

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the
Town Hall, Riverhead, New York, on Tuesday, January 18, 1966 at 10:30 A. M.

Present:

Bruno F. Zaloga, Jr.
Thomas R. Costello, Justices of the Peace

Vincent B. Grodski
George G. Young, Councilmen

Absent: Robert B. Vojvoda, Supervisor

Also present: Shepard M. Scheinberg, Town Attorney and Alex E. Horton,
Superintendent of Highways.

In the absence of the Supervisor, the meeting was called to order at 10:30 A. M.,
by Justice Thomas R. Costello.

Justice Zaloga offered the following resolution which was seconded by Council-
man Young.

RESOLVED, That in the absence of the Supervisor, Justice Costello, be and is
hereby designated Temporary Chairman.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga,
Yes, Justice Costello, Not Voting and Supervisor Vojvoda, Absent. The resolution was
thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Council-
man Grodski.

RESOLVED, That the minutes of the meeting of the Town Board held in the Town
Hall on January 4, 1966, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga,
Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was there-
upon declared duly adopted.

Justice Costello asked if anyone wished to be heard. No one responded.

REPORTS

Supervisor's for the month of December, 1965. Filed.

Recreation Department for the month of December, 1965. Filed.

Receiver of Taxes dated January 17, 1966. Filed.

Police Department, Annual Report for 1965. Filed.

Annual Tort Claim Report for 1965, submitted by Town Clerk. Filed.

REPORTS continued:

After being duly advertised Sealed Bids for one new 1966 Station Wagon for use of the Riverhead Town Recreation Department were opened by the Town Clerk on Monday, January 10, 1966 at 11:00 A. M., as follows:

LYON FORD, INC., Route 58, Riverhead, N. Y.

Make of automobile	FORD
Book weight	3880
Delivery date	ASAP
Cost of vehicle	\$3351.81
Allowance on 1961 Plymouth Station Wagon-standard shift	689.45
Less Sales Tax	158.99
NET COST ON DELIVERY	\$2503.37

VANN PLYMOUTH, INC., Jessup Ave. & Montauk Hwy., Quogue, N. Y.

Make of automobile	PLYMOUTH
Book weight	3700
Delivery date	5 wks. after order
Cost of vehicle	\$2568.48
Allowance on 1961 Plymouth Station Wagon-standard shift	300.00
Less Sales Tax	44.48
NET COST ON DELIVERY	\$2224.00

KEEFE CHEVROLET-OLDS, INC., Route 25, East Main St., Riverhead, N. Y.

Make of automobile	CHEVROLET
Book weight	3902
Delivery date	-----
Cost of vehicle	\$3248.07
Allowance on 1961 Plymouth Station Wagon-standard shift	840.05
Less Sales Tax	157.05
NET COST ON DELIVERY	\$2250.97

GARSTEN MOTORS, West Main Street, Riverhead, N. Y.

Make of automobile	PLYMOUTH
Book weight	3445
Delivery date	3 to 5 weeks
Cost of vehicle	\$2333.00
Allowance on 1961 Plymouth Station Wagon-standard shift	130.00
Less Sales Tax	-----
NET COST ON DELIVERY	\$2203.00

The bids were filed for the January 18th, 1966 meeting of the Town Board.

After being duly advertised the following Bid for High Test Gasoline and Regular Gasoline for use of Town owned vehicles for all Town Departments for the year 1966, was opened by the Town Clerk on January 17, 1966 at 11:00 A. M.

REPORTS continued:

SINCLAIR REFINING COMPANY, Commercial Avenue, Garden City, N. Y. 11583

1. Net cost per gallon of HIGH TEST GASOLINE, delivered: 15.34¢ (*)
2. Net cost per gallon of REGULAR GASOLINE, delivered: 12.83¢ (*)

(*) Plus any applicable taxes.

3. Do you have ample local storage for gas? Yes

The bid was filed for the January 18, 1966 meeting of the Town Board
The matter of awarding the bid was tabled to the February 1st, 1966 meeting
of the Board.

HEADS OF DEPARTMENTS

Police Chief Grodski appeared before the Board and reported that the matter of the Gallo Junkyard on Osborne Avenue has been taken care of, that the vehicles have been removed and disposed of, that the grounds have been cleaned and raked and that the items such as iceboxes, etc., are being removed today.

Police Chief Grodski also reported that a complaint has been received to the effect that people who were using Merritt's Pond for skating purposes have been parking cars on property that may be owned by the Town.

The Board directed Chief Grodski to ascertain ownership of the property.

Chief Grodski made inquiry at the Board of Assessors Office and it was determined that the property was privately owned.

Donald Rhuda, Recreation Superintendent informed the Board that there are presently three skating rinks in operation, one in Wading River, one in Jamesport and one at Stotzky Park and the program is being supervised by the Recreation Department.

COMMUNICATIONS

Riverhead Town Planning Board, dated January 14, 1966, submitting Performance Bond, filed by Roschumar Corp., in the amount of \$27,500, in accordance with Section 277 of the Town Law and Section 3, Paragraph F of the Rules and Regulations of the Planning Board for proposed subdivision "Dolphin Way Estates", Roanoke Avenue, Riverhead, N. Y. Said Performance Bond to be approved by the Town Board. Filed.
Referred to Town Attorney.

Long Island Lighting Company, dated January 3, 1966, submitting plan for street lighting on Birch Lane, within the Wading River Lighting District, outlining added cost to said District of \$21.00 per annum. Filed.

Shepard M. Scheinberg, Town Attorney, dated January 6, 1966, advising that Charles Jehle shall continue to act in capacity as Planning Board member as a hold-over until his expired term has been filled. Filed.

COMMUNICATIONS continued:

Wading River Civic Ass'n., dated January 12, 1966, expressing its support of plan for a recreation park with outdoor athletic facilities in Wading River and thanking Town Board and Recreation Department for past and present recreational activities as carried out at the Wading River School. Filed.
Copy to Recreation Commission.

Wading River Civic Ass'n., dated January 12, 1966, expressing appreciation for the installation of fence around the pond in the village of wading River. Filed.
To be acknowledged by Supervisor.

Riverhead Fire District Secretary, dated January 5, 1966, advising the Board that Mr. Leone Corwin has been appointed as Fire Commissioner to the Board of Fire Commissioners of the Riverhead Fire District to fill the vacancy created by the resignation of Joseph H. Coleman. Filed.

State Deputy Chief Engineer, dated January 13, 1966, submitting Notice of Cancellation of Designation of Restricted Highway. Filed.
Copies to Police Chief and Supt. of Highways.

Jamesport-South Jamesport Civic Ass'n., dated January 8, 1966, advising that motorists are not heeding the Stop Signs in both East and West Lanes of Peconic Bay Blvd., and in its East and West Lanes at its intersection with Washington Ave., and suggesting that "Stop Ahead" or "Stop Sign Ahead" signs be painted and erected 150 feet from the stop signs, at these two intersections. Filed.

Justice Zaloga made suggestion that these signs be painted and placed 150 feet from the "Stop Signs" as with the point system it is only fair to warn the motorists as many feel that when they have stopped at a sign which may be 50 feet back they have made their stop.

Police Chief Grodski concurred with the suggestion and the Highway Supt. was directed to post signs as requested. It was further recommended that stop lines be painted to indicate the stop point at reasonable distance from the intersections.

Suffolk County Civil Service Commission, dated January 13, 1966, advising that Permanent Appointment of Leonard N. Griffing, Jr., as Police Patrolman has been approved. Filed.

RESOLUTIONS

Councilman Grodski offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That Leonard N. Griffing, Jr., be and is hereby appointed Police Patrolman pursuant to letter of Suffolk County Civil Service Commission, dated January 13, 1966, said appointment effective January 1, 1966, at an annual salary of \$6188.00, payable through 26 pay periods.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

RESOLUTIONS continued:

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

RESOLVED, That John Sieminski, Automotive Equipment Operator and John Condzella, Automotive Equipment Operator, be paid at the rate of \$2.85 per hour, effective January 1, 1966, payable through 26 pay periods and Timothy V. Bepton, Laborer, be paid at the rate of \$2.10 per hour, effective January 1, 1966, payable through 26 pay periods.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That Charles Jehle be and is hereby re-appointed as Chairman of the Riverhead Planning Board for a term of five years, effective January 1, 1966 and ending December 31, 1970.

Justice Costello suggested that the resolution as so moved be tabled for the next meeting of a full-Board.

Councilman Grodski offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That the above motion offered by Councilman Young and seconded by Justice Zaloga be tabled for the next meeting of a full-Board. The resolution was unanimously adopted.

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

RESOLVED, That the Superintendent of Highways be and is hereby authorized to employ William LaPurka and Donald Preston as Automotive Equipment Operators, at a starting salary of \$1.75 per hour, payable through 26 pay periods, said employment effective January 24, 1966.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

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

RESOLVED, That Merrill Nelson be and is hereby appointed to serve as Groundsman effective January 19, 1966, to be paid bi-weekly at the rate of \$1.75 per hour and to serve at the pleasure of the Town Board.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

RESOLUTIONS continued

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

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids on Grit Requirements for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications be prepared by the Superintendent of Highways and bids to be returnable up to 11:00 A. M., on February 7th, 1966, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, February 7th, 1966, at 11:00 A. M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on Grit".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

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

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids for Transit-Mix Requirements for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications be prepared by the Superintendent of Highways and bids to be returnable up to 11:15 A. M., on February 7th, 1966, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, February 7th, 1966, at 11:15 A. M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on Transit-Mix".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

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

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids for Liquid Asphalt Requirements for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications be prepared by the Superintendent of Highways and bids to be returnable up to 11:30 A. M., on February 7th, 1966, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, February 7th, 1966, at 11:30 A. M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on Liquid Asphalt".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Councilman Grodski.

RESOLUTIONS continued:

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids for the Maintenance and Installation of all Mobile, Base and Portable Radios owned by the Town of Riverhead and employed by all departments for the year of 1966, and further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, February 7th, 1966, at 10:45 A. M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on Maintenance and Installation of all Mobile, Base and Portable Radios".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

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

RESOLVED, That the bid for one 1966 Station Wagon for use of the Riverhead Town Recreation Department, be and it is hereby awarded to Garsten Motors, Inc., West Main Street, Riverhead, N. Y., at a net cost of \$2203.00,

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by Garsten Motors, Inc., dated January 7th, 1966, and filed with the Town Clerk on January 10th, 1966.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

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

RESOLVED, That Edward R. Munson, Riverhead Town Building Inspector be authorized to attend the Seventeenth Annual Building Inspector's School held at the Hotel New Yorker, New York City, N. Y., on February 24th and 25th, 1966, and that all necessary expenses be charged to the General Town Fund.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

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

WHEREAS, The term of Donald Barth as a member of the Riverhead Recreation Commission shall expire on December 31, 1965, and

WHEREAS, It is necessary to appoint a new member for a six year term,

BE IT RESOLVED, That Edward R. Kukla of Brown Street, Riverhead, N. Y., be and he is hereby appointed a member of the Riverhead Recreation Commission for a six year term commencing January 1, 1966.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

RESOLUTIONS continued:

Councilman Grodski offered the following resolution which was seconded by Justice Zaloga and unanimously adopted by the Town Board.

RESOLUTION COMMENDING DONALD BARTH FOR SERVICES RENDERED TO THE TOWN OF RIVERHEAD AS MEMBER OF THE RIVERHEAD TOWN RECREATION COMMISSION.

WHEREAS, DONALD BARTH has contributed five years of faithful and devoted service to the Riverhead Town Recreation Commission, and WHEREAS, Such faithful and devoted service is most worthy of recognition,

and WHEREAS, The Town Board of the Town of Riverhead commends DONALD BARTH for his meritorious service to the Riverhead Town Recreation Commission,

be it RESOLVED, That the Town Board of the Town of Riverhead extends sincere appreciation for the conscientious service he has rendered to the Town of Riverhead as a member of the Recreation Commission and extends to him the best of good wishes, and be it

FURTHER RESOLVED, That the Town Clerk be and is hereby directed to deliver to DONALD BARTH, a suitably engrossed copy of this Resolution in recognition of the outstanding service he has rendered and in recognition of the esteem of the Town Board for DONALD BARTH.

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

RESOLVED, That the Town Clerk be and is hereby directed and authorized to publish in the January 20, 1966 issue of the News-Review, the official newspaper of the Town of Riverhead, the following Notice of Public Hearing amending Zoning Ordinance No. 26, of the Town of Riverhead:

NOTICE OF PUBLIC HEARING

Pursuant to Section 265 of the Town Law and Section 501 of Zoning Ordinance No. 26 of the Town of Riverhead, Suffolk County, New York, a Public Hearing will be held by the Riverhead Town Board at the Town Hall, 220 Roanoke Avenue, Riverhead, Suffolk County, New York, on the 1st day of February, 1966, at 11:30 A. M., on the following proposals to amend said Zoning Ordinance No. 26 of the Town of Riverhead as amended, as follows:

1. Article II - Section 203 1 Business I District - Section 203A Uses - Business I District. Renumber Paragraph 20 to read 21.
2. Article II, Section 203 - Business I District - Section 203A Uses. Add Paragraph 20: 20. Camps when authorized by Special Permit from the Town Board and subject to such conditions and safe guards as the Town Board may deem appropriate.

RESOLUTIONS continued:

3. Article II, Section 204 - Business II District - Section 204A Uses. Amend Paragraph 1 to read: 1. All Uses permitted in Section 203A of the above Ordinance except that no camps shall be allowed.
4. Article III - Section 303C - Parking Areas - The Second Paragraph should be deleted.
5. Article III - Section 303C - Parking Areas - Add the following Second Paragraph:

Where a public parking district has been created within a business district, the owner of property within the district for each building, structure, or premises which would be erected, enlarged or altered for use need not provide off street parking as defined in Article 3, Section 301J - Off Street Parking.

Any person desiring to be heard on the proposed amendment changes should appear at the time and place specified.

BE IT FURTHER RESOLVED, That the Town Clerk send copies of the Notice of Public Hearing amending Zoning Ordinance No. 26, of the Town of Riverhead to the Towns of Brookhaven, Southampton and Southold, the State Park Commission and the Suffolk County Department of Planning.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the Supervisor be and is hereby authorized to transfer the sum of \$176.00 from the General Town Current Surplus Account to Enterprises/Parking Fields/Parking Fields Expenses.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay snow overtime compensation for December 28, 1965, and January 14, 1966, in the total amount of \$194.75.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

RESOLUTIONS continued:

Justice Zaloga offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Long Island Lighting Company be and it is hereby authorized to install street lighting on Birch Lane, within the Wading River Lighting District, as per letter and plan dated January 3, 1966, outlining added cost to aforesaid District of \$21.00 per annum.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Councilman Grodski.

WHEREAS, The Town Planning Board of Riverhead by a resolution dated November 10, 1965, set forth the prerequisites to the approval of the proposed subdivision known as "Dolphin Way Estates", and

WHEREAS, One of the prerequisites to the approval of the proposed subdivision is the filing of a Performance Bond in the amount of \$27,500 with the Riverhead Town Board guaranteeing the faithful completion of the construction of a highway within the proposed subdivision in accordance with the construction specifications in the "Rules and Regulations for the Dedication of a Public Highway in the Town of Riverhead, Suffolk County, New York", and in accordance with the conditions set forth in the aforementioned resolution of the Town Planning Board dated November 10, 1965, and

WHEREAS, Roschumar Corporation as Principal and The Stuyvesant Insurance Company as Surety have filed a Performance Bond in the amount of \$27,500 guaranteeing to the Riverhead Town Board faithful performance in the completion of the road to be constructed in the proposed subdivision known as "Dolphin Way Estates", which Bond sets forth completion of the road in a period not exceeding two years, all being pursuant to Section 277 of the Town Law, Section III, Paragraph F of the Rules and Regulations of the Planning Board for the subdivision and platting of land,

NOW, THEREFORE BE IT RESOLVED, That the Surety Bond Number 100698 in the amount of \$27,500, naming Roschumar Corporation as Principal, The Stuyvesant Insurance Company as Surety, and the Riverhead Town Board as Obligee, for the faithful performance of all conditions set forth in the Resolution of the Town of Riverhead Planning Board, dated November 10, 1965, with reference to the proposed subdivision to be known as "Dolphin Way Estates" in Riverhead, New York, be accepted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

UNFINISHED BUSINESS

Town Attorney Shepard M. Scheinberg reported on the matter of Janitorial Services and stated that he has been advised that the Supervisor is not satisfied with the services as rendered in the Town Hall and that there has been complaints about the service from the Police Department, and as a result he recommended that a resolution be offered whereby the present Janitorial Services be discontinued and a substitute Janitor be hired for the rest of the year.

UNFINISHED BUSINESS continued:

Councilman Young stated that perhaps the reason for the poor service was due to the low pay involved and added that perhaps if the pay was increased, the service would improve.

After some discussion it was decided that the matter be tabled for the February 1, 1966 meeting of the Board.

It was the consensus of the Board that the present Janitor be given an opportunity to be heard and the Town Clerk was directed to advise him to appear at the Executive Session of the Board on February 1, 1966.

At this point of the meeting, Justice Costello recessed the meeting to hold a Hearing on the Application of Sheldon Weitzen for a Junk Dealer's License.

HEARING - 11:10 A. M.

Hearing scheduled by Supervisor Vojvoda as per letters posted to adjoining land owners, dated January 3, 1966, in the Matter of the Application of Sheldon Weitzen of 7 Calebrewster Road, East Setauket, N. Y., for a Junk Dealer's License, principal place of business to be located at 252 Mill Road, Riverhead, N. Y.

Copy of letter sent to Henry Wallack, Mill Road, Riverhead, N. Y., advising purpose, date and time of Hearing was submitted to the Board by the Town Attorney.

Justice Costello declared the Hearing, open, and asked if any one wished to be heard in favor of or in opposition to the aforesaid Application.

Bruce Stark, Mill Road, Riverhead, N. Y., stated objections for reasons that the Town of Riverhead has been on a clean-up campaign and the granting of such license to be located in the area of Mill Road would not be conducive to the future planning of building up nice streets and orderly businesses.

Town Attorney Shepard Scheinberg stated that in the past the Town Board has looked upon Junk Yard applications with a jaundiced-eye to make sure that the locale would be right for this type of operation and further added that here we have an applicant for such license who has not appeared personally and we do not know just what type of operation he proposed to have, nor do we know the exact location and just reading the address does not give us an exact picture.

Mr. Scheinberg recommended that this matter be held in abeyance until the applicant appears personally before the Board.

Justice Costello stated that it would appear from the correspondence he has seen that perhaps the applicant has not been notified to be present.

Lyndon Hallock, President of L. I. Cauliflower Ass'n., stated that the Association owns property on the west side of Mill Road and feel that an operation of this type would be detrimental to the value of surrounding properties.

Mr. Hallock further stated that it appears that the operation is already in progress and that a press has been installed and a certain amount of paper is being received and asked what permit has been granted to allow this.

HEARING - 11:10 A.M., continued:

Justice Costello replied to Mr. Hallock stating that a Permit has been granted for the Use under Industrial 1 Use by the Building Inspector and that it is his understanding that this operation is completely enclosed and as long as this gentleman keeps his operation enclosed it would not come within the purview of a Junk Yard, as a Junk Yard is a storage of unusable materials such as metal, scrap iron and paper. And while paper is considered junk, as long as this operation is kept within the confines of a building and nothing is stored outside, it would not be considered a Junk Yard operation.

Justice Costello further stated that if it is so that this gentleman has advertised for scrap metal, etc., and if he stores metal and scrap iron outside, he would come within the purview of the Junk Ordinance, however, he has the Permitted Use for the hauling and storage of paper stock, provided he keeps his entire operation within the confines of the building.

Mr. Hallock replied to Justice Costello stating that he cannot conceive of a paper operation that wouldn't have a certain amount of material drifting around outside and catching into trees and shrubs, and as it appears that no fence is required around the property, that this operation would be detrimental to all of the surrounding properties.

Mr. Hallock further stated that although he understands the proposed operation is in an Industrial Use Zoning Area he also understands that adjoining property owners are entitled to be heard, and it appears that this man is operating prior to the Hearing.

Justice Costello replied to Mr. Hallock stating that this man was given a Permit which is not in violation for an operation of a Permitted Use for the type of Use that this particular property is zoned for and if he keeps his operation wholly within the confines of a building that it is in the opinion of the Town Attorney not a Junk Yard as Junk Yard means the storage of scrap metal, etc.

Mr. Scheinberg replied to Justice Costello stating those were not his words and he would not accept the opinion as worded by the Judge as being his.

Justice Costello remarked that if the Town Attorney will not accept the opinion that the opinion will be his for the record.

Justice Zaloga stated that he has seen a recent ad where this gentleman has advertised for metals, and where he does not now have a Junk Dealer's License, he therefore cannot deal in metals and if he is operating now he should be stopped at once.

Mr. Hallock stated that the Cauliflower Association was not notified of this Hearing and asked if property owners across the road would be given the same consideration as adjoining property owners.

Town Attorney Scheinberg referred to Ordinance No. 9 - Licensing of Junk Dealers and Dealers in Second-hand Articles and replied to Mr. Hallock stating that the Ordinance answers one of Mr. Hallock's previous questions in regard to a fence as follows:

HEARING - 11:10 A.M., continued:

(Mr. Scheinberg): "That a fence is not required where the business is either completely within an enclosed building or shall be enclosed with a board fence, at least six feet high on all sides".

Mr. Scheinberg further explained that if the entire operation is within a building there is no requirement of a fence which means storage and everything is in the building.

Mr. Scheinberg addressed the Board and stated that the Board is just guessing at what is being done, as the facts are not before the Board here if there is storage outside of the building.

Mr. Scheinberg advised the Board to adjourn the Hearing for February 1, 1966 and request the applicant to appear at such time to inform the Board just what is being done.

Justice Costello stated that it may very well be that the applicant was not notified as the only communication he has seen was a copy of letter sent to Henry Wallack, adjoining owner, which was returned with notation signed by him stating he has no objections to the granting of such license.

No one else wishing to be heard, Justice Costello declared the Hearing closed and adjourned same to February 1, 1966 at 11:00 A. M.

The Town Clerk was directed to notify the applicant and the adjoining owners of the Adjournment of the Hearing to February 1, 1966 at 11:00 A. M.

Justice Costello re-opened the meeting.

The Town Board convened as a Board of Audit and examined the following bills submitted: General Town - \$9,164.28, General Repairs Item No. 1 - \$733.07, Misc. Item No. 4 - \$1,187.99 and Machinery Item No. 3 - \$3,244.74.

Justice Zaloga offered the following resolution which was seconded by Councilman Grodski.

RESOLVED, That the General Town bills submitted on Warrant dated January 18, 1966, in the amount of \$9,164.28, be approved for payment, and

FURTHER RESOLVED, That the Highway Department bills submitted on Warrants dated January 18, 1966 as follows: General Repairs Item No. 1 - \$733.07, Machinery Item No. 3 - \$3,244.74 and Miscellaneous Item No. 4 - \$1,187.99, be approved for payment.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Absent. The resolution was thereupon declared duly adopted.

There being no further business, on motion and vote, the meeting adjourned at 11:30 A.M., to meet on Tuesday, February 1, 1966 at 10:30 A. M.

Helene M. Block

Helene M. Block, Town Clerk