

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, August 2, 1966 at 10:30 A. M.

Present:

Robert B. Vojvoda, Supervisor

Bruno F. Zaloga, Jr.

Thomas R. Costello, Justices of the Peace

Vincent B. Grodski

George G. Young, Councilmen

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

The meeting was called to order at 10:40 A. M., by Supervisor Vojvoda.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLVED, That the minutes of the meeting of the Town Board held in the Town Hall on July 19, 1966, be approved as submitted.

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

REPORTS

Police Department, July, 1966. Filed.

Building Department, July, 1966. Filed.

Board of Assessors-Assessed valuation on Petition to establish Extension 1-A Street Lighting District. Filed.

Jamesport Fire Department-Certificate of Inspectors on Canvass of Votes taken at Special Elections held July 28, 1966 on Proposition of Bond Resolution to purchase equipment. Filed.

PETITION

Order to Show Cause for Temporary Stay and Permanent Injunction in the matter of the application of Philip J. Ofrias, Gertrude Korth, Jerome Anselmo and others similarly situated, Petitioners vs. The Riverhead Town Board, re Public Beach at Wading River, N. Y. Filed.

Referred to Town Attorney.

COMMUNICATIONS:

Two copies from Alden W. Young to Charles K. Martin, Inc., dated July 19, 1966 and July 27, 1966, advising said contractor that application of oil on construction of highways in Terminal Park Road Improvement District, Wading River, N. Y., has been rejected as it does not meet with contract specifications and outlining corrective measures to be taken to adjust the improper application. Filed.

N. Y. District, Corps of Engineers, dated July 22, 1966, relating to Public Notice No. 5788 on application of Floyd King, Jr., for Department of Army Permit to construct a rock jetty in Long Island Sound at East Marion, Town of Southold. Filed.

Adelphi University, Garden City, N. Y., dated July 18, 1966, requesting permission to park Hearing Mobile Unit in shopping area at the hours of 10 A. M. to 3 P. M. sometime during the month of October. Filed.

Referred to Police Chief Grodski for reply.

Long Island Cablevision Corporation, dated July 21, 1966 relating to proposed location of water storage tank on County Road 58, stating that such erection of a large mass extending to a height of one or 200 feet would act as a reflector for television signals and cause problems. Further stating that their television mast receives transmitted signals from New York City at an angle of approximately 260 degrees which is in direct line of sight to the Empire State Building. That signals transmitted from New York would hit the proposed water tank, reflect off and then hit Cablevision TV mast and would result in precluding acceptable viewing, causing viewing audience to see double images commonly referred to as "ghosts". Also tank could possibly interfere with signals emanating in Connecticut which are received by Cablevision TV mast. Also that while the aforesaid is theoretical, it is possible, and if the problem should occur there would be little if anything Cablevision could do to eliminate the condition at its receiving facility. Filed.

Referred to Special Town Attorney Charles Raffe for reply.

Riverhead Town Planning Board, dated July 28, 1966, submitting report of recommendations on Timberland Associates request for Change of Zoning. Filed.

Riverhead Recreation Commission, dated July 28, 1966, advising that said Commission is opposed to the proposed airport off of Riverside Drive in Riverhead because of the unsuitability of the site involved and the greater value of the property for other purposes. Also stating that this recommendation was voted on and passed by a vote of five in favor and one against. Filed.

Supervisor Vojvoda stated he would like to make this comment in relation to the above communication: "That there was only one member of the Commission that had the decency to speak to the Town Board about the location, plans, etc., and it is interesting to note that it was this individual who after asking questions voted for the airport. The rest of the Commission did not ask the Board for any recommendations. It is also interesting to note for the newspapers that Mr. Rowland designed this with Suffolk County Planning and Recreation in mind, so I think that the Recreation Commission was a little lax in its vote."

The Board discussed the matter and several of the members voiced opinions that perhaps the name of the Recreation Commission should be changed to "Advisory".

The Town Attorney stated he would look into the matter.

Donald Rhuda, Recreation Supervisor, explained that his interpretation of the letter was that the Recreation Commission opposed the use of the land in that area for the use of an airport instead of recreation.

HEADS OF DEPARTMENTS

Police Chief Grodski addressed the Board and expressed appreciation for the honor bestowed by members of the Town Board who attended his installation as President of the New York State Chiefs of Police Association at Niagara Falls on July 28, 1966.

The Town Board congratulated Police Chief Grodski for bringing this great honor to the Town of Riverhead.

RESOLUTIONS

Justice Zaloga offered the following resolution which was seconded by Councilman Young and duly adopted with the following recorded vote: AYES: Councilman Young, Councilman Grodski, Justice Zaloga, Justice Costello and Supervisor Vojvoda. NOES: None.

A RESOLUTION DESIGNATING POLICE CHIEF STEPHEN J. GRODSKI, RIVERHEAD CITIZEN NO. 1 - AUGUST 1, 1966 TO JULY 31, 1967.

WHEREAS, Chief of Police Stephen J. Grodski has been elected as President of the New York State Chiefs of Police Association, and

WHEREAS, The Town Board of the Town of Riverhead feel that this outstanding achievement by Police Chief Stephen J. Grodski has brought great prestige to the Town, be it

RESOLVED, That Police Chief Stephen J. Grodski be and is hereby designated as Riverhead Citizen No. 1, for the period of his tenure in office as President of the New York State Chiefs of Police Association, to wit: August 1, 1966 to July 31, 1967, and be it further

RESOLVED, That an embossed copy of this Resolution be sent to Police Chief Stephen J. Grodski.

HEADS OF DEPARTMENTS

Donald Rhuda, Recreation Supervisor addressed the Board and publicly thanked the Police Department for assigning a patrolman to be in attendance during the Teen Dances held at Stotzky Park.

Mr. Rhuda further stated that during the 2-1/2 hours of dancing there are as many as one thousand people in attendance and the presence of a patrolman has certainly helped in keeping the crowd orderly.

Mr. Rhuda requested the Board to consider an item of salary in the 1967 Budget for a Special Attendant for the Teen Dances.

Justice Zaloga suggested that to assure the orderly conduct of the crowd will prevail at all future dances that the patrolman in attendance eject any person or persons who seem disinterested and who may appear ready to cause a disturbance.

Mr. John Riesdorff asked if beer and liquor is permitted in the Park.

Mr. Rhuda stated that every attempt is being made to discourage this practice.

At this point of the meeting, Supervisor Vojvoda asked if anyone wished to be heard and the following person responded:

Mr. Frederick McCormick, 8 Reeve's Park, Riverhead, N. Y., who stated he was representing 12 home owners having road problems, which roads were formerly under a private corporation which is now defunct and has left approximately 156 people to take care of the roads.

Mr. McCormick further stated that in the Park there are 220 homes and the 156 people affected by these roads are just sitting and the roads are deteriorating fast.

Mr. McCormick further stated that the ownership of the roads has not been determined and asked the Board what these people should do to have the roads maintained by the Town.

Town Attorney Scheinberg stated that the roads in question are private roads and as such the Town has no control over them and suggested that the Association bring a proceeding into court stating these roads are property of the Association, and if the ownership of the roads has not been determined that perhaps the filed map will give the indication of ownership.

Justice Zaloga stated that he lives in such a development down on the Bay and the residents there pay the developer for maintenance of the roads and additional for snow removal.

Councilman Young suggested that Mr. McCormick submit a petition signed by residents having 51% of the assessed valuation in the area asking the Board to consider taking over the roads after they have been completed in accordance to rules and regulations for the dedication of a public highway in the Town of Riverhead.

Mr. McCormick asked if any relief will be made on payment of school taxes and if adequate Police protection will be given in the Reeves Park area and that presently a Police Patrol is needed during the evening hours to curtail the excessive speeding of vehicles.

Justice Costello replied to Mr. McCormick stating that school tax is paid directly to treasurers of school districts.

Police Chief Grodski stated that the Police Department has beefed up its patrol duty in the 16 summer colonies. That Wildwood area is the largest of these colonies.

Chief Grodski further stated that the Board has discussed the matter of requesting a reduction of speed limits to 30 miles per hour on roads within the area of all the summer colonies to be effective during the summer months.

Chief Grodski strongly recommended that the Town put in a walkway in the Reeve's Park area and that the children be disciplined to use this walkway.

Justice Zaloga suggested that Chief Grodski request the State Police to assist in the patrol of the Reeve's Park area.

Mr. McCormick asked why these residents are taxed for road maintenance and the Town Attorney replied stating that the tax is for the improvement of roads throughout the township.

The Town Board suggested to Mr. McCormick that he contact the Board of Assessors Office for information on the ownership of the roads in question.

A representative of the Long Island Lighting Company addressed the Board in connection with the discussion held by the Board at its last meeting relating to traffic hazards caused by the double parking of public utility trucks, and stated that he desires to meet with the members of the Board when an Ordinance regarding this matter is being considered.

The Board assured the representative of the Long Island Lighting Company that he will be so notified.

UNFINISHED BUSINESS

The Town Board requested the Town Clerk to advise Abram Shorr, Special Town Attorney to meet with the Board in Executive Session on August 16, 1966.

RESOLUTIONS:

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

RESOLVED, That the Resolution on page 149 of the minutes of the Town Board meeting held May 10, 1966, authorizing Police Chief Stephen J. Grodski and members of the Riverhead Town Board to attend the New York State Association of Chiefs of Police Conference, be and is hereby amended as follows:

By striking out "the members of the Town Board" and inserting in place thereof, "Supervisor Robert B. Vojvoda, Justice Thomas R. Costello, Councilman George G. Young, Councilman Vincent B. Grodski and Police Lieut. Roscoe Palmer", and be it further

RESOLVED, That the amended aforesaid Resolution shall read as follows:

"RESOLVED, That Police Chief Stephen J. Grodski and Supervisor Robert B. Vojvoda, Justice Thomas R. Costello, Councilman George G. Young, Councilman Vincent B. Grodski and Police Lieut. Roscoe Palmer, be and they are hereby authorized to attend the Annual New York State Association of Chiefs of Police, Inc. Conference, to be held on July 24, 1966 to July 28, 1966, and all related and necessary expenses be paid."

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

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

RESOLVED, That the parking meters now located along the southside of First Street, Riverhead, New York, be and are hereby ordered to be removed under the supervision of the Riverhead Police Department and that said parking meter be relocated on other town and state highways within the Town.

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

RESOLUTIONS continued:

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

RESOLVED, That Alex E. Horton, Supt. of Highways, be and is hereby authorized to retain counsel to represent him in the matter of the Hearing to be held on August 3, 1966 at the Town Hall, Riverhead, New York, relating to the dismissal of Joseph A. Jermusyk from the employ of the Riverhead Highway Department, and that the fee of counsel retained by said Alex E. Horton, be paid from Town funds.

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

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

RESOLVED, That Claudia T. Preeg, Herod Point Road, Wading River, N. Y., be and is hereby appointed School Attendance Officer for Common School District No. 1, Wading River, Town of Riverhead, for the year 1966-67, to be compensated at the rate of \$200.00 per annum, payable in ten monthly pay periods.

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

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That voting machines be utilized in the public referendum to be held on August 12th, 1966 in connection with the vote on the authorization of the Supervisor to execute a lease with the County of Suffolk, and that necessary expenses incurred therein be paid out of General Town Surplus Fund.

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

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That Dee Tyson be and he is hereby appointed to serve as a Beautification Project Supervisor effective July 25, 1966, to be paid bi-weekly at the rate of \$65.00 per week 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, Yes. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLUTIONS continued:

WHEREAS, Paul Rapalski was appointed to serve as a Lifeguard at the rate of \$1.50 per hour, and

WHEREAS, Paul Rapalski has indicated his inability to serve,

BE IT HEREBY RESOLVED, That the appointment of Paul Rapalski as a Lifeguard be and is hereby rescinded.

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

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLVED, That Chris Tanoff be and he is hereby appointed to serve as a Lifeguard effective July 29, 1966, to be paid bi-weekly at the rate of \$1.50 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, Yes. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLVED, That John Lamendola be and he is hereby appointed to serve as a Lifeguard effective July 9, 1966, to be paid bi-weekly at the rate of \$1.50 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, Yes. The resolution was thereupon declared duly adopted.

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

RESOLVED, That Madeline Tepper be and she is hereby appointed as an Assistant Playground Leader to serve on the Playgrounds effective July 26, 1966 to and including August 12, 1966, to be paid bi-weekly at \$4.80 per session 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, Yes. The resolution was thereupon declared duly adopted.

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED that the Town Clerk be and is hereby authorized to publish in the August 4, 1966, edition of the News-Review the following Notice of Public Hearing:

Pursuant to Section 205 of the Town Law and Article V Section 501 of the Zoning Ordinance of the Town of Riverhead, Suffolk County, New York, being Town Ordinance No. 26 of the Town of Riverhead, a public hearing will be held by the Town

RESOLUTIONS continued:

Board of the Town of Riverhead, Suffolk County, New York, at the Town Board Room, Town Hall, 220 Roanoke Avenue, Riverhead, New York, on the 16th day of August, 1966, at 11:00 in the forenoon of said day in the matter of the proposed change in the Zoning Ordinance of the Town of Riverhead, more particularly to the Zoning Map incorporated therein, as follows:

1. To change from existing Residence 1 Use District, existing Residence 2 Use District and existing Farm 1 Use District to Residence 3 Use District all that certain property situate in Wading River, Town of Riverhead, Suffolk County, New York, bounded approximately as follows: On the North by the Long Island Sound; on the West by the boundary line lying between the Town of Riverhead and the Town of Brookhaven and existing Business 1 Use District; on the South by existing Business 1 Use District and proposed Business 3 Use District and by the South side of Parker Road; and on the East by the westerly boundary line of Wildwood State Park and lying 800 feet east of Hulse Landing Road, which proposed change is more accurately shown on map entitled "Plan for Zoning Change, Map of Wading River School District", dated July 18, 1966, on file with the Town Clerk of the Town of Riverhead.

2. To change from existing Farm 1 Use District to Residence 3 Use District all that certain property situate in Wading River, Town of Riverhead, Suffolk County, New York, bounded approximately as follows: On the North by existing Business 1 Use District and proposed Business 3 Use District; on the West by the boundary line lying between the Town of Riverhead and the Town of Brookhaven; on the South by a line 500 feet north of Middle Country Road beginning at the Riverhead-Brookhaven Town boundary line of the Nassau County Boy Scout Council, which proposed change is more accurately shown on map entitled "Plan for Zoning Change, Map of Wading River School District" dated July 18, 1966, on file with the Town Clerk of the Town of Riverhead.

3. To change from existing Farm 1 Use District to Business 3 Use District all that certain property situate in Wading River, Town of Riverhead, Suffolk County, New York, bounded approximately as follows: On the North by a line running from a point at the northeasterly corner of existing Business 1 Use District, which point is 500 feet North of Hulse Avenue, also known as Route 25A, and running from said point in an easterly direction to a point 500 feet North of Sound Avenue, which said point on Sound Avenue is 1100 feet east of the intersection of Parker Road and Sound Avenue; on the South by a line beginning at a point on a line forming the easterly boundary of existing Business 1 Use District which point is 500 feet south of Hulse Avenue, also known as Route 25A, and beginning thence from a point and running in an easterly direction 750 feet to the easterly boundary line of the Nassau County Boy Scout Council and thence northerly to the southerly side of Hulse Avenue, also known as Route 25A, to Parker Road; running thence in a southeasterly direction along the southerly side of Parker Road to a point 900 feet from the intersection of Route 25A and Parker Road; and on the East by a line set 1100 feet easterly of the intersection of Parker Road and Sound Avenue, which proposed change is more accurately shown on map entitled "Plan for Zoning Change, Map of Wading River School District" dated July 18, 1966, on file with the Town Clerk of the Town of Riverhead.

4. To change from Farm 1 Use District to Industrial 2 Use District all that certain property situate in Wading River, Town of Riverhead, Suffolk County, New York, bounded approximately as follows: on the North by Hulse Avenue, also known as Route 25A, on the West by the easterly boundary line of the Nassau County Boy Scout Council; on the South by existing Industrial 1 Use District; and on the East by the southerly side of Parker Road, which proposed change is more accurately shown on map entitled "Plan for

RESOLUTIONS continued:

Zoning Change, Map of Wading River School District" dated July 18, 1966, on file with the Town Clerk of the Town of Riverhead.

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

BE IT FURTHER RESOLVED that the public hearing as set forth in the aforementioned notice of Public Hearing be held at the Town Board Room, Town Hall, 220 Roanoke Avenue, Riverhead, New York, on the 16th day of August, 1966, at 11:00 in the forenoon of said day, and

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, more particularly to the Zoning Map incorporated therein, to the Towns of Southampton, Brookhaven and Southold, 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, Yes. The resolution was thereupon declared duly adopted.

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, that the Town Clerk be and is hereby authorized to publish in the August 4, 1966, edition of the News-Review the following Notice of Public Hearing:

Pursuant to Section 265 of the Town Law and Section 501 of the 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 New York, on the 16th day of August, 1966, at 11:30 in the forenoon of said day on the following proposals to amend said Zoning Ordinance No. 26 of the Town of Riverhead, As Amended, as follows:

1. Article II - Section 210C - Front Yard - Amended to read:

There shall be a front yard having a minimum depth of 50 feet, except that prior to the adoption of this amendment any lot or parcel of land shown on a subdivision map filed in the office of the Clerk of Suffolk County or of any lot held in one ownership or of any lot devised by will, having an area of less than 8400 square feet, there shall be a front yard having a minimum depth of 25 feet or having an area of less than 10,000 square feet there shall be a front yard having a minimum depth of 40 feet.

Where 40% or more of the frontage on that side of the street between two intersecting streets is improved with main buildings, no building or structure shall project beyond the average front yard line so established. However, this regulation shall not be interpreted to require a front yard depth of more than 60 feet. Further, the averaging provision shall not be considered or applied where the distance between two intersecting streets is more than 1000 feet.

2. Article II - Section 210D - Side Yard - Amended to read:

There shall be two side yards, one on each side of the main building, the total width on both sides to be not less than 45 feet with the minimum of either side yard being not less than 20 feet wide, except that prior to the adoption of this amendment any lot or parcel of land shown on a subdivision map filed in the office of the Clerk of

RESOLUTIONS continued:

Suffolk County or of any lot held in one ownership or of any lot devised by will having an area of less than 8400 square feet there shall be two side yards, one on each side of the main building, the total width on both sides to be not less than 16 feet with the minimum of either side yard being not less than 6 feet wide, or having an area of less than 10,000 square feet the total width on both sides to be not less than 20 feet with the minimum of ~~either~~ side yard being not less than 10 feet wide.

In case of a corner lot no main building shall be erected, reconstructed or altered nearer to a side street line than 50 feet or the average distance therefrom of the existing building fronting on the side street.

3. Article II - Section 210E - Rear Yard - Amended to read:

There shall be a rear yard having a minimum depth of 50 feet, except that prior to the adoption of this amendment any lot or parcel of land shown on a subdivision map filed in the office of the Clerk of Suffolk County or of any lot held in one ownership or of any lot devised by will having an area of less than 10,000 square feet there shall be a rear yard having a minimum depth of 25 feet.

4. Article II - Section 210H Paragraph 2-Accessory Building-Amended to read:

2. In a side yard unless the accessory building is 50 feet from a side street line, 20 feet from a property line and 20 feet from any other building, except that for a lot prior to the adoption of this amendment shown on a subdivision map filed in the office of the Clerk of Suffolk County or of any lot held in one ownership or of any lot devised by will having an area of less than 10,000 square feet 10 feet from a property line and 10 feet from any other building.

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

BE IT FURTHER RESOLVED that the public hearing as set forth in the aforementioned notice of Public Hearing be held at the Town Board Room, Town Hall, 220 Roanoke Avenue, Riverhead, New York, on the 16th day of August, 1966, at 11:30 in the forenoon of said day, and

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 Southampton, Brookhaven 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, Yes. The resolution was thereupon declared duly adopted.

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

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD
ADOPTED AUGUST 2, 1966, PROVIDING FOR THE REPAIR AND RE-
SURFACING OF NADEL DRIVE, NADEL COURT, AND JOYCE DRIVE
IN SECTION 2 SUBDIVISION KNOWN AS ROANOKE HOMES, INC. IN
CONNECTION WITH EXTENSION 1 OF THE RIVERHEAD SEWER DIST-
RICT AND EXTENSION 6A OF THE RIVERHEAD WATER DISTRICT, AND

RESOLUTIONS continued:

FOR THE RELEASE OF ROANOKE HOMES, INC. AND THE CONTINENTAL CASUALTY COMPANY FROM A PERFORMANCE BOND IN THE AMOUNT OF \$30,000.00 DATED THE 31ST DAY OF AUGUST, 1961.

Recital

WHEREAS, certain roads known as Nadel Drive, Nadel Court, and Joyce Drive located within Section 2 of a certain subdivision known as "Subdivision Plan of Roanoke Homes, Section 2, Riverhead, Town of Riverhead, Suff. Co., N. Y." require substantial repair and resurfacing, all such work more particularly described in specifications dated July 8, 1966 prepared by the Superintendent of Highways of the Town of Riverhead, a copy of which specifications is annexed hereafter and made a part hereof, and

WHEREAS, the estimated cost of repairing said roads in accordance with said specifications is \$4,000.00, and

WHEREAS, Roanoke Homes, Inc. et al have petitioned the Riverhead Town Board to create Extension 1 of the Riverhead Sewer District and Extension 6A of Riverhead Water District all within Section 2 of the subdivision known as Roanoke Homes and which said extensions had been created and all work in connection with laying sewer lines and water mains having been completed, and

WHEREAS, the estimated cost of the work in conjunction with Extension 1 of the Riverhead Sewer District was \$20,000.00 and the estimated cost of the work in connection with Extension 6A of the Riverhead Water District was \$20,000.00, and

WHEREAS, the actual cost of construction of the work within Extension 1 of the Riverhead Sewer District was \$15,297.10 and the actual cost of construction of the work within Extension 6A of the Riverhead Water District was \$14,056.48, and

WHEREAS, the N. Y. Town Law, Section 194-a requires that the costs of extensions such as Extension 1 of the Riverhead Sewer District and Extension 6A of the Riverhead Water District shall not constitute an undue burden upon the real property situate within the said extensions, and

WHEREAS, in accordance with said Section 194-a of the N. Y. Town Law on the 1st day of September, 1961 Roanoke Homes, Inc. and the Town Board of the Town of Riverhead acting both as the governing body of the Riverhead Sewer District and as the governing body of the Riverhead Water District entered into a certain agreement for the purpose of assuring that the said extensions would not constitute an undue burden on the real property located within said extensions, and

WHEREAS, said agreement provided among other things for the annual payment by Roanoke Homes, Inc. of the sum of \$3,500.00 less the sum of the following: \$1.80 times the assessed valuation on the last completed assessment roll for the Town of Riverhead of all property located within Extension 6A to the Riverhead Water District, which said payment was computed and determined on the erroneous assumption that the actual cost of construction of the work would be \$40,000.00, while in fact, the actual cost of construction amounted to \$29,353.58, and

RESOLUTIONS continued:

WHEREAS, the actual cost of the work indicated payment of \$2,750.00 less the sum of the following: \$1.80 times the assessed valuation on the last completed assessment roll for the Town of Riverhead of all property located within Extension 1 to the Riverhead Sewer District, plus \$1.80 times the assessed valuation on the last completed assessment roll for the Town of Riverhead of all property located within Extension 6A to the Riverhead Water District, and

WHEREAS, there is now a cash balance in the account for Extension 1 of the Riverhead Sewer District of \$7,652.34 and in the account for Extension 6A of the Riverhead Water District of \$4,991.59, and

WHEREAS, the assessed valuation of all properties located within Extension 1 of the Riverhead Sewer District and Extension 6A of the Riverhead Water District is \$98,900.00 on the assessment roll for the Town of Riverhead for the year 1966-67, and

WHEREAS, under the terms of the 7th Article of the said agreement dated the 1st day of September, 1961, Roanoke Homes, Inc. is entitled to be released from all obligations under said agreement at such time as the assessed valuation exceeded \$90,000.00 now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD AND BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD ACTING AS THE GOVERNING BODY OF BOTH THE RIVERHEAD SEWER DISTRICT AND THE RIVERHEAD WATER DISTRICT:

(1) that Roanoke Homes, Inc. shall pay to the Town of Riverhead the sum of \$539.00 due the Town of Riverhead in December of 1965 in accordance with the terms of said agreement dated the 1st day of September, 1961

(2) that the Town Clerk is directed to advertise for bids for the purpose of repairing and resurfacing those certain roads known as Nadel Drive, Nadel Court, and Joyce Drive in Section 2 of Roanoke Homes, all in accordance with said specifications dated July 8, 1966 prepared by the Superintendent of Highways

(3) that this Town Board does determine that because the actual cost of construction of the said work within the said extensions amounted to \$29,353.58 in lieu of the estimated cost of \$40,000.00, that Roanoke Homes, Inc. is entitled to a refund of \$3,539.00 for the years 1961-1965

(4) that the Supervisor of the Town is directed to refund said sum by its payment to the firm of Tooker, Tooker & Esseks, as attorneys for Roanoke Homes, Inc.

(5) that the said sum of \$3,539.00 is to be made immediately payable to the Town of Riverhead by the attorneys for Roanoke Homes, Inc. for the purpose of completing the repairs and resurfacing to the said Nadel Drive, Nadel Court, and Joyce Drive

(6) that Roanoke Homes, Inc. has agreed to and shall pay any additional sum in addition to the said payment of \$3,539.00 necessary to repair and resurface said roads

RESOLUTIONS continued:

(7) that Roanoke Homes, Inc. and the Continental Casualty Company are released and discharged in all respects from the terms of the Performance Bond dated the 31st day of August, 1961 which said Performance Bond was issued to guarantee the performance of Roanoke Homes, Inc. of its obligation under the terms of the said agreement dated the 1st day of September, 1961, upon the payment of the \$3, 539.00 and any additional payment as is required to place the subject roads into condition satisfactory to the Superintendent of Highways.

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

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined bills submitted on Warrants dated August 2, 1966 as follows: General Town-\$6474.32, Highway Item 1-\$9607.57, Highway Item 3-\$676.06 and Highway Item 4-\$265.39.

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

RESOLVED, That General Town bills submitted in the amount of \$6474.32, be approved for payment, and

FURTHER RESOLVED, That Highway Item 1 bills submitted in the amount of \$9607.57, Highway Item 3 bills in the amount of \$676.06 and Highway Item 4 bills in the amount of \$265.39, be approved for payment.

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

PERSONAL APPEARANCE

Reginald C. Smith, Esq. representing E & W Realty Corporation of Mineola, N. Y., appeared before the Board submitting a map showing property located on West Main Street, Riverhead, and offered the property for sale to the Town of Riverhead as a Town Hall site.

The Town Board suggested that a representative of the E & W Realty Corporation appear at the Executive Session of the Town Board on August 16, 1966 to discuss the matter.

CLAIMS

The claim of Estelle Adamiak in the amount of \$92.45 for costs of injuries sustained as a result of stepping in a hole in the roadway between Hills Super Market and Riverhead Grill on May 17, 1965, was submitted to the Board for its consideration.

The Board discussed the matter and the Town Attorney rendered opinion that the claim be denied.

There being no further business on motion and vote, the meeting adjourned at 12:10 P. M. to meet on Tuesday, August 16, 1966 at 10:30 A. M.

Helene M. Block

Helene M. Block, Town Clerk