) The Town of Riverhead Park Preserve Committee shall use the following guidelines to classify park lands as Park Preserves in a fashion which will be equally applicable in every frame of reference since park lands vary:

(a) Fragile Areas: Protection of rare or endangered species; shall not have paths, buildings, or other man made uses constructed on said property.

(1) Research groups by appointment only to undertake scientific research: Ecology, Zoology, Geology, Botony or

RESOLUTIONS - continued

other natural Science Disciplines.

(b) Preservation Areas: Nature centers, providing outdoor laboratories in ecology, conservation, and educational programs shall have guided walks; may cut some selective trails; no large buildings shall be constructed; no collecting of materials.

(c) Conservation Areas: Nature centers; may have trails for native plant and wildlife study; may have buildings for interpretive classes, parking facilities may be available on a limited basis; to provide educational and cultural programs.

(d) Buffer Areas: Areas between Fragile, Preservation, Conservation areas or separating the Park Preserve Area from active recreation areas or existing zoned land uses.

RESOLUTIONS - continuedAMENDMENTS TO THE CODE OF THE TOWN OF RIVERHEAD

(Additions are by underlining, deletions by ~~strikeouts~~.)

CHAPTER 73. Landmarks Preservation.

73-2. Definitions.

~~STRUCTURE - Any assembly of materials forming a construction framed of component structural parts for occupancy or use, including buildings.~~

73-2. Definitions.

STRUCTURE - A combination of materials, other than a building, forming a construction that is safe and stable. Excluded shall be a combination of such materials having a total floor area of less than fifty (50) square feet and which is used for purposes other than family dwelling, storage, business, farm or industrial purposes. Also excluded shall be fences four (4) feet or less in height in a front yard and six (6) feet or less in height elsewhere on a lot.

~~BUILDING - A structure wholly or partially enclosed within exterior walls, or within exterior or party walls and a roof, affording shelter to persons, animals or property.~~

BUILDING -- a structure having a roof supported by walls, and when separated by a party wall without openings, it shall be deemed a separate building. A "building" shall include travel trailers, mobile homes and other structures on wheels or other supports if used for business or living purposes.

CHAPTER 88. Sewers.

§ 88-15. Venting of sanitary sewer connections; ~~obstructions prohibited.~~

No public or private building, dwelling or store will be permitted to make any connection whatsoever to the sanitary sewer system unless same has a soil line extended to a point above the roof and properly vented or is otherwise vented in a manner approved by the Superintendent. ~~No running trap, house trap or any manner of obstruction to the free flow of air through the whole course of the drain and soil pipe will be allowed; and any person who shall directly or indirectly place, make, or cause or allow to be placed or made any trap, contraption or other obstacle anywhere in the course of such drain or soil pipe shall be liable to the penalties herein after provided.~~ A trap and a fresh air vent is required to be placed in the lateral sewer line either within the dwelling or within five (5) feet of the exterior wall of the dwelling. The construction of the trap and vent must conform to the New York State Building Code.

§ 88-19. (A.) Pipe and joint specifications.

- A. The building sewer shall be cast-iron soil pipe, ASTM Designation A-74, extra-heavy wall, or asbestos cement pipe, Class 2400, ASTM Designation C-428 or PVC sewer pipe ASTM designation D-3034-SDR35 extra strength.

RESOLUTIONS - continued

§ 88-19. (B.)

B. Joints for asbestos cement pipe shall be rubber O-ring, ASTM Designation D-1869. Joints for cast-iron pipe shall be bell and spigot with lead joints thoroughly caulked. All joints shall be watertight. Joints for PVC sewer pipe shall be rubber O-ring ASTM designation D-3212.

§ 88-22. Connection to public sanitary sewer.

The connection of the building sewer into the public sanitary sewer shall be made at the Y-branch if such branch is available at a suitable location. If the public sanitary sewer is twelve (12) inches in diameter or less and no properly located Y-branch is available, the owner shall, at his expense, install a Y-branch in the public sanitary sewer at the location specified by the Superintendent. Where the public sanitary sewer is greater than twelve (12) inches in diameter and no properly located Y-branch is available, a neat hole may be cut into the public sanitary sewer to receive the building sewer, with entry in the downstream direction at an angle of about forty-five degrees (45°). A forty-five-degree ell may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sanitary sewer. The invert of the building sewer at the high point of connection shall be at the same elevation as or higher than the invert of the public sanitary sewer. A smooth, neat joint shall be made and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when

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manholes unless specifically approved in writing by the Superintendent. Where the public sewer is located at an unusual depth, then the connection to the public sewer shall be made as required by the Superintendent. All connections to the sanitary sewer which is constructed of PVC sewer pipe must be made with a PVC sewer pipe fitting ASTM designation D-3034-SDR35 Connections to the sanitary sewer which is constructed of PVC sewer pipe by means of asbestos cement pipe or cast iron soil pipe are prohibited.

RESOLUTIONS - continued

CHAPTER 100. Vehicles Abandoned.

Section 100-2. Definitions.

JUNKED MOTOR VEHICLE - Includes every vehicle or part, or section of a vehicle manufactured, made, altered, or designed to be operated by any power other than muscular power, whether in running condition or not, or without a motor, that is not properly and currently registered as a motor vehicle or does not display a proper and current registration plate, except vehicles used solely for recreational and farm purchases which have been licensed within the preceding two (2) years.

§ 108-3. Definitions.

AIRPORT - any landing area used regularly by aircraft for receiving or discharging passengers or cargo; or for the landing and take-off of aircraft being used for personal or training purposes.

LANDING STRIP - any locality either of land or water, including airports and intermediate landing fields, which is used or intended to be used for the landing and take-off of aircraft, whether or not facilities are provided for shelter, servicing or repair of aircraft or for receiving or discharging passengers or cargo.

LUMBER YARD - premises where building materials are offered for sale, or premises used for sale and storage of building materials, but shall not include a yard used wholly for storage of building materials.

SHOPPING CENTER - A use of lands, buildings or structures by two (2) or more stores or business establishments where the proposed use occupies a site of one (1) or more acres, whether built at one time or in two (2) or more construction stages, in connection with which there is provided, on privately-owned property contiguous thereto, area used by the public as the means of access to and egress from the stores or business establishments on such premises, and for the free parking of motor vehicles of customers and patrons of such stores or business establishments on such premises.

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§ 108-3. Definitions. (Continued)

BODY AND FENDER REPAIR SHOP - a building other than a private or parking garage used for the painting of motor vehicles or repairing of motor vehicles.

NON-CONFORMING BUILDING -- a building or structure lawfully existing at the effective date of this Ordinance or any amendment thereto affecting such building or structure, which does not conform to the dimensional regulations of this Ordinance for the District in which it is situated regardless of the use to which such a building or structure is put.

VEHICLE REPAIR SHOP - a building other than a private or parking garage wholly or partially used for storage, or adjustment, replacement of parts, or other repair of motor vehicles, or parts thereof.

MOTEL -- a building or group of buildings whether detached or in connected units, used as individual sleeping or dwelling units with direct outside access, designed primarily for transient automobile travelers and provided with accessory off-street parking facilities. ~~The term "motel" includes buildings designated as tourist courts, overnight cabins, motor lodges and other similar appellations, but shall not be construed to include mobile or immobile trailers.~~

UNOCCUPIED AREA -- the area of a front yard measured from a street line, open and unoccupied at all times by a building,

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Chapter 108-3. Definitions.

fencing which does not exceed ~~two and one-half (2 1/2)~~ four (4) feet in height or trees. The unoccupied area of a corner lot shall comply with section 108-68.

GASOLINE SERVICE STATION - Any area of land, including structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be used for polishing, greasing, washing, spraying, dry-cleaning or otherwise cleaning or servicing such motor vehicles, but not including body and fender work, machine shop work, or the storage of dismantled vehicles on the lot.

RESIDENCE A DISTRICT

§ 108-7. Uses.

In the Residence A District, no building structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for one (1) or more of the following permitted uses ~~or~~ and their customary accessory uses.

§108-7. (B.) (2.)

A temporary building or shed used during construction of a building or structure on the premises, ~~provided such building or shed is located in the rear yard.~~

RESOLUTIONS - continued

§ 108-7. (B.) (4.)

Boats, ~~and~~ trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, ~~or~~ camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be kept or stored in the area between the street right-of-way and the front line of the main building projected to the side lot lines on any lot in a residence district nor within ten (10) feet of any side lot or rear lot line, and no such boat, ~~or~~ trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.

§ 108-9. (A.) (2.)

Excepted from Subsection A(1)(a), (b) and (c) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the front yard or any existing street line of a one-family dwelling, and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one-family dwelling. Fences on a corner lot must comply with Section 108-68. On lots used for other than one-family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street.

RESOLUTIONS - continued

108-11. Uses.

In the Residence B District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~one (1)~~ two (2) ~~or more~~ of the following permitted uses ~~or~~ and their customary accessory uses:

108-11(B.) (5.)

A temporary building or shed used during construction of a building or structure on the premises, provided such building or shed is located in the rear yard.

RESIDENCE B DISTRICT

108-11. Uses. (B.) (7)

(7) Boats, ~~and~~ trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, ~~or~~ camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be kept or stored in the area between the street right-of-way and the front line of the main building projected to the side lot lines on any lot in a residence district nor within ten (10) feet of any side lot or rear lot line, and no such boat, ~~or~~ trailer or plane shall be stored or maintained in such manner as

RESOLUTIONS - continued

§ 108-13.(A.) (1) (d)

- (d) An accessory building with a maximum floor area of one hundred (100) square feet shall be excepted from the provisions of Subsection A(1)(c) above. It shall ~~have a rear yard~~ be permitted seven (7) feet from a property line, twenty (20) feet from any other building and fifty (50) feet from a side street line and rear street line.

§ 108-13.(A.) (2.)

Excepted from Subsection A (1) (a), (b) and (c) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the front yard or any existing street line of a one-family dwelling, and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one-family dwelling. Fences on a corner lot must comply with Section 108-68. On lots used for other than one-family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street.

In the Residence C District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~one (1)~~ two (2) ~~or more~~ of the following permitted uses ~~or~~ and their customary accessory uses:

§ 108-15(B.) (5)

A temporary building or shed used during construction of a building or structure on the premises, ~~provided such building or shed is located in the rear yard.~~

§ 108-15.(B) (7)

Boats, and trailers, airplanes, or seaplanes. Any boat, house trailer, mobile home, camp trailer, ~~or~~ camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be kept or stored in the area between the street right-of-way and the front line of the main building projected to the side lot lines on any lot in a residence district nor within ten (10) feet of any side lot or rear lot line, and no such boat, ~~or~~ trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.

RESOLUTIONS - continued

§ 108-18. (A.) (2)

Excepted from Subsection A(1)(a), (b), (c) and (d) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the frontyard or any existing street line of a one-family dwelling, and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one-family dwelling. Fences on a corner lot must comply with Section 108-68. On lots used for other than one-family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street.

§ 108-20. (A.)

A. The proposed condominium site area shall be at least ~~five~~ six (6) acres and shall be within and served by the Riverhead Sewer and Water Districts.

§ 108-21. Uses.

In the Agriculture A District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~one (1)~~ two (2) ~~or more~~ of the following permitted uses, special exception or special permit uses ~~or~~ and their customary accessory uses:

RESOLUTIONS - continued

§ 108-21.(A.) (1)

(1) Agriculture., provided that no storage of manure shall be permitted within one hundred (100) feet of any side or rear lot lines or within one hundred fifty(150) feet of any street lines.

§ 108-21.(C.) (5)

Boats, and trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, ~~or~~ camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be stored or kept in the area between the street right-of-way and the front line of the main building projected to the side lot lines on any lot in the Agriculture A District nor within ten (10) feet of any side lot or rear lot line, and no such boat, ~~or~~ trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.

§ 108-24.(A.) (2)

Excepted from Subsection A(1)(a), (b) and (c) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the front yard or any existing street line of a one-family dwelling, and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one-

family dwelling. Fences on a corner lot must comply with Section 108-68. On lots used for other than one-family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street.

§ 108-26. (A.) (2) Gasoline service station.

(2) At the discretion of the Town Board, there must be filed with an application for a special permit an affidavit setting forth the names and addresses of all of the owners of real property situate within a radius of one thousand (1,000) feet from the proposed site as measured from the line of the property which is the subject of the application, which affidavit shall set forth proof of service by certified mail, return receipt requested, of notice of public hearing on the application having been sent to all such property owners not less than thirty (30) days prior to the hearing. The notice of public hearing shall set forth that an application for a proposed gasoline service station has been filed with the Town Board; a description of the proposed site, together with a map thereof; a description of the proposed type of operation; the names and addresses of the applicants and all persons having an interest in the said premises; and the time and place of the public hearing before the Town Board, together with a statement that all persons wishing to be heard in connection with the application should appear before the Town Board.

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RESOLUTIONS - continued

§ 108-27. Uses.

In the Business A (Resort Business) District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~one (1)~~ two (2) ~~or more~~ of the following permitted uses, special permit uses ~~or~~ and their customary accessory uses:

§ 108-27. (B.) Special permit uses.

(4) Gasoline service stations by special permit of the Town Board.

§ 108-27. (C.) (3)

A temporary building or shed used during construction of a building or structure on the premises, provided such building or shed is located in the rear yard.

§ 108-31.1. Review of site plan.

Before issuing a building permit, each application, other than single-family residences, together with the accompanying site plan, shall be referred by the Zoning Officer within seven (7) days to

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RESOLUTIONS - continued

§ 108-27. Uses.

In the Business A (Resort Business) District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~one (1)~~ two (2) ~~or more~~ of the following permitted uses, special permit uses ~~or~~ and their customary accessory uses:

§ 108-27. (B.) Special permit uses.

(4) Gasoline service stations by special permit of the Town Board.

§ 108-27. (C.) (3)

A temporary building or shed used during construction of a building or structure on the premises, ~~provided such building or shed is located in the rear yard.~~

§ 108-31.1. Review of site plan.

Before issuing a building permit, each application, other than single-family residences, together with the accompanying site plan, shall be referred by the Zoning Officer within seven (7) days to

RESOLUTIONS - continued

the Town Board for its review and its recommendation. Within sixty (60) days of receipt of said application, the Town Board shall approve, modify or disapprove said site plan and shall state its reason for any modifications or disapproval. If the Town Board takes no action within sixty (60) days of receipt of the application from the Zoning Officer, the plan shall be deemed approved. The Zoning Officer shall not issue a permit for any plan which does not have Town Board approval; however, if the applicant consents to any modifications made by the Town Board, the Zoning Officer may thereupon issue a permit conforming to such modified plan without further submission to the Town Board.

§ 108-34. Uses.

In the Business B (Shopping Center) District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~one (1)~~ two (2) ~~or more~~ of the following permitted uses, special exception or special permit uses and their customary accessory uses:

§ 108-39. Uses.

In the Business C District (Neighborhood Business), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~one (1)~~ two (2) ~~or more~~ of the following permitted uses, special exception or special permit uses ~~or~~ and their customary accessory uses:

108-39. (C.) (1)

boats and trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, or camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be stored or kept in the area between the street right-of-way and the front line of the main building projected to the

side lot lines on any lot in the Business C District

nor within ten (10) feet of any side lot or rear lot line, and no such boat, trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.

108-42. Uses.

In the Business D District (General Business), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~one (1)~~ two (2) ~~or more~~ of the following permitted uses, special exception or special permit uses, and their customary accessory uses:

Former section 108-43. General lot, yard and height requirements, shall be renumbered as section 108-43(A.).

108-43. (B.)

Any lot in non-conforming residential use or subsequently divided to leave a non-conformity residential use as a separate lot must be divided so that such residential lot complies with the provisions for lot, area width and yard requirements of Agriculture A District of this chapter. Any subsequent alterations or enlargements of the building shall comply with the requirements of Agriculture A of this chapter.

In the Industrial A District (Light Industry), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~one (1)~~ two (2) ~~or more~~ of the following permitted uses, special exception or special permit uses ~~or~~ and their customary accessory uses:

§ 108-48. Uses.

In the Industrial B District (General Industry), no building, structure or premises shall be used or arranged or designed to be ~~used~~ used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~one (1)~~ two (2) ~~or more~~ of the following permitted uses, special exception or special permit uses ~~or~~ and their customary accessory uses:

§ 108-51. (A.)

A. Any building, structure or use existing on the effective date of this chapter, or any amendment thereto, may be continued, although such building, structure, or use does not thereafter conform to the regulations of the district in which it is located, and may thereafter be extended by special permit of the Town Board. ~~if~~ if the extent of the ~~structural alterations does not exceed~~ ~~twenty-five percent (25%) of the area of building existing~~ ~~at the time it first became a non-conforming use.~~ change is ten percent (10%) or less, the public hearing requirement may

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RESOLUTIONS - continued

§ 108-56. Signs.

A. (2) (a) One (1) nameplate or professional sign not exceeding two (2) square feet in area, bearing only the name and profession and/or occupation of the resident and set back not less than twenty-five (25) feet from any side line and ~~fifteen (15)~~ five (5) feet from the front and rear property line.

(b) One (1) professional association or professional corporation sign not exceeding five (5) square feet in area, bearing only the name and profession and/or occupation of the resident professional association or corporation and set back not less than twenty-five (25) feet from any side line and five (5) feet from the front and rear property line. Members of the professional association or corporation may attach a nameplate, bearing only their name, not exceeding two (2) square feet in area, to the professional association or corporation sign. When a professional association or corporation sign has been erected pursuant to this subsection, a member of the professional association or corporation may not erect a separate professional sign enumerated in subsection 108-56(2)(a) on the same premises.

RESOLUTIONS - continued

§ 108-56(C) (1)

One (1) roof or wall sign per building wallface displayed, attached to, or incorporated in a building wallface. Wall signs shall not project more than twelve (12) inches beyond the face of the wall and shall not exceed the height of the said building wallface. Said height shall be the vertical distance from the mean level of the ground surrounding the building to the lowest point of the roof, One sign (either roof or wall) in area shall not exceed twenty-five (25) percent of the total area of the building wallface. Additional signs ~~said sign~~ (either roof or wall) in area shall not exceed ten (10) percent of the total area of the building wallface. Building wallface shall include any area occupied by doors or windows. No roof or wall sign shall extend beyond the exterior dimensions of the structure to which it is attached. The roof and wall signs set forth in the following diagram (unchanged) are deemed to comply with the provisions of this subsection.

On multiple story buildings, each tenant shall be permitted one (1) wall sign displayed on the wallface of the story occupied by that tenant, such that, on multistory buildings there may be more than one wall sign per building wallface, but the aggregate area of said signs shall not exceed the twenty-five (25) and ten (10) percent provisions heretofore set forth in this subsection.

RESOLUTIONS - continued

~~§ 100-56.(N.) (3) Shopping center signs.~~

~~The term "shopping center" means premises having four (4) or more stores or business establishments in connection with which there is provided, on privately owned property near or contiguous thereto, an area or areas of land totaling at least one (1) acre in area used by the public as the means of access to and egress from the stores and business establishments on such premises and for the free parking of motor vehicles of customers and patrons of such stores and business establishments on such premises.~~

§ 108-56.(N.) (4) is to be re-numbered 108-56.(N.) (3).

§ 108-56.(P.) Directional Signs

(8) Signs directing traffic on premises shall be permitted, not exceeding six (6) square feet in area, and not exceeding three (3) feet in height to the top of the sign structure. Such signs may be double-faced, but may not exceed eight (8) inches in depth. The minimum setback for directional signs from any lot line or street line, where applicable, shall be ~~seven (7)~~ two (2) feet. Directional signs shall be at least two (2) feet from any entry road, driveway, access or other similar means of ingress and egress.

108-56(W) Projecting Signs.

A sign, extending not more than two (2) feet, perpendicular to a wall face, not lower than seven and one-half (7 1/2) feet

from the ground level.

RESOLUTIONS - continued

§ 108-59. (A.)

A. Every outdoor swimming pool shall be completely surrounded by a four-foot-high woven picket, chain link, stockade, or basket weave fence with the finished side of the fencing facing away from the pool. A building may be used as part of such enclosure. All gates or doors opening through such enclosures shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when the owner or occupant of the premises is not present at the swimming pool, except that the door of any dwelling which forms part of the enclosure need not be so equipped.

§ 108-63. Vending machines.

~~All vending machines shall be attached to the principal building or be within a building.~~ All vending machines shall be accessory to a main use and shall meet the setback requirements established for main structure of the district in which they are located. Not more than two (2) vending machines shall be permitted on the exterior of the main use (building).

§ 108-64. Prefabricated dwellings.

No building or other structure which is prefabricated or ~~precut~~ or which is constructed, manufactured, built or fabricated at a place other than the site on which it is to be located or used shall be used as a dwelling, except in a mobile home park or travel trailer park and except as a seasonal agricultural dwelling under § 108-21(C) (4) of this chapter, unless:

§108-64.1. Screening and buffer regulations.

All business and industrial use districts uses must conform

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RESOLUTIONS - continued

§ 108-64.1. (A.) (2)

(2) Wherever a ~~residence district adjoins any business district or industrial district~~, business use or industrial use adjoins a residence use there shall be provided a landscaped buffer area of at least twenty-five (25) feet in width in each such abutting business or industrial district. Such buffer zone shall be restricted to residential uses, and no structure, storage, parking or other similar accessory uses shall be permitted within such area unless ~~specifically relaxed~~ authorized by the Town Board after public hearing.

§ 108-64.2. Buildings used for storage.

No building as defined in Section 108-3, including mobile vehicles, or trailers shall be used for storage purposes unless all sections and provisions of this Code are adhered to. Specifically excepted from this section are mobile vehicles or trailers used for temporary loading and unloading purposes, which are removed from the premises within five (5) days from their arrival date.

RESOLUTIONS - continued

§ 108-67. Lot area.

- A. Any parcel of land held in undivided and separate ownership may be subdivided upon application to and approval by the Town of Riverhead Planning Board, provided that all resulting lots and all structures on such lots must comply individually with the provisions of this chapter.

~~§ 108-67. Lot area.~~

- ~~D. Requirements of minimum lot area and minimum lot width shall not apply to subdivision plots having heretofore and on or before May 15, 1969, received preliminary approval by the Planning Board of the Town of Riverhead under the provisions of the ordinance then in force, provided that said plot or the first section thereof was filed with the Suffolk County Clerk's office before the 31st day of December 1969.~~

§ 108-68. Visibility at intersections.

No fence except an open wire or open chain link fence without any planting thereon, wall, hedge or other planting more than ~~three and one half (3 1/2)~~ four (4) feet in height measured above street level, and no object or any other obstruction of a height in excess of two (2) feet, shall be erected, placed, parked or maintained on a corner lot within the triangular area formed by the intersecting street lines and a straight line joining said street lines at points which are thirty (30) feet distant from the point of intersection

RESOLUTIONS - continued

measured along said street lines. This section shall not prohibit one (1) tree to be grown in this area, provided that the branches of the tree are trimmed away to a height of at least six (6) feet above street level.

§ 108-73. Permits.

A. Permitted uses require a building and/or use permit from the Building Department. No building, structure or other construction specifically required by this chapter to have a permit shall be erected, added to or structurally altered until a permit therefor has been issued by the Zoning Officer. No premises for which a use permit is required by this chapter shall be used for such purpose until a permit therefor has been issued by the Zoning Officer. Where a variance, special exception or special permit is required, no such permit shall be issued until a copy of the determination of the appropriate body granting such variance, special exception or special permit is filed with the office of the Zoning Officer.

§ 108-74. (D.) Certificate of occupancy.

D. In case of undue hardship, the Building and Zoning Department official may issue a temporary certificate of occupancy valid for a period ~~of~~ not to exceed six (6) months for any building, structure or use, provided that he shall find that:

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~~§ 108-76. (C.) (4)~~

~~(1) Grant a special exception where it is provided in this chapter that the approval of the Board of Appeals is required for the erection of business signs in the front yard, if the Board shall determine the matters contained in Subsection C(2)(a) of this section and additionally consider the applicable provisions of Subsection C(2)(b) of this section and also consider:~~

~~(a) Whether the sign will interfere with vehicular traffic,~~

~~(b) Where the installation of aluminum is intended, whether the same shall be shielded from any abutting property.~~

§ 108-76. (C.) ~~(5)~~ (4)

~~(5)~~ (4) Grant a special exception where it is provided in this chapter that the approval of the Board of Appeals is required for the use of premises and erection of public utility buildings or structures, ~~camp, dog and horse training, and alcohol manufacture and sand and gravel grading operation,~~ if the Board shall determine the matters contained in Subsection C(2)(a) of this section and additionally consider the applicable provisions of Subsection C(2)(b) of this section and also consider whether the provisions of the laws, ordinances, rules and regulations of all state, federal and local agencies or bureaus applicable to such use have been complied with.

The vote: Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

RESOLUTIONS - continued

#257

TOWN BOARD GRANTS LICENSE TO ROTARY CLUB FOR CARNIVAL

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

WHEREAS, The Rotary Club of Riverhead has applied to the Town Board of Riverhead for a license to conduct a carnival at the parking lot of the former Great Eastern Store on Route 58 in Riverhead between June 12, 1979 and June 17, 1979, and

WHEREAS, The Town Board has examined said license application and finds it in order, now, therefore, be it

RESOLVED, That the Town Board of the Town of Riverhead does hereby grant a license to the Rotary Club of Riverhead to operate a carnival at the parking lot of the former Great Eastern store on Route 58 in the Town of Riverhead from June 12, 1979 to June 17, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#258

AUTHORIZES APPOINTMENT OF TOWN CONSTABLE

Before the resolution was offered, Supervisor Smith stated: "This is a man currently under the employ of the Town already. He's being blessed as Constable such that he can enforce the law out on the bay."

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

BE IT RESOLVED, That Frank Mackie be appointed as Town Constable to serve from June 5, 1979 to and including September 15, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#259

AUTHORIZES PUBLISHING AND POSTING OF THE FOLLOWING NOTICE

Before the resolution was offered Supervisor Smith stated: "This is one-family rehabilitation program notices that are required before we can acquire those properties."

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

WHEREAS, Contracts of sale have been negotiated with reference to the Single-Family Rehabilitation Project as set forth in the following notice,

NOW, THEREFORE, be it

RESOLVED, That the Town Supervisor, Town Clerk, and Town Attorney be and they hereby are authorized to publish and post the following notice, and further are authorized to execute said contracts of sale and upon the passage of the requisite period of time, to close and/or finalize these matters.

RESOLUTIONS - continuedPUBLIC NOTICE

PLEASE TAKE NOTICE, That pursuant to section 220 of the Town Law, the Town Board of the Town of Riverhead by resolution adopted June 5, 1979, authorized the execution of contracts of sale which are subject to a permissive referendum upon petition as is provided by section 90, et seq., of the Town Law. The aforesaid resolution authorized the following contract: An agreement between the Town of Riverhead and Jack Bagshaw, Sr., and Marjorie S. Bienz for the purchase of a lot and two dwellings located on the southwest corner of the intersection of Second Street and Union Avenue in Riverhead, New York. The purchase price is \$36,000.00.

It is proposed that these premises be acquired by the Town of Riverhead with federal funds under the auspices of the Single-Family Rehabilitation Project which is supervised by the Town of Riverhead Community Development Office.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#260 RESOLUTION GRANTING A SPECIAL PERMIT FOR DIRECTIONAL
SIGN - DRY DOCKE LOUNGE

Before the resolution was offered Supervisor Smith stated: "We have a provision in the existing ordinance for an off-premise directional, it's once been applied by Mr. Yeni. He has supplied what some of the others had not, which is a license, if you will from the owner. We are not, by acting on it, granting Mr. Yeni any superior title to the piece of property and or the right to use the right-of-way to the highway. We are just blessing the sign."

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, Mr. Richard Yeni, owner-manager of the Dry Docke Lounge has applied to the Town Board of the Town of Riverhead for a special permit for a directional sign pursuant to section 108-56 (P.) of the Town Code, and

WHEREAS, Mr. Yeni has submitted a sketch of his proposed twenty-four (24) square foot sign, a sketch of the proposed location of the sign, and a letter of permission to erect the sign from the reputed owner of the property on which the sign is to be located,

NOW, THEREFORE, be it

RESOLVED, That the Town Board hereby grants a special permit to Mr. Richard Yeni to construct a twenty-four (24) square foot directional sign on the north side of County Road 58, across from the intersection of Route 58 and Oliver Street, and be it

RESOLUTIONS - continued

FURTHER RESOLVED, That said sign shall comply with the set-back requirements of section 108.56 (P.) of the Town Code, and be it

FURTHER RESOLVED, That this special permit issued by the Town Board does not waive any rights of the proposed owners upon which the sign is to be located or the State of New York or County of Suffolk Highway Departments.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#261 TOWN BOARD GRANTS LICENSE TO JAMESPORT FIREMEN'S ASSOCIATION

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

WHEREAS, The Jamesport Firemen's Association has applied to the Town Board of the Town of Riverhead for a license to conduct a bazaar, including booths and rides, on the corner of Route 25 and South Jamesport Avenue in the Town of Riverhead between July 24, 1979, and July 29, 1979, and

WHEREAS, The Town Board has examined said license application and finds it in order,

NOW, THEREFORE, be it

RESOLVED, That the Town Board of the Town of Riverhead does hereby grant permission to the Jamesport Firemen's Association to use Town property to conduct their bazaar, and be it

FURTHER RESOLVED, That the Town Board of the Town of Riverhead does hereby grant a license to the Jamesport Firemen's Association to operate a bazaar on the corner of Route 25 and South Jamesport Avenue in the Town of Riverhead between July 24, 1979 and July 29, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#262 RENEWS BUCKET LOADER MAINTENANCE CONTRACT

Before the resolution was offered, Supervisor Smith stated: "This is a maintenance contract for the existing machine at the Town Highway Department. It costs us about \$254 an inspection."

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

WHEREAS, This Board has had a maintenance contract for the Michigan Bucket Loader at the Town Dump

RESOLUTIONS - continued

NOW, THEREFORE, be it

RESOLVED, That the Town Board renews said maintenance contract in accord with the letter from George Malvese & Co., Inc., dated March 23, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#263 AMENDS PAVING SPECIFICATIONS FOR SWAN LAKE GOLF
COURSE

Before the resolution was offered, Supervisor Smith stated: "We've previously approved a golf club building for the Swan Lake Golf Course south of Grumman gate. Because of the tug strike and other such good reasons set forth in the letter, they ask for a variation. We say yes they can have a variation and specification, but if the road falls apart in the future, they're going to put in a bituminous asphalt road."

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

WHEREAS, This Board and others Boards of the Town of Riverhead have granted certain permits to C.K. Martin, Inc., and others, relative to the installation and maintenance of a club house facility at the Swan Lake Golf Course, and

WHEREAS, Charles Martin, by letter dated April 21, 1979, has requested amendment of said permit to allow paving in accordance with specifications prepared by Alden W. Young, which specifications vary in the standard paving specifications set forth in the Town Code, and

WHEREAS, The Town Board finds that the reasons stated in Mr. Martin's letter, requesting said variance are valid,

NOW, THEREFORE, be it

RESOLVED, That this Town Board does hereby amend so much of the prior permit as issued to C.K. Martin, Inc., and others, as relate to paving specifications and substitutes therein the specifications prepared by Alden W. Young, which are attached to Mr. Martin's letter of April 21, 1979, with the proviso that, if further inspections show that additional or different paving is required, the same will be installed as directed by further resolutions of this Town Board, and be it

FURTHER RESOLVED, That, except as hereby amended, all prior permits, resolutions, etc., relating to Swan Lake Golf Course are hereby confirmed.

The vote Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#265

RESOLUTIONS - continued
PUBLIC NOTICE FOR REQUEST OF RELEASE FUNDS -
DEPARTMENT OF HOUSING & URBAN DEVELOPMENT

Before the resolution was offered Supervisor Smith stated: "It's a very short little notice that we have to put in the Newsday that says we're spending money."

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

WHEREAS, A public notice of Request for Release of Funds is required by the U.S. Department of Housing and Urban Development (HUD), and

WHEREAS, This public notice is required to be published by a specific date, June 8, 1979

THEREFORE, BE IT RESOLVED, That authorization for the Town Clerk to publish said notice in "Newsday" on June 9, 1979 is hereby granted.

NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS
TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or about June 22, 1979, the Town of Riverhead, Riverhead New York, will request the United States Department of Housing and Urban Development (HUD) to release federal funds under Title I of the Housing and Community Development Act of 1977 for the following projects:

1. Land Acquisition (Census Tract 1697)
2. Low Interest Loan Program (Townwide).
3. An Extension to the Riverhead Water District (Census Tract 1697).
4. Capital Improvement to Town Parks (Townwide).
5. Plans and Specifications for the Peconic River Marina and Park.

Environmental Review Records concerning the aforementioned projects have been made by the Town of Riverhead which document the environmental review of said projects. These Environmental Review Records are on file at the Town of Riverhead, Community Development Project Office, 200 Howell Avenue, Riverhead, New York, 11901, and are available for both examination and copying upon request.

The Town of Riverhead will undertake the projects described above with Block Grant Funds from the United States Department of Housing and Urban Development (HUD), under Title I of the Housing and Community Development Act of 1977. The Town of Riverhead is certifying to HUD that the Town of Riverhead and the Honorable Allen M. Smith, in his official capacity as Supervisor, consent to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision making and action;

RESOLUTIONS - continued

and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval, the Town of Riverhead may use the Block Grant Funds, and HUD will have satisfied its responsibilities under the National Environmental Policy Act of 1969. HUD will accept an objection to its approval of the Release of Funds and acceptance of the certification only if it is on one of the following bases:

- a) That the certification was not in fact executed by the chief executive officer or other officer of applicant approved by HUD.
- b) That applicant's Environmental Review Record for the project indicates omission of a required decision, finding or step applicable to the project in the environmental review process.

Objections must be prepared and submitted in accordance with the required procedure (25 CFR Part 58), and may be addressed to HUD at the New York Area Office, 26 Federal Plaza, New York, New York, 10007. Objections to the Release of Funds on bases other than those stated above will not be considered by HUD. No objection received after June 22, 1979 will be considered by HUD.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith: "We're going to adjourn this meeting for the limited sole purpose till 3:00 tomorrow afternoon for the purpose of considering the application of a Joseph Rivara to play softball. A guy doesn't like the ruling of the Recreation Superintendent stuck on him with referene to whether or not he can play softball. It is hardly front-page news. We're going to decide it tomorrow at 3:00, rather than try to do it tonight.

Other than that, does anybody have anything else?"

No one wished to be heard at this time.

There being no further business on motion and vote, the meeting adjourned at 12:20 A.M., to meet Wednesday, June 6, 1979 at 3:00 p.m.

RESOLUTIONS - continued

and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval, the Town of Riverhead may use the Block Grant Funds, and HUD will have satisfied its responsibilities under the National Environmental Policy Act of 1969. HUD will accept an objection to its approval of the Release of Funds and acceptance of the certification only if it is on one of the following bases:

- a) That the certification was not in fact executed by the chief executive officer or other officer of applicant approved by HUD.
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The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

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Irene J. Pendzick

Irene J. Pendzick, Town Clerk