

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead,
held in the Town Hall, Riverhead, New York, on February 15, 1972 at 7:00 P. M.

Present:

John H. Leonard, Supervisor
Thomas R. Costello, Town Justice
Robert G. Leonard, Town Justice
Vincent B. Grodski, Councilman
George G. Young, Councilman

Also present: Alex E. Horton, Supt. of Highways

Absent: Francis J. Yakaboski, Town Attorney

Supervisor Leonard called the Meeting to Order at 7:00 P. M.

Town Justice Costello offered the following resolution which was seconded
by Town Justice Leonard.

RESOLVED, That the Minutes of the Town Board Meeting held on
February 1st, 1972, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice
Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following
bills submitted on Abstracts dated February 15, 1972:

General Town	\$26,379.21
Highway Item No. 1	\$9,600.14
Highway Item No. 3	\$2,026.48
Highway Item No. 4	\$2,747.53

Town Justice Leonard offered the following resolution which was seconded by
Town Justice Costello.

RESOLVED, That General Town bills in the amount of \$26,379.21, be approved
for payment, and be it

FURTHER RESOLVED, That the following Highway bills be approved for pay-
ment.

Highway Item No. 1	\$9,600.14
Highway Item No. 3	\$2,026.48
Highway Item No. 4	\$2,747.53

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice
Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

REPORTS

Tax Receiver's, dated February 1, 1972. Filed.
Recreation Department, month of January, 1972. Filed.
Riverhead Fire District, Annual Report of Treasurer for 1971. Filed.

OPEN BID - One New 1972 Road Striper - Highway Department

After being duly advertised the following bid was opened by the Town Clerk
 Monday, February 14, 1972 at 11:00 A. M.:

MUNICIPAL MACHINERY CO. INC., Route 25, Coram, New York 11727

Delivered Price of One (1) New 1972 Paint Striping Machine: \$11,505.00

Less trade-in on one used 1961 M-B Line Marker: \$ 1,239.00

Net delivered price of one new 1972 Machine less trade-in: \$10,266.00

Year: 1972 Make: M-B Model: Super 10.

Delivery Date: Within 45 days after contract.

The Bid was filed for the February 15th, 1972 Town Board Meeting.

CLAIM

Anna T. Robertson, Greenport, N. Y. vs. Town of Riverhead.
 For injuries sustained from fall on sidewalk. Amount \$10,000.
 Referred to Town Attorney, Insurance Broker and Supt. of Highways. Filed.

PETITION

Proposal to extend portion of Riverhead Fire Protection area to the
Jamesport Fire District in accordance with provisions of Town Law Section 172d.
 Referred to Town Attorney.

COMMUNICATIONS

Long Island Lighting Co., dated 2/2/72, submitting survey and plans on the
 following light installations:

Howell Avenue between Elton Street and Brook Street:

Install 5-7600 Lumen Mercury Vapor Lights

Remove 5-2500 Lumen lights at an additional charge of \$81.00 per annum.

East Avenue Pole #9

Install one 7600 LMV Light, replacing one 1000 Lumen light at an increased
 cost of \$31.20 per annum.

NORTHVILLE HOMES LIGHTING DISTRICT

Providing 17-7600 LMV Lights in areas of Doctors Path, Oakland Drive
 North, Oakland Drive West, Oakland Drive South, Andrea Court and Grove Street at an
 annual cost of \$887.40. Filed.

Copies to Lighting District Committee.

COMMUNICATIONS continued:

Kenneth W. Ross, Principal, Central School District #2, dated 2/3/72, extending apology for the cold auditorium in the Roanoke Avenue School during the Feb. 1st. Meeting on the Master Plan Updating - explaining the building is still heated by coal and normally if the auditorium is filled, it becomes much too hot - they had anticipated a much larger gathering - suggesting the use of the Pulaski Street School or after September the New High School - where such difficulties would not be encountered. Filed.

William C. Roberts, P. E., Chief Air Pollution Control, Suffolk County Department of Environmental Control, dated 1/27/72 - stating that a notice of violation was issued to Frank Columbus, employee at the Town Dump on January 12, 1972, for open burning of wood, trees, brush, tires and other garbage - advising further that as of 1/1/72, this Department will strictly enforce the N. Y. State Code of Rules and Regulations in regard to open burning and unless steps are taken immediately to end this illegal practice the Department will be forced to turn over the files and information concerning the Town refuse operation to the State Department of Environmental Conservation with a request that they initiate legal proceedings against the Town. Filed. Copies to Town Board and Town Attorney.

Supervisor Leonard advised the Board that he had discussed this matter with a representative of the Department and was informed that they would allow additional time for the Town of Riverhead to resolve its Town Dump problems.

Town of Riverhead Planning Board, dated 2/11/72 - submitting recommendations and report on referral of Application of Paul Lobell for Special Permit for garden apartments proposed to be located in Industrial A Use District at County Road No. 58, Riverhead. Recommending to the Town Board that said application be denied. Filed.

HIGHWAY DEPARTMENT MATTERS

Alex E. Horton, Superintendent of Highways informed the Town Board that an amount of \$15,000 is needed to meet costs of snow removal, and requested the authorization for such borrowings.

The matter was tabled for the next meeting of the Town Board.

EXECUTIVE SESSION-6:15 P. M. - PETITION FOR SPECIAL PERMIT

Seymour Malman and Robert W. Phillips, Petitioners, together with Seymour Jarmul, Architect, appeared before the Board, submitting Petition for a Special Permit to construct multiple family dwellings, apartment houses and garden apartments on property located on Sound Avenue, (50 acres of land adjacent to Town Beach at the end of Pier Avenue).

The proceedings were recorded by tape recorder in accordance with Code of Ethics - Ordinance No. 39, and such tape will be retained in the Office of the Town Clerk for one year.

The matter was referred to the Town Planning Board for its recommendation and report.

REPORTS

Councilman George G. Young rendered a Delegate's Report of the Annual Business Meeting of the Association of Towns Meeting held in New York City on February 8th, 1972.

The report was filed with the Town Clerk and copies distributed to the Town Board.

Councilman Vincent B. Grodski rendered a Report of the Association of Towns Convention held in New York City on February 7th, 8th and 9th, 1972.

The report was filed with the Town Clerk and copies distributed to the Town Board.

BUILDING DEPARTMENT

Edward R. Munson, Building Inspector reported that he has had numerous inquiries from persons about using certain buildings for businesses which would bring industries to the Town and that he has given zoning and building information to them in the hopes that something will materialize.

PETITION FOR CHANGE OF ZONE

John J. Munzel, Esq., representing Dejomar Properties, Inc. (Petitioner), appeared before the Board and submitted Petition for Change of Zone from Agriculture A to Industrial B Use District on property located on the northerly side of Youngs Avenue, Riverhead, New York.

Mr. Munzel outlined that a storage yard for vehicles and a garage building is being proposed on the premises.

Mr. Munzel further outlined that the applicant also requests a Special Permit for non-nuisance industry for the proposed installation of a recycling and salvage facility for recycling paper, glass and metals.

The Petition was filed with the Town Clerk.

The matter was referred to the Town Planning Board for its recommendation and report.

Jim Capobianco, Oakridge Park, Ostrander Avenue, called attention that just around the corner of the premises proposed for the garbage garage is a family park and asked the Board that this be considered in the deliberations on the petition, for the reason that there are many children in this family park and there will be a great deal of traffic.

Mr. Capobianco also suggested that speed zone signs be posted in the area.

Police Chief Grodski advised that the State Department of Transportation had conducted a survey for a reduction in speed zone in that area and its decision was that the situation as exists does not warrant a reduction.

PERSONAL APPEARANCES

Supervisor Leonard asked if anyone wished to be heard and the following responded:

PERSONAL APPEARANCES

Dr. Caryl Granttham read the following statement on behalf of the Riverhead First Committee, Inc.

"Members of the Riverhead Town Board:

If there is one ingredient that citizens feel they have a right to expect from their elected representatives it is leadership - the willingness to tackle tough problems and come up with solutions in the public interest. Since last summer the Clear View community, on the advice of the then incumbent Supervisor, began the process through petition to amend Zoning Ordinance 26 of the Town of Riverhead to establish some reasonable protection, a minimal buffer, between their community of some forty-four homes and undesirable development. Over the months, the Planning Board has held meetings and a recent Public Hearing. On January 28th they presented what they called a progress report to you, the members of the Town Board. A careful reading and study of that report baffles us. It offers no recommended course of action. Not only does it beg the question but seems they are willing to let things continue to drift.

The question of buffer zones in our Town Ordinance is almost totally ignored, upon your own admission at the last Town Board meeting. It is a problem not only for the Clear View community now but will come up again and again as developmental pressures increase in this Town. We of the Riverhead First Committee do not feel this problem can await whatever may or may not come out of an up-dating of the Master Plan and possible recommended Zoning Ordinance revisions. At this very moment at least three other Townships in Suffolk County have buffer provisions in their zoning ordinances.

We feel strongly that in the matter of the Clear View community a reasonable period of time has elapsed for study and it is now time for action. It is your responsibility to move this matter to a swift conclusion." (End).

H. Lyndon Hallock, Real Estate Broker, Sound Avenue, Riverhead, submitted proposal for a possible Town Hall Site:

"King Kullen Building and property on Route 58 and Roanoke Avenue.

Ground-350 x 450 feet - contain 2.9 acres.

Building: 18,650 sq. ft.

Present Town Hall quarters: 4,453 sq. ft - 61 x 73 feet totally inadequate for present day use.

Price: \$350,000 - estimate cost to modify building for Town Hall agencies would be \$150,000.

20 year Bond Issue of \$500,000 at 5-1/2% would cost the Town \$41,280 per annum and would raise assessment 11¢ per \$100.

Mr. Hallock submitted sketches of the property to the Town Board.

Mr. Hallock concluded his presentation by urging the Board to give the matter its serious consideration.

Charles Crump, Riverhead, asked if the Planning Board has submitted its recommendation and report on the referral for a Zone Change (C. H. & M. Lamb), and if the Town Board had taken any action.

PERSONAL APPEARANCES

J. W. Stout, Member of the Riverhead Town Planning Board replied to Mr. Crump, saying: "The matter has been discussed by the Planning Board. The Attorney for the people whose properties would be affected by this change of zone had his say and the Attorney for the people who are applying for the change had his say. At the last meeting I gave a report of my findings after a thorough study. I believe that a logical solution to the problem is a declaration of covenants and restrictions that would be acceptable to both sides."

Mr. Stout added saying that he does not think there is much more the Planning Board can do here.

Councilman Young stated that he thinks what Dr. Granttham means is something that could be a protection not only to these people but to future situations that may arise.

Mr. Stout: "If she has something concrete to offer I would like to see it."

Dr. Granttham informed the Board that three townships, namely; Islip, Huntington and Babylon have off sets, screenings and buffers and other provisions in their zoning ordinances.

The Board directed the Town Clerk to obtain copies of the ordinances from the Towns of Islip, Huntington and Babylon.

Carl Stagg, 609 Northville Turnpike, Riverhead, asked the Board who owns the water front in the Town of Riverhead on the underwater land - does the Town of Southold (Trustees) still own that property - if they gave it to somebody - who got it and who is controlling it at the present time.

Supervisor Leonard asked Former Town Attorney John J. Munzel to answer Mr. Stagg.

Mr. Munzel explained in detail.

Town Justice Costello stated that some years ago the Town of Riverhead entered into an agreement with the Trustees of the Commonalty of Southold and the answer to Mr. Stagg's question is that we own all the creek bottoms.

Wickham Tyte, Riverhead, also spoke on the matter.

Jim Capobianco informed the Board that there is dumping of raw sewage behind the dump and asked if this could be covered with lime.

Edward Gadzinski, Employee at the Town Dump stated he was never instructed to cover this sewage.

Judge Leonard informed Mr. Capobianco that the Town is in the process of making three new beds there.

RESOLUTION continued:

RESOLVED, That the Town Clerk be and is hereby authorized to publish the following Public Notice in the February 24th, 1972 issue of the News-Review.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to a Resolution adopted on the 15th day of February, 1972, the Town Board of the Town of Riverhead, Suffolk County, New York, will hold its second regular monthly meeting at 7:30 o'clock in the evening for a period of six (6) months on the following dates:

March 21, 1972

April 18, 1972

May 16, 1972

June 20, 1972

July 18, 1972

August 15, 1972.

Dated: February 15, 1972

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD, NEW YORK
HELENE M. BLOCK, TOWN CLERK

The vote, Councilman Young, Yes, Councilman Grodski, Yes, (followed by much applause from the audience), Town Justice Leonard, No, Town Justice Costello, No, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

BE IT RESOLVED, That this Town Board ratifies the action of the Supervisor in purchasing the following Time Certificates of Deposit:

February 7, 1972

Ambulance Fund	\$ 5,500.00	Security National Bank	120 days	3.90%
Welfare Fund	\$25,000.00	Security National Bank	90 days	3.80%
Welfare Fund	\$10,000.00	Security National Bank	120 days	3.90%
Highway Item No. 1	\$50,000.00	Security National Bank	90 days	3.80%
Highway Item No. 1	\$30,000.00	Security National Bank	30 days	3.55%
Highway Item No. 3	\$30,000.00	Security National Bank	30 days	3.55%
Highway Item No. 4	\$20,000.00	Security National Bank	60 days	3.65%

February 10, 1972

Town Highway Garage	\$7,600.00	Security National Bank	240 days	4.25%
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The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS

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

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for snow and ice control for the month of January, 1972, for a total of 117 hours in the amount of \$701.61.

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

Councilman Young offered the following resolution which was seconded by Supervisor Leonard.

RESOLVED, That the Superintendent of Highways be and is hereby authorized to hire John B. Miller, as Temporary Laborer in the Highway Department at an hourly salary of \$2.35, payable bi-weekly, effective February 7th, 1972.

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

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

RESOLVED, That Highway bills submitted on Abstracts dated February 15, 1972, as follows:

General Repairs Item 1 - Mobil Oil Corporation, bills dated January 19, 1972, totalling \$501.54;

Machinery Item 3 - Rolle Brothers, bill dated February 4, 1972, in the sum of \$995.00;

Miscellaneous Item 4 - Capitol Highway Materials, bill dated January 28, 1972 in the amount of \$617.40; and Morris Saxstein, bills dated January 29, 1972, totalling \$2,020.95; be and are hereby approved for payment.

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

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

BE IT RESOLVED by the Town Board of the Town of Riverhead, That John H. Leonard, Supervisor, be and he is hereby authorized to execute for and in behalf of the Town of Riverhead, a public entity established under the laws of the State of New York, this application and to file it in the appropriate State Office for the purpose of obtaining certain Federal financial assistance under the Federal Disaster Act (Public Law 606, 91st Congress).

RESOLUTION continued:

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

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

BE IT RESOLVED, That Anne M. Ribeiro, be and is hereby hired as Clerk-Typist to assist in the office of the Town Clerk during rush and vacation periods, to be compensated at an hourly rate of \$3.00, payable bi-weekly.

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

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

BE IT RESOLVED, That in accordance with the survey and plan submitted under date of February 2, 1972, the Long Island Lighting Company be and is hereby authorized to install street light fixtures within the Riverhead Lighting District as follows:

Howell Avenue between Elton Street and Brook Street

Five (5) 7600 Lumen Mercury Vapor Lights replacing five (5) 2500 Lumen lights

East Avenue, Pole #9

One (1) 7600 Lumen Mercury Vapor Light replacing one (1) 1000 Lumen light

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

Town Justice Leonard offered the following resolution which was seconded by Town Justice Costello.

BE IT RESOLVED, That the Supervisor be and is hereby authorized to transfer the sum of \$2,500 from A909 General Town Current Surplus Account to Planning 8020.1 Consultants, for the purpose of paying final bills of McCrosky and Reuter on Agreement on Public Opinion Survey Project.

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

RESOLUTION

Councilman Young offered the following resolution and moved its adoption:

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In the Matter of the	:	RESOLUTION
Laying out of certain Town Highways known	:	
as Stephen Drive, Josephine Drive, Daniel	:	AND CONSENT
Court and Meroke Trail in the Town of	:	
Riverhead, County of Suffolk and State	:	
of New York.	:	

-----X

WHEREAS, STEVE MITACCHIONE and JOSEPHINE MITACCHIONE caused to have filed in the Office of the Clerk of the County of Suffolk a certain map entitled "Map of Green Slopes, Section 2", and

WHEREAS STEVE MITACCHIONE and JOSEPHINE MITACCHIONE did submit plans for the construction of various improvements to four certain roads known and designated as Stephen Drive, Josephine Drive, Daniel Court and Meroke Trail on said subdivision map to the Planning Board of the Town of Riverhead, and

WHEREAS, said Planning Board did, on February 7, 1968, approve the construction of said improvements and did require the filing of a performance bond in the amount of \$19,000.00 with the Town of Riverhead, and

WHEREAS, the Town Board of the Town of Riverhead did approve said performance bond as to form, sufficiency, manner of execution and surety on April 23, 1968, and

WHEREAS, said roads, drainage systems, sumps and other improvements have been completed in accordance with the plans and specifications of the Riverhead Town Planning Board, and

WHEREAS, the construction of said roads, drainage systems and sumps have met with the approval of the Superintendent of Highways of the Town of Riverhead, and

WHEREAS, a copy of the letter from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof as Appendix A, and

WHEREAS, Special Search Street Dedication from the Chicago Title Insurance Company, title no. 71-S-03936, has been filed with the Town Clerk of the Town of Riverhead together with a deed of dedication and release affecting said roads.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead make an order laying out those four certain roads known as Stephen Drive, Josephine Drive, Daniel Court and Meroke Trail and a "Recharge Basin" as more particularly described in Appendix B, annexed hereto and made a part hereof, the said town roads to consist of the lands described in the deed of dedication and release dated February 15, 1972, and to extend as delineated therein; and

RESOLUTION continued:

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Riverhead be and she hereby is directed to forthwith cause such deed of dedication and release to be recorded in the Office of the Clerk of the County of Suffolk and, upon its return, to attach it hereto; and

BE IT FURTHER RESOLVED that LONG ISLAND GREEN SLOPES CORP. , STEVE MITACCHIONE and JOSEPHINE MITACCHIONE and the REPUBLIC INSURANCE COMPANY are hereby released and discharged from the terms of the said performance bond in the amount of \$19,000.00 which said performance bond was issued to guarantee the performance of LONG ISLAND GREEN SLOPES CORP. , STEVE MITACCHIONE and JOSEPHINE MITACCHIONE and their obligation to complete the construction of the roads and other improvements in Section 2 of Green Slopes; and

BE IT FURTHER RESOLVED that JOHN LEONARD, Supervisor of the Town of Riverhead, is hereby directed to promptly advise the REPUBLIC INSURANCE COMPANY and STEVE MITACCHIONE and JOSEPHINE MITACCHIONE that they are released and discharged in all respects from the terms of the terms of the said performance bond and the said Supervisor is further directed to return the executed performance bond to Tooker, Tooker and Esseks, Attorneys for the developer; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Dated: February 15, 1972

Town Board of the Town of Riverhead,
County of Suffolk, New York.

By: John H. Leonard
Supervisor
Thomas R. Costello
Town Justice
Robert G. Leonard
Town Justice
Vincent B. Grodski
Councilman
George G. Young
Councilman

The adoption of the foregoing resolution was seconded by Councilman Grodski, and duly put to a vote on roll call which resulted as follows:

AYES: Councilman Young, Councilman Grodski, Town Justice Leonard,
Town Justice Costello and Supervisor Leonard.

NAYS: None.

The resolution was thereupon declared duly adopted.

2/15/72

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RESOLUTION

Town Justice Costello offered the following resolution which was seconded by Town Justice Leonard.

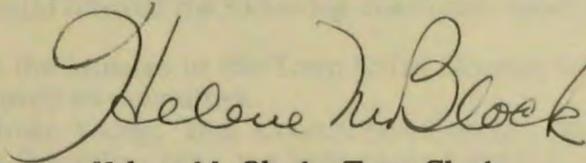
RESOLVED, That the bid for One (1) New 1972 Highway Paint Striping Machine for use of the Riverhead Town Highway Department be and is hereby awarded to MUNICIPAL MACHINERY CO., INC., Route 25, Coram, New York 11727, for the net delivered price of \$10,266.00, subject to the bid and specification form filed in the Office of the Town Clerk, and

FURTHER RESOLVED, That the acceptance of said bid is subject to the approval of the Suffolk County Superintendent of Highways/Suffolk County Commissioner of Public Works.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 9:45 P. M., to meet on Tuesday, March 7th, 1972 at 10:30 A. M.



Helene M. Block, Town Clerk

HMB.