

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, November 21, 1972, at 7:30 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: Francis J. Yakaboski, Town Attorney  
 Alex E. Horton, Supt. of Highways

Supervisor Leonard called the meeting to Order at 7:30 P. M.

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

RESOLVED, That the minutes of Public Hearing on Budget held on October 24th, 1972 and adjournment to October 27th, 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 November 21, 1972:

Special Districts	\$ 6,867.21
General Town	\$ 9,115.34
Water District	\$11,129.85
Sewer District	\$ 4,148.57
Highway Item #1	\$ 3,006.03
Highway Item #3	\$ 1,221.60
Highway Item #4	\$ 2,141.30

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

RESOLVED, That the following bills be approved for payment:

Special Districts	\$ 6,867.21
General Town	\$ 9,115.34
Water District	\$11,129.85
Sewer District	\$ 4,148.57
Highway Item #1	\$ 3,006.03
Highway Item #3	\$ 1,221.60
Highway Item #4	\$ 2,141.30

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.

November 17th, 1972

EXECUTIVE SESSION

John R. McNulty, Esq., and W. Bruce Stark and J. Douglas Stark,  
Re: Glenwood Mobile Home Park.

Town Attorney was in attendance.

Report on Review of Amended Map of Glenwood Community by Edward R Munson, Building Inspector, dated November 8, 1972, was submitted to the Board and placed on file.

Hearing was recorded. Tape will be placed on file in office of Town Clerk for one year.

PETITIONS FOR SPECIAL PERMIT USE

Application by Mortimer Barr, Burrill W. Heller and Milton Levin, for Special Permit Use to erect condominium dwellings on the north side of Middle Road, east of Nadel Drive, in the Town of Riverhead.

Referred to Planning Board for recommendation and report.

Petition of Allen Weinstein for Special Permit Use to construct condominium townhouses on the easterly side of Fresh Pond Road, Calverton.

Referred to Planning Board for recommendation and report.

Petition of Allen Weinstein for Special Permit Use to construct condominium townhouses on the north side of State Road #25, Calverton.

Referred to Planning Board for recommendation and report.

REPORTS

Supervisor's, month of October, 1972. Filed.

Recreation Department, month of October, 1972. Filed.

Chief Grodski re: Grumman Traffic. Filed.

Chief Grodski re: request for survey of C. R. #58 & Ostrander Ave. intersection.

Suffolk Co. Traffic Safety Department, reply to Chief Grodski re: survey.

OPEN BID REPORTS

After being duly advertised the following bid for One Used Dump Truck for use of the Town Highway Department was opened by the Town Clerk at 7:45 P. M., on November 21, 1972:

HI-WAY AUTO BODY, North Road, Southampton, N. Y. 11968

One 1968 Truck (delivery date: Dec. 1, 1972)

\$2,250.00

Filed:

OPEN BID REPORTS continued:

After being duly advertised the following bid for Ready-Mix Concrete requirements for use of the Town of Riverhead Highway Department was opened by the Town Clerk on November 21, 1972 at 7:45 P. M.

GALLAGHER SERVICE CORP., Comseguogue Road, East Setauket, N. Y. 11733

A.	1-2-3 Mix	\$26. 50	Price per cubic yard.	
B.	1-2-4-Mix	\$26. 50	"	
C.	1-2-3 Hi-Early Mix	\$26. 50	"	Filed.

After being duly advertised the following bid for Grit requirements for use of the Town of Riverhead Highway Dept. was opened by the Town Clerk on November 21, 1972 at 7:45 P. M.

BROOKHAVEN AGGREGATES LTD., Whiskey Road, P. O. Box 205, Coram, N. Y. 11727

Price Per Ton Grit delivered to Riverhead Town Highway Yard, Osborne Avenue, Riverhead, N. Y., as directed by Supt. of Highways: \$4. 30 Per Ton

Price Per Town Grit picked up at plant of successful bidder: \$3. 25 " Filed.

After being duly advertised the following bids for Liquid Asphalt requirements for use of the Town of Riverhead Highway Dept., were opened by the Town Clerk on November 21, 1972 at 7:45 P. M.

R. O. WELCH ASPHALT COMPANY, 1064 Woodcrest Ave., Riverhead, N. Y. 11901

MC-0	. 23	Per gallon
MC-1	. 23	"
MC-2	. 23	"
MC-3	. 23	"
RC-2	. 23	"
RC-3	. 23	"

ASPHALTS, INC., Route 25, Coram, New York 11727

MC-0	. 2354	Per gallon
MC-1	. 2354	"
MC-2	. 2354	"
MC-3	. 2354	"
RC-2	. 2354	"
RC-3	. 2354	"

SOUTH SHORE ASPHALT, INC., South 4th Street & Corbin Avenue, Brentwood, N. Y. 11717

MC-0	. 2444	Per gallon
MC-1	. 2444	"
MC-2	. 2444	"
MC-3	. 2444	"
RC-2	. 2444	"
RC-3	. 2444	"

Filed.

OPEN BID REPORTS continued:  
MOBILE VACUUM UNIT  
 No bids received.

After being duly advertised the following bid for Reconditioned Meter Units for use of the Town of Riverhead Parking Meters was opened by the Town Clerk on November 21, 1972 at 7:45 P. M.

AMERICAN PARKING METER CO., 1024 Edgewater Avenue, Ridgefield, N. J. 07657

100 reconditioned housings at \$12.45 each	\$1,245.00
200 reconditioned mechanisms at \$12.50 each	\$2,500.00
Total	<u>\$3,745.00</u>
Less Allowance on 200 trade-in mechanisms at \$2.50 each	\$ 500.00
NET TOTAL	<u>\$3,245.00</u> Filed.

After being duly advertised the following bids for "Data Processing", were opened by the Town Clerk on November 21, 1972 at 7:45 P. M.

PARITY SYSTEMS CORPORATION, 900 Walt Whitman Road, Melville, N. Y. 11746

Bid for services and materials \$8,800.00

1. The above bid includes a figure of \$400.00 to cover the cost of purchasing the assessment rolls and tax rolls.
2. The above bid does not include the cost of tax bills which are obtained by the Town of Riverhead from Suffolk County Purchasing Dept.

MARINE MIDLAND TINKER NATIONAL BANK, 1110 Rte 25A, Port Jefferson Station, New York 11776

Bid for services and materials \$10,125.00

1. Convert present Assessment Roll to a Data Processing System, approximately - 10,000 parcels.

Cost

.70 per parcel plus \$75.00 one time Conversion Set Up Charge.  
 This cost includes a preliminary Assessment Roll, updating and production of a balanced Assessment Roll.

Total cost for approximately 10,000 parcels - \$7,075.00.

2. Supply forms for input data changes, i. e., Valuations, Property changes, Exemptions, Special Franchise, Public Service - all data pertinent and usual to an Assessment Roll. Pick up and delivery on the part of the vendor. Approximately 1,500 changes first year.

OPEN BID REPORT (DATA PROCESSING) continued:

All forms for input data changes are supplied to the Town of Riverhead at no cost. There is also no cost to the town for pick up and delivery. Data processing of changes shall cost:

.10 per change

Total cost for approximately 1500 changes - \$150.00.

3. Print one (1) tentative Assessment Roll and deliver on June 29, 1973 including all changes from present Assessment Roll thru June 15, 1973.

Cost

.05 per parcel

Total cost for approximately 10,000 parcels - \$500.00.

4. Assign tax map numbers to assessments as approved by the County, approximately February 1973.

Cost

.07 per tax map number changes

Total cost for approximately 10,000 changes - \$700.00

5. Print three (3) final Assessment Rolls and deliver on August 31, 1973, including all changes from June 29 thru August 18, 1973.

Cost

.05 per parcel

Total cost for approximately 10,000 parcels - \$500.00.

FURNISH TOTAL AND PRINTOUT

3 copies - Veterans Exemptions-provided at no additional cost

3 copies - Aged Exemptions - provided at no additional cost

3 copies - Farm Exemptions-provided at no additional cost

1 copy - Wholly Exempt Property-provided at no additional cost

REPORTS

Total - Taxable Valuation-provided at no additional cost

Total - Public Service-provided at no additional cost

Total - Special Franchise-provided at no additional cost

Total - Exempt Properties restored to Taxable-provided at no additional cost

Total - New Exemption - calculated manually and provided at no additional cost

TOTAL VALUATIONS-AUGUST 31, 1973

All Special Districts, i. e., School, Fire, Light, Water, Sewer, Road Improvement Districts - provided at no additional Cost

OPEN BID REPORT (DATA PROCESSING) continued:

SEWER - Print one (1) Sewer Assessment Roll. Town to supply water consumption gallonage and factors on which sewer assessments are determined.

Cost  
.05 per parcel

Total cost is per parcel x (times) the number of parcels listed on Roll.  
 These specifications do not show the number of parcels to be listed on roll.

TAXES

Compute tax rate and extension of taxes and tax billing in duplicate.

A) The tax rate will be calculated manually and will be provided at no additional cost.

B) The extension of taxes will be displayed on a Tax Roll.

Cost  
.05 per parcel

Total cost for approximately 10,000 parcels - \$500.00

C) The tax billing is in four parts and is on Marine Midland's standard form.

Cost  
.07 per bill

Total cost for approximately 10,000 bills - \$700.00.

COST Recap

1)	7,075.00	
2)	150.00	
3)	500.00	
4)	700.00	
5)	500.00	
Tax Extensions	500.00	
Tax Bills	700.00	Filed.
<b>TOTAL</b>	<b>10,125.00.</b>	

COMMUNICATIONS

D. A. White, General Manager, East Hampton House, East Hampton, N. Y., dated 11/15/72, commending police officer Peter Troyan for being extremely efficient, capable and honest and of superior intelligence and appearance with an excellent personality and suggesting he be considered for promotion in the future. Filed.

Riverhead Junior Chamber of Commerce, dated 11/13/72, outlining its plans to decorate for the 1972 Christmas Season and asking the Town Board's permission to place decorations in the hamlets of Riverhead and Jamesport, and also to use the parking meter stanchions if they should have a need for them. Filed.

Permission granted by the Town Board.

COMMUNICATIONS continued:

George L. Schmelzer, Calverton, N. Y., dated 11/8/72, copy of letter to County Executive John V. N. Klein, relating to traffic safety and delay problem of offset of Roanoke Avenue and Peconic Avenue at Main Street. Filed.  
Copies to Town Board, Town Attorney and Police Chief.

Town of Riverhead Planning Board, dated 9/27/72, re: proposed subdivision "Tidewoods South". 1. Submitting resolution adopted on September 26th, 1972 approving the proposed subdivision, requesting cash payment of \$600. for park playground or other recreational purposes. (Check for \$600. has been received and deposited by Supervisor's Office), also requesting performance bond in the amount of \$15,000 be filed with Town Clerk. Performance Bond filed with Town Clerk and approved by Town Attorney for Town Board as to form, sufficiency and manner of execution. Filed.

Thomas H. Gallagher, Jamesport, stating he is in favor of 20% increase of policeman power and 7% increase of wages. Also that the parking problem in his area is serious. Local police ignore parking in driveway - this affects his business and asking what he must do to prevent this from continuing. Filed.

Referred to Police Chief Grodski.

Dept. of Transportation, dated 11/3/72, stating request for lower speed limit on Creek Road, Wading River, has been investigated. Concur there is a need for it. The existence of residential community east of Sound Road has been noted. Suggesting it would be more feasible to create an area speed limit for the entire area, including Creek Road and asking this be considered and notification made of decision. Filed.

Referred to Town Attorney.

Donald Schlessel, dated 11/13/72, complimenting and thanking the Riverhead detectives who so quickly, graciously and efficiently returned the equipment which was illegally removed from the High School portables housing motivational program. Filed.

Copy to Police Chief.

John J. Munzel, Esq., dated 11/10/72, advising that Dejomar Properties is interested in purchasing an additional 100 feet along Youngs Avenue, east of their property. Enclosing copy of survey and requesting the Town to approve the sale of the lands upon similar terms and conditions as of previous purchase, also if Town is willing to dispose of more than the 100 ft. Dejomar Properties would be interested in purchasing the same. Offering to pay costs of appraisal, survey, revenue stamps, etc., also cost of permissive referendum publication. Requesting reply on whether the proposal is acceptable. Filed.

Mr. Munzel spoke to the Board and stated that Dejomar is anxious to acquire the 100 additional feet of land to operate their trailer trucks more efficiently.

Town Clerk to advise Mr. Munzel that the Board is not willing to sell any additional land in that area.

Wm. W. Esseks, Esq., dated 11/17/72, requesting the Town Board to advise him when it makes a decision on the application of Mets-Roll-Off Service, Inc., for a waste disposal license. Filed.

Referred to Town Attorney and Town Clerk

COMMUNICATIONS continued:

John P. Sheridan, Director, Suffolk County Traffic Safety Department, dated 11/17/72, reply to Chief Grodski on request for study of traffic conditions at County Route #58 and Ostrander Avenue - stating he will be advised of findings as soon as filed data can be obtained and analyzed. Filed.

Police Chief Grodski recommended that in the event the Traffic Safety Department fails to come up with a solution that the Town Board consider making North Ostrander Avenue "one-way north". It would affect only one resident there and Mercy High School entrance. It would divert the traffic away from that intersection and only the traffic from Elton Avenue on Ostrander Avenue would be feeding into it.

PERSONAL APPEARANCES

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

THEODORE MCALEVEY, President of Wildwood Acres, Wading River, told the Board that he resides on Park Street between Hulse Landing Road and Hulse Avenue and he heard rumors that that particular area will not be plowed out in the event it snows this year.

Supt. of Highways Alex E. Horton reported that he has mentioned the fact that the roads in that area are badly in need of repair and it is impossible for an ambulance, fire truck or a snow plow to use them.

After discussion the Board suggested the roads be given a temporary patch-up by the Highway Department, which Mr. Horton agreed to do.

HENRY VICTORIA, Riverhead - told the Board that as a taxpayer of the Town of Riverhead he was offended by the editorial of a newspaper which mentioned the Town Board in an uncomplimentary manner. He stated that it is his opinion that the Board is doing well.

Mr. Victoria also said that he feels it is time for the Board to pass an ordinance about dogs barking in the day time as presently there is no law prohibiting a dog from barking from 7 A. M. to 10 P. M.

The Town Clerk informed Mr. Victoria that the Town has such an ordinance.

Mr. Victoria stated he had called the Police Department and was told there was nothing they could do to prevent the dogs from barking.

Town Clerk volunteered to furnish Mr. Victoria with a copy of the Dog Ordinance.

JOHN RENNER, Riverhead Jacees Chamber of Commerce (service organization) works for WRIV - stated that three weeks ago they were approached by some business men in Town about undertaking the Beautification Project and also to undertake the Christmas Lighting and Decorating Project - that since that time some funds were raised and plans have been made to decorate the circle, the hospital circle, also doing a bit in the shopping plaza, a three block area downtown and presently planning to put trees downtown.

Mr. Renner asked the Town Board for funds to help with the Christmas decorating and informed the Board that the costs of the project will be a great deal lower than in previous years as most of the work will be done by members of the Jacee group and any help from the Town Board monetary-wise or whatever will be appreciated.

PERSONAL APPEARANCES continued:

Judge Leonard opined that the two traffic circles were decorated by the County.

Mr. Renner said this was done by service organizations and while the Town of Southampton sends \$275 towards the Peconic Avenue Circle that is not enough to cover the project.

Judge Costello asked Mr. Renner if the Jacees were a corporation or a partnership.

Mr. Renner said they are an association of young Riverhead men - not yet incorporated, presently having 32 members on the rolls with 20 active workers.

Dick Manning asked if the decorating plans will include Pulaski Street.

Mr. Renner said that they can only decorate as much as the funds will allow and it will depend on the amount of moneys that will be raised.

Town Board tabled request for funds to take under advisement.

Supervisor Leonard recessed the meeting to hold a Public Hearing.

PUBLIC HEARING - 8:00 P. M.

Town Clerk submitted affidavit of publishing and posting Public Notice Calling Public Hearing in connection with proposed amendments to Zoning Ordinance No. 26.

The affidavit was ordered filed.

Thereupon Supervisor Leonard declared the Hearing open to anyone who wished to be heard.

Town Clerk read the following Communications:

Thomas E. Behringer, Jr., dated 11/20/72, stating Pike, Behringer and Hurley represent Romeo Rosano, et al. who have pending a legal proceeding to compel the Town to accept application for special use permit to construct garden apartments - that said proceeding was filed in the Supreme Court in October (original application made in May, 1972) and a Court Decision is imminent.

Further stating that if the proposed amendment is adopted their clients will challenge same in the Courts as being unconstitutional.

Requesting this letter be read into the record of the hearing and made a part thereof. Filed.

Thomas McKay and Anna F. McKay, dated 11/16/72, advising they own farmland on Middle Road in Residence C and have a contract contingent upon the issuance of a special permit to sell to a builder for condominium dwellings. Further saying that condominiums are really not objectionable where considerable vacant land adjoining is required to be provided and the net result is often much more attractive because of the stretch of vacant park land than a good development of homes on ordinary building lots. Asking the Board to reject that part of the proposal to amend as is designed to prevent condominium construction in Residence C. Filed.

## PUBLIC HEARING - 8:00 P. M. continued:

John J. Munzel, Esq., representing Arthur Thurm, Seymour Malman and Robert Phillips, said as follows:

"The net effect of the proposed amendment is to make Camp 2 Use a non-conforming Use and it is hoped it will prevent new parks from coming in - however, the effect of a non-conforming Use is that once it is in effect it is a simple procedure to require a non-conforming Use to capitalize itself out of existence - namely; by saying that in ten years thou shall no longer exist - and the other effects - the main one - you can't borrow any money to maintain or improve capital investments which requires borrowed money. As a result when you have a situation with an owner facing a prospect that perhaps in ten or fifteen years the investment that is made is going to simply vanish.

The effect of this is to quash any attempts to make improvements and you create slums. The population of Riverhead has a very substantial number of persons who reside in mobile home parks. The effect of this on them will probably be to wipe out a substantial amount of their investment of their mobile homes. The non-conforming Use aspects make this proposal extremely dangerous and it should be pointed out that in the mobile home parks that exist the roads are privately built and privately maintained - the water systems are the same and if any breakdown on these occur this requires a very very substantial capital investment and the only way it will be made is by borrowing and if the bank feels secure.

Insofar as Mr. Malman or Mr. Phillips are concerned, they have the proposal for the garden apartments or the condominiums on Business A property up by Iron Pier. The proposed amendment requires 8000 ft. of lot area for every 800 ft. of floor area - this is quite misleading. Apparently the intent is to create a density of approximately 5.3 dwelling units per acre - you have about 43,000 sq. ft. an acre and that would give you 5.3 dwelling units. However, assuming that a developer wants to put up luxury condominiums of 2000 sq. ft. areas for each apartment - the way the ordinance is written he would be required to have 20,000 sq. ft. of lot area for each condominium of 2000 sq. ft. of floor area and this would give him a density of slightly over two dwelling units per acre - as a result he simply wouldn't do it.

The net effect of this regulation is to force a builder to put up minimal housing so that he can get the necessary density - a builder can't even put up 1000 sq. ft. apartments and 1200 sq. ft. apartments without severely damaging his density and density is one of the important criteria.

If the Board wishes to limit density from the present - possible 14 per acre - it is a simple matter to say something like 6.5 dwelling units per acre shall be the density or 5.3 or whatever the density is chosen - but the formula as proposed is forcing the creation of low cost housing in effect and I don't think that that is the intent of the Board.

The special permit section is again proposed to be amended and again as it is written it says that a special permit is good for one year. I will repeat what I said here the last time - assuming that you grant a special permit in the year one and in the year four the Town Board determines that they don't like the thing that's there and they can revoke the permit - then theoretically the person will have to tear the thing down - it is preposterous.

Also the non-transferability aspects on that point of one year - I think the main intent is to compel a developer to start building if he gets his permit and it would be a simple matter to create phraseology that a special permit to be valid, construction must be started within one year. "

## PUBLIC HEARING - 8:00 P. M. - continued:

John J. Munzel, Esq., continues: "Now if it is a very large development setting a number of years for the completion thereof is very arbitrary because you have market considerations. I would recommend a proposal that the special permit be granted in sections and the building permits be granted for each section - before the building permit be granted to section two, the developer must have completed section one, etc., and so on up the line.

Also the special permit provision as proposed indicates it is non-transferable. The difficulty with this is that a special permit is a land use. It is the house that is allowed, not the fact that Munzel is going to build them and Jones can't build them because of the personalities or whatever may be involved. It is a land use and creates an invalid aspect to the ordinance and is very dangerous in the special permit section. 205G of the Ordinance indicates that buildings must be 60 ft. from the lot lines and also that buildings must be reconstructed or altered to be 60 ft. from the lot lines - this to me reads that if an apartment is 30 ft. from a lot line now they will have to saw half of it away."

In summation Mr. Munzel requested the Board that those provisions regarding Camp 2 not be passed at all - if the Board wishes to do something with Camp 2, he recommended that a new zone be set up and that those mobile parks presently in existence be located in that zone - thereby they will be legal and will not have this impediment of borrowing moneys.

Also insofar as the garden apartments, the mobile homes and the condominiums are concerned, he would be hesitant in passing something like this for the reason that the Board is precluding the Town from the possibilities of getting some very fine housing units - not everything has to be row housing and if it is left on a density of 5.3 or 6.5 or whatever and given to the imagination of the developer, the Planning Board and the Town Board, the Town can grow and develop uniquely.

Mr. Munzel further said: "And the fact that you have 1500 of these applications, assuming that you should even get 1500 applications, doesn't mean that you have to allow one or you can allow all of them but the thing the Town should be concerned about is to allow the good ones, the solid ones, the ones that have imagination, the ones that will be of benefit to the Town and don't preclude the Town from even having the opportunity to hear these".

Milton Levin, 100 Merryvale Road, Lake Success, N. Y., said as follows: that he is one of the purchasers of the McKay property and also a property owner in the Town of Riverhead for many years - on the westerly end of the Town the former Danielowich property.

Mr. Levin stated that this Town has a lot of Industrial zone but it doesn't have the industry or as much as it should have - that there is an important factor involved here - industry won't move where there is no labor market.

Mr. Levin said if the Board wants industry they will have to have apartments and that type of residential use of property.

Mr. Levin pointed out that here is a zoning ordinance adopted Sept. 24, 1970, effective October 11, 1970, of recent vintage - and a normally prudent business man who wants to develop and spend his money in the Town has a right to rely on the continued existence for a reasonable period of a zoning ordinance, but no - we find that shortly after the adoption of this ordinance there is a series of changes proposed -

PUBLIC HEARING - 8:00 P. M. - continued:

a deletion here and a change there and with public hearings on the Master Plan under consideration, he doesn't think this is a reasonable approach to the zoning problem.

Mr. Levin asked the Board to await its adoption of the Master Plan.

Mr. Levin continued to say that they are prepared to come in and build these condominiums - they are not interested in speculating on the property - they want to develop residential use in this area and bring in a lot of taxes and requested the Board to turn down these proposals, as he believes they will not withstand legal attack.

Marsha Hefter, Attorney, Riverhead, N. Y., spoke in opposition to the proposed amendments relating to multiple dwellings, saying:

"I am 100% opposed, as the ordinance now stands - multiple dwellings are permitted by a special permit basis in Residence C, Business A, B, C and D and Industrial A & B Districts-with the new amendment it would only be in Business A under more restricted conditions.

I have looked at the Zoning map and have noted what is now zoned under Business A - most of the property is resort property in Jamesport on the Sound, east of Pier Avenue, South Jamesport on the Bay, west of Washington Avenue, River Road, Riverhead. This is property that is not benefited by public sewers, public water and certainly not property that is listed in the comprehensive plan for high density purposes or low density summer purposes.

I cannot understand why multiple dwelling apartments should be built in these areas as opposed to other areas that are now in Residence C or in Business A, B, C and D or Industrial A & B.

There is much discussion recently as to what kind of industry Riverhead wants - there has never been any objection to getting more business people, more professional people in Riverhead. People don't move and buy a house right away. They move into a multiple dwelling - they try and rent. It is not easy to rent a home any more. At this point - people who come out to Riverhead are not able to find property to rent - they are not able to find an apartment in a multiple dwelling - so they move on elsewhere. They move to Southold to Mattituck or to the southshore where they can find a place to rent.

By precluding garden apartments completely in any districts except Business A, precludes bad, yes, but it also precludes a lot of good that might come - it just seems senseless to me to say - no, we are not going to allow any kind of multiple dwelling at all on anything but a six acre parcel or more and only in Business A when there may be some very valid proposals on other pieces of property not within Business A, and the total preclusion seems to me to border on the ridiculous."

Robert Hefter, Riverhead, voiced his objection, saying: "I agree with the former speakers that the ordinance as proposed is generally bad. Approximately two years ago several business men in Town with which I am involved, purchased a piece of property which we thought would be ideally suited to good multiple dwelling development - and found some one who could develop this piece of property and now that we have a contract the Board proposes to change the ordinance again."

PUBLIC HEARING - 8:00 P. M. continued:

Mr. Hefter continues: "This affects us personally and to that degree I am speaking with a self interest and if I were able to put the self interest aside, I would have to say to the Board that I feel it is wrong to take the multiple dwellings away from areas where they are now permitted - where they are close to shopping - where they are accessible to sewer and water district, police protection, fire departments and where they can benefit the Town.

As it was pointed out before - where industry looks for a place to locate, they just don't look to a Town that has desirable industrial zoning - they look to a Town that will have a sufficient labor force - or a place they can house a sufficient labor force.

So the Town Board by saying no multiple dwelling or highly restricted multiple dwellings, we are in effect saying that the Town of Riverhead is not interested in industry. Therefore the Board, the Planning Commission and anyone interested in the Town and its future should consider all the facets of the ordinance and the consequences that will result from the passage of this ordinance and I urge the Board not to adopt it. "

John Edward Coen, Esq., representing Joseph Celic owner of 100 acres of land which will be affected should one of these proposed amendments be adopted.

Mr. Coen said that fortunately Mr. Celic's property is in Business A and it is quite obvious that 50% of Mr. Celic's property - the future use thereof will be taken from him. This is not feasible for development. However, by virtue of Section 251, the Town Board has the right from time to time to change the Zoning Ordinance for the purpose of promoting the health, safety, morals or general welfare of the community.

"However - 1. If there is reasonable relation to health, safety or general welfare, the proposed ordinance is both retrospective and confiscatory. 2. it has been held that any zoning ordinance or restrictions for the use of private property are in derogation of a land owner's right to use his land as he pleases and therefore must be strictly construed against the legislative body which adopts such an ordinance.

Now what I have said can be substantiated by numerous decisions both here and in New York and elsewhere. We are all aware what the problem is here - it is fear - fear that unless you curb now the people from coming into Riverhead, that you will be overridden with a population influx that will burden your schools and increase your taxes - further industry will not come into Riverhead without a labor force.

We are reasonable people and we cannot deny and we cannot stifle birth nor can we close our gates to those who wish to come into our community. The time will come when we will have to draw a line but this is not the time.

To be considered also is the fact that there are several other aspects of these proposed amendments that are going to open the door to widespread litigations. "

Mr. Coen asked the Board's permission to submit a memorandum of Law concerning this matter within the next fourteen days.

After discussion the Board granted Mr. Coen permission to submit his memorandum of Law within seven (7) days.

PUBLIC HEARING - 8:00 P. M. - continued:

Ira Weissman, Vice President of Building and Land Technology Corp., Smithtown, N. Y., stated he is with a nationally known company (land planning, engineering and building) and presently have a parcel of land under contract in Riverhead. No application has been made on it. That the company is involved in many applications in various towns throughout the United States and go into a town for re-zoning based on good planning, good engineering and good ecology considerations and take their chances in getting the zoning on that basis.

Mr. Weissman further stated that the general impression he gets is that the Board will be pushing away well rated good companies who do want to come into this Town and do have the personnel to give a good plan.

William Esseks, Esq., speaking as a citizen and for a couple of clients who wish to build condominiums within the Town, said: "In 1964 the Town acquired a comprehensive plan (showed copy and colors) and according to the plan the brown colors are high density residence. It was a very good plan. Now the proposed amendments as I understand it - you just want to have multiple dwellings in Business A - which is not in the area that is high density. So in 1964 you paid a lot of money for a plan that said you should have the highest density in downtown Riverhead and a lot of people own a lot of land and bought a lot of land relying upon the ordinance, relying upon the Master Plan and relying on what this Town Board and what its predecessors have been saying for almost ten years and now you are about to tell them that all of their land and all of their investments and all of the planning that has gone heretofore is a mistake and tonight you are going to change everything and take all the high density out of downtown Riverhead and put it out in periphery where there is no public sewer and water.

I cannot understand how the Town can take ten years of planning and throw it overboard tonight.

The Board knows that you don't have to accept every application that comes before you. You can pick and choose - as it is proposed they can't even come into the community.

The people who own Business A - if you adopt this change they will do very very well financially. They will have the only areas in the Town where you can have multiple dwellings.

The people who own property in the high density areas who assumed for 8 or ten years that they had property where they could build multiple dwellings are going to have tremendous devaluations in their property - so I think the Town is looking in the wrong direction when it is trying to list its priorities.

Now the Town Board knows and the Town Attorney knows that one of the basic criteria taken into account in determining whether the change of zone is valid or not is planning. The Town has already established what its plan is - you can change it of course - but for many years you have established in these various colors in this plan where the high density is going to be and now you are about to wipe it all out - with a lot of people who spent hundreds of thousands of dollars to buy this land in this high density area.

It is an absolute invitation - it is a command to find out whether you can do it or not and I think that the problem that you have of too many applications is a problem you should face up to - the Town Board and the Planning Board are elected or appointed. Apparently a lot of people want to come in here and build in this Town. What you can do is take their applications, examine them, send them to the Planning Board who will examine them - have them come back to you - hold public hearings, take the good ones and

PUBLIC HEARING-8:00 P. M. - continued:

throw the lousy ones out. That's the logical way to proceed but instead you seem to be thinking you don't want to hear anybody. Hear all of the applications - continue to do the work you should be doing and while you are doing that consider what modifications you want to make.

I hope you will consider this and not upzone all of the property to deny the rights of people to come here and make applications for multiple dwellings. "

Carl Stagg, Riverhead, speaking as a taxpayer stated he was in favor of the proposed amendments.

Mr. Stagg said he thinks we are putting entirely too much accent on multiple dwelling and contended that such concentrated housing would require concentrated public services.

Dr. Caryl Granttham, speaking for Riverhead First Committee, commended the Board for its courage in submitting proposals to restrict multiple dwellings and urged the Board to exert every effort to bring the right kind of industrial development (to lower our taxes) before adding anymore housing.

Jerry Duvall, Jamesport, N. Y., said that the character of our township is at a very critical point and he doesn't like to see a lot of high density areas until we have the industry and spoke in favor of the proposals.

No one else wishing to be heard and no further communications having been received thereto, Supervisor Leonard declared the Hearing closed at 8:55 P. M. and re-opened the meeting.

Supervisor Leonard thanked everyone for coming and said the Town Board will reserve its decision on the aforesaid proposals for further study.

UNFINISHED BUSINESS

Temporary Tax Relief for Farming Industry. Progress

Decision on position of Deputy Supt. of Highways. Progress.

Revision of Ordinance #37-Regulating Use of Beach - The Board decided to leave this ordinance as is and directed the Town Clerk to remove this item.

Decision on Ben Karlin's request for conversion of building. Referred to Town Attorney.

Recommendation of Lion's Club to name Jamesport Recreation Park. The Town Board feels it is a matter for the public to decide upon the name for said Park.

Ed. Lapham's request to reinstate Building Permit of M. Nelson. Town Clerk to advise Mr. Lapham to re-apply for permit as it is the understanding of the Board that a permit was never issued and appeals may be heard before the Board of Appeals.

RESOLUTIONS

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

RESOLVED, That the Bid for one used dump truck for use of the Town of Riverhead Highway Department, be and is hereby awarded to Hi-Way Auto Body, North Road, Southampton, N. Y., 11968, at a cost of \$2,250.00, and be it

FURTHER RESOLVED, That the acceptance of this Bid is subject to 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.

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

RESOLVED, That the bid for Ready-Mix Concrete requirements for use of the Town of Riverhead Highway Department be and is hereby awarded to GALLAGHER SERVICE CORP., Consequogue Road, East Setauket, New York 11733, for the following items and prices:

A. 1-2-3 Mix	\$26.50	Price per cubic yard
B. 1-2-4 Mix	\$26.50	"
C. 1-2-3 Hi-Early Mix	\$26.50	"

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by GALLAGHER SERVICE CORP., and filed in the office of the Town Clerk, and be it

FURTHER RESOLVED, That the items and services specified shall be purchased as directed by the Superintendent of Highways.

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 the bid for Grit Requirements for use of the Town of Riverhead Highway Department, be and is hereby awarded to BROOKHAVEN AGGREGATES LTD., Whiskey Road, P. O. Box 205, Coram, New York 11727, at a cost of \$4.30 per ton, delivered to Riverhead Town Highway Yard,

FURTHER RESOLVED, that the acceptance of said bid is subject to the bid and specification form submitted by BROOKHAVEN AGGREGATES LTD., and filed in the Town Clerk's Office, and be it

FURTHER RESOLVED, that the item and services specified shall be purchased as directed by the Superintendent of Highways.

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 highway bills submitted on Abstract dated November 21, 1972 as follows: Miscellaneous Item 4- Capitol Highway Materials, bills dated November 6, 1972 totalling \$917.80, and Capitol Highway Materials, bill dated November 6, 1972 in the amount of \$645.00; be and the same 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 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 One (1) New 1973 Automobile for use of the Superintendent of Highways, and be it

RESOLVED, That specifications be prepared by the Superintendent of Highways, and bids to be returnable up to 10:45 A. M., on Tuesday, December 5, 1972, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Tuesday, December 5, 1972, at 10:45 A. M., at the Town Board Meeting Room, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Automobile".

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.

RESOLVED, That the Town Clerk be and is hereby authorized to advertise in the official Town newspaper, for Sealed Bids for six (6) New 1973 Police Vehicles for use of the Riverhead Town Police Department, and be it

RESOLVED, That specifications be prepared by the Chief of Police and the bids to be returnable up to 10:45 A. M. on December 5, 1972, at the Town Board Room, 220 Roanoke Avenue, Riverhead, N. Y., at which time and place they will be opened and read aloud.

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 continued:

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

**RESOLVED**, That the Supervisor be and is hereby authorized to issue a check in the amount of \$200.00 to Irene J. Pendzick, Tax Receiver, from the Petty Cash Fund Account established for Petty Cash Fund purposes for the office of the Receiver of Taxes, pursuant to Section 64-1A of the Town Law.

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.

**RESOLVED**, That LOIS CAMPBELL, be hired as a CR-3 Stenographer to work for the Justice Court, effective November 6, 1972, to serve a six month probationary period, at the rate of \$5200 per year, 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.

**RESOLUTION FOR PUBLIC HEARING WITH  
RESPECT TO SPECIAL USE PERMIT.**

A Petition having been made by J. DOUGLAS STARK and W. BRUCE STARK, for a Special Use Permit for use of the following described premises as a Mobile Home Park as same is defined in Section 102 Subdivision 13B type 2 of the Zoning Ordinance of the Town of Riverhead. Said parcel of land, located and being near Mill Road at Riverhead, Town of Riverhead, Suffolk County, New York, is more particularly described as follows:

BEGINNING at a point formed by the intersection of the easterly line of land now or formerly of Harry A. Finkelstein with the northerly line of land of the Long Island Railroad and running thence from said point of beginning North 87 degrees 03 minutes 30 seconds West along the northerly line of land now or formerly of the Long Island Railroad Company 230.11 feet to a point; running thence North 5 degrees 18 minutes 30 seconds East 2414.42 feet to a point and land now or formerly of P. Swezey; running thence along said last mentioned land South 64 degrees 53 minutes 40 seconds East 244.36 feet to a point; running thence South 5 degrees 18 minutes 30 seconds west along land now or formerly of P. Swezey and along land of J. Douglas Stark and W. Bruce Stark 2322.17 feet to the point or place of BEGINNING.

## RESOLUTION continued:

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Riverhead, Suffolk County, New York, hold and conduct a public hearing on said petition at a regular meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, on the 19th day of December, 1972, at 8:00 P. M., prevailing time, and

BE IT FURTHER RESOLVED that Notice of said hearing shall be published once in the News-Review, a newspaper published in the Town of Riverhead, and a copy of such notice shall be posted on the sign board maintained by the Town Clerk and affidavits of the publication and posting shall be filed with the Town Clerk.

Any person desiring to be heard on the aforesaid matter shall appear at the time and place above specified.

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.

A Petition having been made by B. Arthur Thurm for a special use permit for the proposed extension of Thurm's Mobile Home Estates pursuant to Section 209A 2i of Ordinance 26 of the Town of Riverhead on premises lying at Riverhead, Suffolk County, New York more particularly described as follows:

ALL that certain plot, piece or parcel of land, situate, lying and being at Baiting Hollow, Town of Riverhead, County of Suffolk, State of New York, bounded and described as follows:

BEGINNING at a point on the westerly line of Fresh Pond Avenue, which point is the following courses and distances from the intersection of the southerly line of Sound Avenue with the westerly line of Fresh Pond Avenue: (1) S. 11° 11' 50" East 452.60 feet, (2) S. 20° 34' 50" W. 325.23 feet, (3) 2° 34' 10" E. 121.80 feet, (4) S. 2° 29' 50" E. 821.89 feet, (5) S. 15° 11' 40" E. 262.31 feet, (6) S. 15° 56' 289.07 feet; and running thence from said point of beginning S. 15° 56' 50" E. along the westerly line of Fresh Pond Avenue 297.21 feet to the land of B. Thurm; thence westerly, southerly and easterly along the land of R. Thurm the following courses and distances: (1) S. 69° 05' 40" W. 120.00 feet, (2) S. 15° 56' 50" E. 120 feet, (3) N. 69° 05' 40" E. 120.00 feet to the westerly line of Fresh Pond Avenue, thence S. 15° 56' 50" E. along the westerly line of Fresh Pond Avenue 376.17 feet; thence S. 15° 49' 40" E. still along the westerly line of Fresh Pond Avenue 17.13 feet to a monument and land of the United States of America; thence S. 74° 51' 50" W. along the land of the United States of America 778.02 feet to a monument; thence N. 20° 35' 50" W. still along the land of the United States of America 739.30 feet to a monument and land of B. Arthur Thurm; thence easterly along the land of B. Arthur Thurm the following courses and distances: (1) N. 69° 05' 40" E. 980.98 feet (2) N. 74° 03' 10" E. 35.21 feet, (3) on a curve to the right with a radius of 25.00 feet for a distance of 39.27 feet to the point or place of beginning.

RESOLUTION continued:

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Riverhead, Suffolk County, New York authorizes the Town Clerk to publish the attached Notice of Public Hearing in the December 7, 1972 issue of the News-Review, the official newspaper of the Town of Riverhead, and a copy of such notice be posted on the sign board maintained by the Town Clerk and affidavits of publication and posting shall be filed by and with the Town Clerk, and

BE IT FURTHER RESOLVED that the Town Board of the Town of Riverhead, Suffolk County, New York will hold and conduct a public hearing on said petition at a regular meeting of the Town Board of the Town of Riverhead, New York on the 19th day of December, 1972 at 8:15 P. M., prevailing time.

Any person desiring to be heard on the aforesaid matter shall appear at the time and place above specified.

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.

WHEREAS, the Town Board of the Town of Riverhead is advised that the New York State Urban Development Corporation, in furtherance of its projects, has the power to override local zoning and building codes, and

WHEREAS, said power constitutes an improper intrusion upon Home Rule powers of local municipalities, and

WHEREAS, said power if exercised constitutes a complete deprivation of the rights of local citizens to be heard upon the question of the development of real property located within a municipality and, as such, constitutes a usurpation of the time-honored right of Home Rule,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Riverhead does hereby publicly state and affirm its unanimous opposition to the powers of the State Urban Development Corporation, which powers allow said corporation to override local zoning and building codes and thereby run roughshod over the local Home Rule powers of the municipalities of the State of New York, and be it further

RESOLVED, that the Town Board of the Town of Riverhead does hereby request its representatives in the New York State Senate to suggest legislation restricting the powers of the New York State Urban Development Corporation, in addition to opposing any attempt to increase the current powers of the New York State Urban Development Corporation, and it is further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to our representative in the New York State Senate, Leon E. Giuffreda.

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

BE IT RESOLVED, that the bid for Liquid Asphalt replacements for use of the Town of Riverhead Highway Department be and is hereby awarded to R. O. Welch Asphalt Co., 1064 Woodcrest Avenue, Riverhead, N. Y., for the following items and prices:

MC-0	. 23	Per Gallon
MC-1	. 23	"
MC-2	. 23	"
MC-3	. 23	"
RC-2	. 23	"
RC-3	. 23	"

FURTHER RESOLVED, that the acceptance of said bid is subject to the specification form submitted by R. O. Welch Asphalt Co., and filed in the office of the Town Clerk, and be it

FURTHER RESOLVED, that the items and services specified shall be purchased as directed by the Superintendent of Highways.

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 Bid for the purchase of reconditioned Parking Meter units be and is hereby awarded to American Parking Meter Co., 1024 Edgewater Avenue, Ridgefield, New Jersey 07657, as follows:

100 Reconditioned housings at \$12. 45 each	\$1, 245. 00
100 Reconditioned mechanisms	\$2, 500. 00
Total	\$3, 745. 00
LESS allowance on 200 trade-in mechanisms at \$2. 50 each	\$ 500. 00
NET TOTAL	\$3, 245. 00

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 the Town Clerk be and is hereby authorized to re-advertise for sealed bids for the purchase of one (1) mobile vacuum unit, and be it

FURTHER RESOLVED, That the Town Clerk be and is hereby designated to open publicly and read aloud on Tuesday, December 5<sup>th</sup>, 1972, at 10:45 A. M., at the Town Board Room, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation, "BID FOR VACUUM UNIT."

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

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

RESOLVED, That Jacqueline Denis (Mrs. Donald A Denis), 84 Meadow Lane, Riverhead, New York, be and is hereby appointed as member of the Town of Riverhead Conservation Advisory Council, to fill the vacancy created by Patty Wick (Mrs. Joseph Wick), to serve without compensation, term ending April 18, 1974.

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.

BUDGET NOTE RESOLUTION OF THE TOWN OF RIVERHEAD, NEW YORK, ADOPTED NOVEMBER 21ST, 1972, AUTHORIZING THE ISSUANCE OF A NOTE IN THE AMOUNT OF \$20,000 FOR THE PURPOSE OF DEFRAYING COSTS OF SNOW AND ICE REMOVAL.

WHEREAS, The Superintendent of Highways has advised the Town Board that an amount of \$20,000 is needed to finance costs of snow and ice removal, and has requested the Board to authorize borrowings of said amount of \$20,000, to defray costs of snow and ice removal,

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Riverhead for the specific purpose of providing for payment of expenses for the removal of snow and ice heretofore incurred, pursuant to Section 29.00 of the Local Finance Law, does hereby authorize the issuance of its Budget Note in the amount of \$20,000, to finance such cost and expenses.

2. Such Note shall be dated December 4, 1972, and its power to fix and determine the exact date of such Note is hereby delegated to the Supervisor. Such Note shall be numbered Three (3) and shall mature in the year 1974. The power to fix and determine the date upon which such Note shall become due and payable is also delegated to the Supervisor.

Judge Costello asked if the \$20,000 is for snow or for the erection of snow fence and just what has been spent if any.

Mr. Horton said, "Salt, Snow fence and snow removal. It generally costs \$6000 to put up the snow fence and the same to take it down."

More discussion followed and Mr. Horton told the Board that the borrowing is within the law.

11/21/72

426.

RESOLUTION continued:

The vote:

Councilman Young: Yes.

Councilman Grodski: Yes.

Town Justice Leonard: Not Voting, and stated he would like an opinion from upstate on the validity of the procedure.

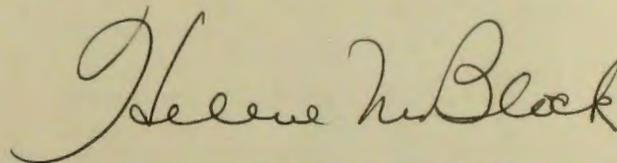
Town Justice Costello: No, and stated he is against taking the money for putting up and taking down snow fence from snow funds when moneys have already been allocated for salaries.

Supervisor Leonard: Stated that anyone who has been here 12 or 14 years should have some idea of the law and not wait until this year to question it, and voted, Yes.

Total Vote:	Yes	3
	Not Voting	1
	No	1

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 9:50 P. M., to meet on Tuesday, December 5th, 1972 at 10:30 A. M.



Helene M. Block, Town Clerk

HMB.