

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, February 6, 1990 at 7:30 p.m.

**Present:** Joseph F. Janoski, Supervisor  
John Lombardi, Councilman  
Denise Civiletti, Councilwoman  
Victor Prusinowski, Councilman  
James Stark, Councilman

**Also Present:** Patricia Moore, Town Attorney  
Irene J. Pendzick, Town Clerk

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

Supervisor Janoski, "May I have a motion to approve the minutes of the Board Meetings of December 19th, 29th and January 16th?"

Councilman Stark offered the following resolution which was seconded by Councilwoman Civiletti.

**RESOLVED**, that the Minutes of Regular Board Meetings held on December 19, 1989 and Minutes of Special Board Meeting held on December 29, 1989 are hereby dispensed and approved without objection.

The vote, Stark, abstain, Prusinowski, abstain, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Stark offered the following resolution which was seconded by Councilwoman Civiletti.

**RESOLVED**, that the Minutes of Regular Board Meeting held on January 16, 1990 are hereby dispensed and approved without objection.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Reports."

REPORT

Tax Receiver: Total collections as of January 30, 1990,  
\$20,766,394.07. Filed

Sewer District: Discharge Monitoring Report for December  
of 1989. Filed

S.C. Dept. Of Gen. Serv.-Annual Report of the Recycling Unit  
1999. Filed

Michael Clifford: Claims Report. Filed

S.C. Legislature: Res. No 1210-1989 Unpaid Water Rents. Filed

Building Department: Month of January, 1990 Filed

Recreation Department: Annual report for 1989 Filed

Open Bid Report - Construction of Well No. 2/Water  
(See Water District Minutes) Filed

Open Bid Report - Crystal Pine Estates/Water Mains.  
(See Water District Minutes) Filed

Open Bid Report - Aquebogue Associates/Water Mains.  
(See Water District Minute) Filed

Open Bid Report - Asphalt Concrete/Highway. Filed

Bid Date: January 30, 1990  
9 Bids Submitted

#1 NAME: Pav-Co Asphalt, Inc.  
ADDRESS: Holtsville, New York  
TOTAL BID: see file for items bid

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#2 NAME: Thomas H. Gannon & Sons, Inc.  
ADDRESS: Middle Island, New York  
TOTAL BID: see file for items bid

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#3 NAME: South Fork Asphalt Corp.  
ADDRESS: East Hampton, New York  
TOTAL BID: see file for items bid

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#4 NAME: Mt. Hope Asphalt Corp.  
ADDRESS: Hicksville, New York  
TOTAL BID: see file for items bid

#5 NAME: Twin Fork Asphalt, Inc.  
 ADDRESS: Syosset, New York  
 TOTAL BID: see file for items bid

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#6 NAME: Ascon Distributing Corporation  
 ADDRESS: Bay Shore, New York  
 TOTAL BID: see file for items bid

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#7 NAME: Bi-County Paving Corporation  
 ADDRESS: East Setauket, New York  
 TOTAL BID: see file for items bid

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#8 NAME: Bimasco, Inc.  
 ADDRESS: Hauppauge, New York  
 TOTAL BID: see file for items bid

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#9 NAME: John T. Montecalvo, Inc.  
 ADDRESS: Center Moriches, New York  
 TOTAL BID: see file for items bid

#### APPLICATIONS & PETITIONS

Petition: John J. Hartmann for water extension for  
 subdivision. Filed

Petition: East End Commons for sewer extension. Filed

Site Plan: Vojvodas Cleaners, Riverhead - Remove fuel  
 tanks. Filed

Site Plan: Camp DeWolfe - Replacement of cabins & wash  
 houses. Filed

Site Plan: Finecraft Enterprises, Inc. - Construct a storage building. Filed

Change of Zone: EFCO-FA Development Corp. - "Bus. CR to Bus. CR Wading River," Main Road., Aqb. Filed

Special Permit: Doris E. Kruger - Apartment addition. Filed

### CORRESPONDENCE

James McManmon, Esq. 1/29/90: Advises town that he is new owner of sited property and requests appropriate time to comply. Filed

Essesks, Hefter & Angel, Esqs. 1/30/90: Letter to George Bartunek Re: CAC decision on construction of floating dock at Dreamers Cove. Filed

NYS Urban Development Corp. 1/25/90: Notice of Public Hearing & General Project Plan relating to Proposed Riverhead Commercial Revitalization Land Use Improvement Program. Filed

Donald A. Denis, 1/31/90: Re: Change Order for Jamesport Restrooms. Filed

NYS DOT, 1/23/90 Re: Speed study - Rte. 25, Riverhead. Filed

SC Dept. of Planning, 1/25/90 No further action to be taken on Riverhead Town Zoning Ordinance. Filed

Robert F. Kozakiewicz, 1/25/90 Special Permit - Robert & Marie Andrews site plan review is unwarranted. Filed

Allen M. Smith, 1/26/90 Special Permit of Augusta Schneider be extended for 2 years. Filed

Loretta Sydlowski, 1/15/90 Her views on Catholic School Education. Filed

Thomas J. Dorfer, Jr., 1/10/90 Informing of retirement effective 3/31/90 from the Riverhead Police Dept. Filed

Dorothy K. Mueller, 1/12/90 Letter of resignation as Senior Home Chore/Aide, effective 1/26/90. Filed

Allen M. Smith, 1/19/90 Advising Board that 30 days has lapsed for recognition of Management Employees. Filed

Allen M. Smith, 2/2/90 Advising he is counsel to Suffolk Life and requesting that billings to Town by The News Review be checked for overcharges. Filed

LETTERS OF OPPOSITION

Re: Splish Splash Adventure Island, Inc., Dick & Concetta Sereno, Stephanie & Stephen Alaimo, Mr. and Mrs. Raymond Lindenberg, Juliana Kulesa, Mr. and Mrs. Peter Fedorich, Clark & Helen Wherry, Elizabeth Anderson, Marie and Andrew Savarese. Filed

Supervisor Janoski: "Thank you. The time for the public hearing has arrived. Let the record show that the hour of 7:49 P.M. has arrived and the clerk will please read the notice of public hearing." Filed

PUBLIC HEARING - 7:45 P.M.

I have affidavits of publishing and posting for a public hearing to be held on February 6, 1990 at 7:45 P.M. regarding the petition of Woodfield Meadows for an extension of the Riverhead Water District.

(See Water District Minutes)

7:45 PUBLIC HEARING CLOSED AT 8:03

Supervisor Janoski, "Before we move on to the resolutions, I'll open the meeting to comment on anything at all. I think Steve had you by a fraction of a second, Alice, but we'll get to you."

Alice Graff, "No problem."

Steve Haizlip, Calverton, "Which is the good mike? This one?"

Supervisor Janoski, "It depends on what you want to do. If you want to be recorded for posterity the one that is further away from you. If you want people to hear you, the one that's closer to you. So why don't you just (inaudible)"

Steve Haizlip, Calverton, "I want the audience to hear me and you! And the Council Members. O.K. Steve Haizlip of Calverton. I have been asked by several residents of the community to speak about the condition of Edwards Avenue and Route 25. The highway committee at this time I suppose only is made up of John."

Councilman Lombardi, "There is no committee as far as I know."

Supervisor Janoski, "There isn't a committee."

Steve Haizlip, "Well, if there isn't a committee, as John says, he doesn't know, I guess maybe there is a Highway Super available."

Supervisor Janoski, "Steve, the new committees have been created. The appointments have not been distributed yet."

Steve Haizlip, "O.K. When those appointments are distributed ----"

Supervisor Janoski, "For all intents and purposes they have been created."

Steve Haizlip, "Alright, Let's see what we can do about that because I know it's been turned in and nothing has happened. So, what it needs when they put the new pavement it needs a ferrin in. There's a lot of holes and splits in there so I said to the people that asked me to speak that I would speak on it and I also have a message for Mr. Lombardi from Mr. Jermusyk. The pictures" that you've, taken, he wants to know what happened, no action is being done."

Councilman Lombardi, "The pictures were turned over to Mr. Bloss."

Steve Haizlip, "O.K., John that's enough. Thank you."

Supervisor Janoski, "Thank you Steve. Alice."

Alice Graff, Riverhead, "I urge everyone here tonight, and the entire townspeople to take the drive along the north end of Edwards Avenue to see Riverhead's new Leavittown in the making. Tonight, I wish to address several of the visible problems that are presently occurring on Edwards Avenue due to the construction of this Leavittown. Roads are in the process of being cut into this Leavittown. One section of this Leavittown's topsoil, this farm dirt is being carted away by big Mack trucks of the Cardo Company of Quogue. It can be presumed that this vast amount of dirt is leaving Riverhead for a price. Certainly, not being carted away as an expense to the developer. It is my understanding this dirt removal process is to continue for about a year. Much of the farm land in this area was quarantined by the Agricultural Department and was not allowed to be removed. Has this aspect of the dirt removal been researched. This operation does bear a cost effect on all property taxpayers. These trucks, the smaller ten wheelers, carry a legal load of 20 to 22 tons. As yet I have not found out what the trailer containers carry. Of course there is not a scale on the site so legal loads could be side-tracked. Presently there are signs that this weight is beginning to have an adverse effect upon Edwards Avenue and these splits and breaks will become more devastating as carting continues for a year. Especially, under present type of weather conditions. As the trucks come out of the field in various areas, the edges of the road bed are being destroyed. And as the trucks

traverse this field, these edges will break up deeper and deeper into the road proper. A traffic hazard has been created due to the amount of mud that the vast number of tires bring out into the road. I would presume that people living in that area would be complaining to the police and highway superintendent. I would hope there is a law against this condition that has been put upon the taxpayer and that the expense of maintaining proper conditions and monitoring of such should not be borne by the taxpayers. The company is to provide mechanical sweepers on site or hand labor. Perhaps, because of this heavy truck traffic another hazard has surfaced. Excuse me I'm so nervous. I'm so furious on top of it, that makes it double. Because of this heavy truck traffic another hazard has been surfaced. The weight of the trucks has pushed the road down eliminating the crown. Also, the blacktop on the turns, the curves, is worn smooth. Blacktop can be slick without these trucks, but here it has been enhanced by the construction trucks. Drivers unaware of the hazard conditions in one of the areas have been known to slide into the pole on the turn near the sump. The run off water into the sump contains mud thus leaching is blocked and further problems develop including stagnated water. It is my understanding that the roads being cut in this Leavittown are 40 feet wide and it is also my understanding that our town law requires 50 feet widths. I would like to know the procedure for overseeing proper road beds because when so called donated to the town improper beds can cause taxpayers vast amounts of dollars. I question two houses one in the Leavittown area and the other on the corner of Edwards and Triangle. These appear not to have proper setbacks, with whom must I check? Seed potatoes from the north country are not allowed to be trucked on their highways until proper weather conditions prevail because freezing heaves and then softens the roads. Heavy trucking would devastate their roads under these conditions. Thus seed potato shipment is timed according to warmer weather in their area regardless of the farmers situation here. These are highway regulations of the north country, but here in Riverhead construction haulers are allowed to destroy our roads at will and especially so during the season of freeze and thaw resulting in persons bearing jolts and the expense of wheel alignment because of the pot holes. Highway tax increases to pay for road repair and the maintenance of roads dedicated to the town. Thank you for your patience."

Supervisor Janoski, "Thank you Alice. Is there anyone else who wishes to address the board?"

Warren McKnight, Wading River I'd like to give Supervisor Janoski a letter of invitation to a conference minority on legal conferences being held this Saturday at S.C. Community College in Riverhead and some brochures to the Town Board and then comment on it. To paraphrase the letter, it's a letter from A. Charles McElroy, he's the pastor of Friendship Baptist Church, he's also chairman of the Eastern Suffolk Minority Business Council. Basically it's a letter thanking you for accepting the invitation to speak there. Basically, the reason why I gave these

brochures out to the members of the Town Council and to Mrs. Pendzick here is the fact that, a --bring up the fact that minority businesses are allowed contracts with the federal government and state government. One thing that was brought to me by Jim Couch, who is the assistant to County Executive Patrick Halpin, the fact that over a million dollar contract that had to go to minorities--- a recent hear---the courts in the County Center here had to get a firm from Virginia, didn't have to get a firm from New York. Basically, hopefully by attending this conference by our councilpeople here and by you will be a network where you can work with our state and federal officials and the people here attending this conference to bring money, federal money, rightfully out to here so our people can benefit by it and spend the money out here, have jobs and help our area prosper. Thank you."

Supervisor Janoski, "Thank you Warren. Is there anyone else wishing to be heard? Yes sir."

Nick DiPierro, Wading River, "Hello members of the Town Board, I'm Nick DiPierro from Wading River. I don't know whether you---probably have heard enough on the subject about the official newspaper of the Town of Riverhead. But I have a simple request to make tonight. Perhaps I can address it specifically to Vic Prusinowski in that he does work for Suffolk Life. Regardless of who or what paper does represent the Town of Riverhead. I would think it would be nice if the official notices in there would be more easily to be read. It seems like the paper that is now publishing the official notices seems to want to save on space by printing in a very small, like a postage stamp lettering. Very hard to read. So, maybe that could be taken into consideration."

Councilman Prusinowski, "You're absolutely right and it's my understanding that next week we are going up to the next points. For some reason they've printing them in six point type and they will be going to the next point type which will be the same size they did appear in The News Review."

Nick DiPierro, "O.K. that's much better. Thank you."

Stanley Krupski, Calverton "I would like to address the board on one of the proposed resolutions. And it's Resolution #85 about the Raceway, Motor Vehicle. I think the timing of the hearing should be changed due to the fact that most of the local racing fraternity will be in Florida at speed week at Daytona Raceway and that's including the owners of the Raceway and everything. It's a really big event for the racing fraternity."

Supervisor Janoski, "That one week?"

Stanley Krupski, "Yeah, it runs from February 18th through the 24th and most of the people that race or are involved in racing are down in Florida at that time."

Supervisor Janoski, "Its already gone to the paper?"

Irene Pendzick, T. Clerk, "Yes."

Supervisor Janoski, "Can we get a change in date by tomorrow, do you think? I think it is a reasonable request, I think the members of the board will agree. Could we get that date changed, if we call them tomorrow?"

Councilman Prusinowski, "It's printed."

Supervisor Janoski, "Oh!, O.K. The following week ok."

Stanley Krupski, "It's up to you when you want to make----"

Supervisor Janoski, "Is the following week O.K.? Will everybody be around then?"

Stanley Krupski, "I really have no idea about that. But I know most of the people that are involved in racing will be away that week."

Supervisor Janoski, "I'm sorry. That's right. Probably two weeks. The next Town Board Meeting."

Stanley Krupski, "I'm not to say, your the boss."

Town Board Member, "That'll be March 5th."

Supervisor Janoski, "March 5th?"

Stanley Krupski, "That's fine with me personally, but I can't speak for everybody."

Supervisor Janoski, "What I want to know is will the racing fraternity be around then."

Stanley Krupski, "Most likely, they should be."

Supervisor Janoski, "O.K. I can agree that's a reasonable request and the board is indicating that they will - concur - that we will just change it to March the 5th for the Public Hearing and will get the newspaper to make that change tomorrow for the Public Notice."

Town Board Member, (inaudible)

Supervisor Janoski, "What's your point?"

Councilwoman Civiletti, "My point is that we may need to actually pull the resolution or the notice from the paper. I'm not sure whether it is a maximum number of days prior to the hearing that you can publish."

Town Clerk Irene Pendzick "There's a minimum. But I don't know about a maximum."

Supervisor Janoski, "I don't think there is a maximum."

Councilwoman Civiletti, "Let Pat check that out. Because we may need it for publishing."

Supervisor Janoski, "I don't know. You'll know before we vote on this. I don't think there is a maximum, but there is a minimum."

Town Clerk, Irene Pendzick "Right."

Councilman Prusinowski "I don't think there is a maximum either."

Supervisor Janoski "O.K."

Councilwoman Civiletti, "Check it out."

Stanley Krupski, "Also I have a clipping from the -- one of the newspapers that I clipped out about a year ago, I believe, it's about noise decimals and I compared it to your decimals that are coming up on your proposed ordinance and decimals related here out of the clipping is the noise from an alarm clock. I'd like to hand it to each board member."

Supervisor Janoski, "Now's not the time to do it, however."

Stanley Krupski, "What do you want?"

Supervisor Janoski, "You should do it at the public hearing."

Stanley Krupski, "Well, it's something that you can look into as far as building up your ordinance or whatever, you know."

Supervisor Janoski, "Distance has a great impact on decimal readings also."

Stanley Krupski, "Well, definitely."

Supervisor Janoski, "Because you can get a ten ton truck at a distance will make the same decimal level as an alarm clock at ten feet. Of course you want to establish (inaudible). Do you want to check that Pat?"

Stanley Krupski, "Thank you for your time."

Supervisor Janoski, "Thank you. Is there anyone else present. Steve."

Steve Haizlip, Calverton, " I would like to elaborate on the statement that Mrs. Graff read. Now when these zoning and building permits and environment and every department involved. When this is all final studied and issued. Now we come to the word about environment impact. Now in the environment impact very essential as to leaving the original land intact instead of these guys taking it all, selling it and then all they are leaving is sand for the homeowners and then they cover it with a little bit of rye, then the homeowner is stuck later in there and it doesn't retain the water, gets all kind of pollution water to run down into our water, the ground water. Now the next thing is she speaks of the truck coming out there and tearing up the roads which is true. It breaks them right in. I've been up that way. Now the environment impact, is that just sort of a statement that goes into the overall issue. I'm just saying that the environmental impact is ok but they do everything they want to, tamper roads, take away the soil, pollute everything, leave all the muddy silt run down and what have you. Now isn't that an important factor. Just wanted to get that in.

Joe Sykora, Riverhead, "I would just like to clarify something with the resolution that's being passed, well not being passed but for the public hearing on the race track. The law that was put into effect by the raceway to start with called out for Muffler Law #375 and #386 which gave a decimal reading. But the law could never be enforced because the police department were not allowed into the race track and the Town of Riverhead never had a noise meter. I would just like to clarify it for that gentleman that was up here. So there's nothing really new that I don't think of that is going to be in a resolution because it's got to be a decimal reading, I think, from the property line. I just want to clarify this gentleman that there was a decimal reading for the track in the beginning of last year but never could be enforced."

Supervisor Janoski, "Any other comment on anything on the agenda? Any question? Let's take up the resolutions."

RESOLUTIONS #70 THROUGH # 116

SEE PAGES 92 THROUGH 160 IN RESOLUTION BOOK OF 1990

#95 TERMINATES LEGISLATIVE SECRETARY AND APPOINTS DIANE KOROLESKI TO THE POSITION OF LEGISLATIVE SECRETARY.

Resolution introduced by Councilman Stark, seconded by Councilman Prusinowski. Vote: Councilman Prusinowski, yes; Councilman Stark, yes; Councilwoman Civiletti, no; Councilman Lombardi,

Councilman Lombardi, I would just like to say a few words before we get started. I think Mrs. Fenton did a wonderful job

for seven years being Coordinator for the Town Board and I'm sorry that she's going. We are getting another person in her place and a very nice person and I have no problems with this young lady coming in to take care of the councilpeople. I do have a problem with the fees or the salary. I feel that if you wanted to come to the Town Coordinator, I think she should come in at the same salary as Mrs. Fenton had left. Her salary, Mrs. Fenton, was \$24,596.48 and Diane's is going to be \$25,758.48. It's a \$1162.00 more. So I just want to say to Diane, I have no problem with you, but I do have a problem with the salary and I think this Town Board, if they are going to start bucking down and holding down on spending money I think they had better start looking now. I vote "no".

Town Clerk, Irene Pendzick, Janoski, yes; 3 yes 2 no motion carried.

**#105 AMENDS SITE PLAN OF JAMESPORT MOTEL (VICTOR PAFUNDI)**

Resolution #105 introduced by Councilman Lombardi, Councilwoman Civiletti made a motion to amend.

Councilman Lombardi, "With the new draft in there that this approval is specified use of the premises for motel units as defined in Section 108.3 of the code of the Town of Riverhead."

Councilwoman Civiletti, "Pursuant to our discussion at the work session the other day a move to amend paragraph 16 in this approval to reflect language that further defines what transient use is on premises. Mrs. Pendzick, was this letter filed with you? It's a letter from the attorney of the applicant addressed to Richard Hanley, if not I'll give you this copy."

Town Clerk, Irene Pendzick, "When was it filed? Do you know?"

Councilwoman Civiletti, "Today."

Town Clerk, Irene Pendzick, "No, I don't have that."

Councilwoman Civiletti, "Rather than -----Did everybody look at this? Rather than read the entire ----- I don't have any problem with this language. The intent of this language where the original paragraph 16 intended to prevent occupancy, well it attempted to define transient as occupancy not exceeding the period of 14 consecutive days which in the scheme of things at the height of the season may be an unnecessary restriction for people who want to spend more time there than that and enjoy the premises. However, the Town Board is concerned that the motel not be used for more or less permanent residences so we do want to define transient to limit the amount the number of days that any unit can be rented out consecutively. We've agreed upon language that was drafted and submitted to us by the applicants attorney and I move to substitute that draft for the existing

language in paragraph 16 and paragraph 10 in the Declaration and Covenants. So I move to make that amendment."

Councilman Lombardi, "Seconded."

Supervisor Janoski, "The amendment is moved and seconded."

Town Clerk, Irene Pendzick, "Can I get a copy of what we are doing?"

Councilwoman Civiletti, "Irene, you can just have mine. That just replaces paragraph 16 in the resolution and paragraph 10 in the Declaration of Covenants."

Town Clerk, Irene Pendzick, "Prusinowski, yes; Stark, yes; Civiletti, yes; Lombardi, yes; Janoski, yes;

5 yes as it was amended."

Supervisor Janoski, "Without objection, this meeting is adjourned."

There being no further business on motion or vote, the meeting adjourned at 8:42 p.m.

IJP:ch

  
Irene J. Pendzick  
Town Clerk