

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, July 3, 1984 at 7:30 p.m.

Present: John Lombardi, Councilman
Vincent Artale, Councilman
Louis Boschetti, Councilman

Absent: Joseph F. Janoski, Supervisor
Victor Prusinowski, Councilman
Richard Ehlers, Town Attorney

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

Councilman Lombardi, "First I'd like to say that Joe is in the Hospital and will be there for another week or so and he says hello to everybody."

Councilman Artale, "He said he would much rather be here."

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Minutes of the Regular Town Board meeting held on June 19 and Special Board Meeting held on June 28, 1984 are dispensed without objection and be approved.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

BILLS

Bills submitted on abstract dated July 3, 1984 as follows:

General Town	\$200,297.60
Highway	32,785.98
SL	5,622.77
CF	1,035.76
Small Cities	267,561.71

Councilman Lombardi offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that subject to complete audit, the following bills be approved for payment.

General Town	\$200,297.60
Highway	32,785.98
SL	5,622.77
CF	1,035.76
Small Cities	267,561.71

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Councilman Lombardi, "The department heads are present if any questions need to be answered. They are sitting in the back. They don't usually sit in the front because they think they are in mass."

Councilman Artale, "Let's take up a collection."

Councilman Lombardi, "Reports Mrs. Pendzick."

REPORTS

Police Department-Auction held on June 16 had net sales of \$1,420.07.

Filed.

Irene Pendzick, "That is all the Reports as of today."

Councilman Lombardi, "Applications and Petitions."

APPLICATIONS AND PETITIONS

Site Plan-John Verderber for retail sales-plant business on Rte. 25, Aquebogue.

Filed.

Site Plan-Riverhead Savings Bank for parking at Peconic Avenue.

Filed.

Special Permit-Enka Enterprises for Gas Station at corner of Route 25 and Washington Avenue, Jamesport.

Filed.

Parade Permit-Living Water Full Gospel Church for June 23, 1984.

Filed.

Sign Permit-Guy Cricchio at Rte. 25A, Wading River.

Filed.

Irene Pendzick, "That concludes Applications and Petitions."

Councilman Lombardi, "Thank you Mrs. Pendzick. We have a public hearing at 7:45. If anybody would like to speak before that, we would be welcome to have you. Bill."

PERSONAL APPEARANCES

Bill Nohejl, Wading River, "I've read in the paper that the Sullivan appeal has been granted on this Chapter 78 for that Mobile Home Park in Wading River. Now, what is the status on that? Can any of you tell me? What will be done? What is going to be the outcome being that the judge granted the appeal? Ok. Go ahead."

Councilman Boschetti, "I can give you a little about that. I talked to Dick about that today. And apparently what has happened is that the judge has given a decision which indicated that he did not believe that the testimony given at the public hearings (that we had held here) were sufficient to act in the manner that we did. We don't know what (precisely) was meant by that and Dick hopes to get some kind of a clarification perhaps from the judge who rendered the decision. As it stands right now, we have 30 days from the time we actually got served with the decision to make our own decision as to whether we will in turn appeal the latest decision on the Sullivan case. If we decide on it, then we will have to abide by the decision as it now stands. But we have not been formally served with that decision yet."

Bill Nohejl, "If you don't appeal (the town doesn't appeal) back to the judge, that means that he can get what he requested. The three or four extra lots."

Councilman Boschetti, "That's really not clear. At least not in my mind and that's one of the reasons why I asked Dick if he would not try and get some clarification on the decision as we understand it to be right now. The only thing that seems to be indicated is that the parking requirements need some work. We could hold hearings to try to modify those. But as it stands now, we really are not quite sure. We have a general idea but we are not quite sure of exactly what the decision means. So we're hoping to get that clarified."

Bill Nohejl, "I've lost my train of thought here. Oh. I don't believe Sullivan owns that trailer park at present now. I think it's been sold in the interim from the time that the public hearing and now. I guess the new owner still has the right to appeal even though Sullivan isn't the owner now."

Councilman Artale, "You'd have to start a whole new case wouldn't you?"

Councilman Boschetti, "That I couldn't say. But I am now aware of the park being sold."

Bill Nohejl, "Well, I read that.... I watch the title changes in the paper quite consistently and I seen a title change."

PERSONAL APPEARANCES Continued

Councilman Lombardi, "Well, we'll check with Dick, Bill."

Bill Nohejl, "See if that's still in the same ownership. It might be transferred."

Councilman Artale, "Ok."

Councilman Boschetti, "Thank you Bill."

Councilman Lombardi, "Thank you. Irene you want to do Correspondence? Wait. I don't think so."

Henry Pfeiffer, Wading River, "Mr. Lombardi, 2 weeks ago (I think) at the Town Board, we requested that some sort of spraying be done at Bayberry Park. And I read somewhere that the County has suffered some kind of a financial setback or something like that and that has delayed it somewhat. We hope that you continue in your pursuant of this. Be in the meantime, we have also become aware of another little problem down there which is the vast number of obnoxious weeds such as poison ivy, poison sumac, and so forth which have adversely effected some of the individuals there. Is it possible that you can maybe have a defoliant or something?"

Councilman Lombardi, "Well, we'll see if we can get the men down there to cut it down. But on the mosquitos, Vector Control is waiting for the permit from the D.E.C. And as soon as they get that, they will be going in and spraying. That's what I got from that guy."

Henry Pfeiffer, "I know you will follow up on it John. Thank you."

Councilman Lombardi, "But I'll put your scratches down here sir."

Steve Bientek, 28 Willow St., Aquebogue, "Aquebogue Community Association. We would like to know just what's happening on the Peconic Bay Boulevard flooding area."

Councilman Lombardi, "As of last Friday, we did get the permit from the D.E.C. to commence on going ahead and putting the pipe in. Tuesday (this Tuesday coming of next week. I'm sorry.) we are going to have a special board meeting to publicize for that. And it should be... And there's a resolution #446 pertaining to that tonight."

Henry Pfeiffer, "What would 446 mean?"

Councilman Lombardi, "It's calling for bids on the drainage. So it will be commencing very soon."

PERSONAL APPEARANCES Continued

Henry Pfeiffer, "May we just have a little idea of how soon after the bids are in may we expect some action? Because we are up to July the 4th already and the summer has passed. I was here last fall and I said the frost was going to come. The spring, those are going to come and this is what happened. And we are up to July the 4th again."

Councilman Lombardi, "Well, we'd like to... As soon as the bids go out and we can get going on it. If they start the next day, we would be very happy."

Councilman Artale, "All bids are due in on August 20th."

Councilman Lombardi, "Right. And when the bids come in, then we will go right out with it. And it would be up to them to start. And if we can get them to start immediately, very well. We'll keeping pushing on it."

Henry Pfeiffer, "Thank you."

Councilman Lombardi, "We're not going to let it go away and you're not going to let it go away."

Henry Pfeiffer, "You can bet on that. Thank you."

Councilman Lombardi, "Thank you. 7:45 has arisen and we have a public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, July 3, 1984 at 7:45 o'clock at Riverhead Town Hall, to hear all interested persons regarding: The Proposed Amendment to the Town Code, Section 108-3 Re: Special Permits.

Councilman Lombardi, "Priscilla would you like to give a little....."

Priscilla Corkery, "The essence of this provision to the town code will be in the area of the special permit application. Currently, an applicant for a special permit is required to submit to the town an abstract of title of the neighboring property owners within 500 feet. Because of the cost involved in that, the town has proposed to revise the code to provide that only a list of names of the adjoining property owners as found on the latest tax rolls in the town assessors office need be provided. And that would be the effect of the amendment."

PUBLIC HEARING Continued

Councilman Lombardi, "Thank you Priscilla. Would anybody like to say anything? Bill."

Bill Nohejl, "Just a clarification. This is just only under special permit. This does not mean a subdivision or anything of that type. Am I correct?"

Councilman Lombardi, "Just special permit."

Bill Nohejl, "Just a special permit. So if I want to put a certain type of factory or a certain type of business or change of zone?"

Councilman Lombardi, "It would be in change of zone too."

Irene Pendzick, "No. This one is just for special permit."

Councilman Lombardi, "Oh. This is just a special permit."

Bill Nohejl, "This is just for special permit?"

Councilman Lombardi, "Just for special permit."

Bill Nohejl, "Ok. Thank you."

Councilman Lombardi, "Allan."

Allan Smith, Attorney, "For the record, I am Allan Smith, the firm of Tooker and Smith. And as you have worked on this particular amendment, my firm has represented an application three doors up from John Lombardi's house. I think it becomes a pretty good example of what I am about to talk about. Does the application...."

Councilman Lombardi, "I didn't get no notice yet Allan."

Allan Smith, "You got notice. You got actual notice. David Kendall is creating an investment there (wishes to create an investment there) for the purpose of office space. The way.... And I would add for those in the audience who don't know, my partner has an interest along with John Hurley and some of the other men in town, in an abstract company. And they think that the way the code is written is absolutely ginger peachy because it is a varitable gold mine for their industry. As the code is currently written and with reference to the application of David Kendall for the 3-man accountancy office he wishes to create three doors to the north of John, he would only have to purchase about 96 separate title reports. Even at a bargain price from my partner, that would be measured in approximately 3 thousand to 5 thousand dollars for title examinations which are of absolutely no use to the applicant whatsoever. Needless to say, as a practical

PUBLIC HEARING ContinuedAllan Smith, Continued

matter and as on behalf of this particular applicant, we support the amendment. We go beyond on that however. Maybe I should say where I am headed first and then come back and tell you why. Where I am headed is that the notice for a special permit should be a function of use. If, for instance, Mr. "X" were going to put a slaughter house in at three doors north of John Lombardi, you might want one type of notice. And whereas he's putting in an accountancy office which is consistent with what has occurred on Roanoke Avenue over the past 8, 9 years, it's an entirely different situation. If I could use the analogy, we once had an application for a seaplane tending outfit just to the south of Larry Galasso's operation. Now, there's the kind of a use where maybe even 500 feet is not the appropriate distance that you want people to receive notification because it impacts all the way down to Meeting House Creek and maybe even beyond that. So you might call that rather stringent kind of a notice thing. What concerns myself and what will concern the rest of the attorneys who practice before this board, once they check on what has occurred here, require a bit of an explanation. You are calling out certified mailings to everyone as shown on the tax maps within 500 feet of this location. Again going back to the analogy of the Kendall application near John's home, there are 96 separate mailings that must be done. Whether it's done by the Town Clerk (which I believe is as it's currently written) or it's done by the applicant which might be an easier way of getting these things done. The problem with that and take my word it's 96. I can show you the maps and I can show you the huge pain it is to figure this thing out. Because the tax maps are not drawn to the same scale in this area. This one becomes a very good example. The failure to give someone a notice that is required by a code such as the code of the Town of Riverhead, creates what is called a jurisdictional defect, as opposed to what attorneys call procedural defects. To put it somewhat immaturely, a procedural defect goes away. A jurisdictional defect does not. A notice provision such as mailing to these 96 properties, creates a jurisdictional defect. In theory, the applicant three doors to the north of John, could mail to 95 of them. Miss one. Two or three years later statute does not run against a jurisdictional defect. Two or three years later he gets in a fight with his neighbor. The neighbor raises the jurisdictional defect and the whole thing may be void. If this is the kind of notice that you want.... I mean if in fact, that you want somebody to go to the expense of 100 or 200 or 300 dollars worth of mailing and if you're going to have the clerk do it, you better provide to raise your fees. Because in an area like Roanoke Heights is not going to be cheap.

PUBLIC HEARING ContinuedAllan Smith, Continued

You better write into the statute somehow, (what Dick Ehlers will advise you is) a short period of limitation. Such that if you hop one of these things, that it doesn't (5 years, 6 years or 20 years) later come down to haunt you. For instance the labor camps are a special permit. Mr. Schmidt is the one I had experience with. Let's say he missed somebody on that mailing and the neighbors in Reeves Park got mad at him 5, 6, 7, 10 years down the road. It's that kind of a jurisdictional problem that could really haunt you. The last thing that I would say about this and it's back to the same analogy of Tooker doing abstracts. There isn't a layman..... Well I won't say that. It would be super difficult for a layman to comply with this. They'll have to come see a lawyer. I might not view that as a bad thing. But I happen to know from my experience sitting there for 4 years and since, that you get a certain number of single family residences. You get people who come in and are doing some of these things by themselves. And the chances of them complying with this kind of notice provision and not screwing it up in one form or another, are rather severe. My suggestion to you is (if you want it) you better write some short statute provision into it and you might look at the Daroad application as an example of what it really means. I mean it does in effect mean in this application, (I can show you the maps and the take off on the tax maps.) some 96 letters. You know I am not adverse to notice. But I don't know necessarily that a 3-man accountance shop requires 96 certified letters fired out throughout Roanoke Heights. A seaplane tending operation in the middle of Hoc-a-Boc Park, yes. They may require more notice than that. But it's a very sophisticated device and it has the potential of causing a great deal of grief. Thank you."

Councilman Lombardi, "Thank you Allan."

Irene Pendzick, "Allan this particular section is only (as you know) part of the code. And as I understand it, the requirements are that the applicant has to get a list of the property owners of 500 feet from the assessors office. This is as part of the application which will be submitted to the Town Clerk. The Town Clerk's office sends out the certified notices and as part of the application process. So that I don't know about the procedural and jurisdictional effects. But it would seem that if the town is providing the list and the Town Clerk's office is doing the mailing, that the applicant has some recourse in the future."

Allan Smith, "I would hope so but that's not how I understand the law. Jurisdictional defect is a jurisdictional defect. If someone builds with a void permit, it's still a void permit at some point down the road. The other thing is I feel sorry for you."

PUBLIC HEARING Continued

Irene Pendzick, "I do too."

Allan Smith, "And the assessors office. One of the young women in my office at my direction and with the direction of some of the other people in the office, took approximately 5 hours to develop this list. It was wrong the first time. And I went back to look at it and I think we've got it fairly right. There's no attorney in the world that will not check it. I mean, simply because it's done on this here doesn't mean that.... Let's say in Adchem. I mean you've got a 4 million dollar investment in the community. Are you going to take the risk that some clerk has hopped it because they've had a bad day? It's just that kind of..... It's not that type of requirement."

Councilman Lombardi, "Thank you. Is there anyone else?"

Steve Haizlip, "What I want to try to understand; if someone puts in a special permit and as Irene and Mr. Smith says, whoever is requesting this special permit has got to go into the tax office. Get all these abstracts of people's land and make up this list and mail it and you get notified. And this is what you're proposing to become law."

Councilman Lombardi, "Right."

Steve Haizlip, "Ok."

Councilman Lombardi, "Thank you Steve. Anyone else? We'll close this public hearing at (8:59) 7:59. I'd better put my glasses on."

COUNCILMAN LOMBARDI CLOSED THE 7:45 PUBLIC HEARING AT 7:59.

Councilman Lombardi, "We'll move to Correspondence."

CORRESPONDENCE

Brookhaven Town, 6/21/84-Notice of Public Hearing Re: Chapter 30 of Town Code. Filed.

Army Corps of Engineers, 6/26/84-Re: Ramp Application in Meeting House Creek. Filed.

Environmental Quality Review Board, 6/28/84-That application of Alan Cardinale is a Type II Action. Filed.

Planning Board, 6/22/84-Recommend that application of Daroad Enterprises be approved. Filed.

Southampton Town-Re: Adopted resolutions on Sr. Citizen Tax Abatement and lawsuit against N.Y.S. seeking use of 1980 Census for computing State Finance Law, and Re: application of Northville Gasoline Corp. for gas station

CORRESPONDENCE Continued

at northeast corner of Flanders Road and Peconic Avenue. Filed.

Suffolk County Dept. of Planning, 6/22/84-That amendment to zoning ordinance are for local determination. Filed.

N.Y.S. Dept. of Transportation, 6/27/84-Investigating possibility of redirecting money to drainage and road improvements to Middle Road. Filed.

LILCO, 6/22/84-Copy of protest to State Board of Equalization and assessment Re: Franchise Assessments. Filed.

H2M Corp., 7/2/84-Reporting that work on Ext. 23 has completed work to date that entitles payment of \$197,630.97. (See Water Minutes) Filed.

Councilman Lombardi, "Thank you Mrs. Pendzick. Under Unfinished Business:

UNFINISHED BUSINESS

Old River Road Recreational Park-Change of Zone for Recreational Use District in Manorville. That's pending before the Town Board.

Robert Celic-Change of Zone and Special Permit for Children's Nursery on Route 25 and Shade Tree Lane, Aquebogue. That's pending.

Kimbrooke Enterprises-Special Permit for 190 Condominiums on Sound Avenue 1,500 feet east of Pier Avenue. Planning Board.

Daroad Enterprises-Special Permit for Accounting Offices on Roanoke Avenue. That is pending with the Town Board.

St. John's Church-Application for Auction and Fair on August 11, 1984. That's pending with the Town Board.

Broad Cove-Request for extension of permit. That's pending.

Riverhead Motors-Site Plan (Revised) for Market on Circle. That is pending with the Town Board."

Councilman Lombardi, "I'll recognize anyone wishing to be heard. Bill."

Bill Roberts, Baiting Hollow, "This past Wednesday, New York State D.E.C. had a general information hearing in this room explaining part 55 "Coastal Erosion Management Regulations" which would be implemented either by New York if the Town of Riverhead elected not to do so. Or by the Town of Riverhead if they chose to implement these regulations which were

PERSONAL APPEARANCES ContinuedBill Roberts, Continued

given to the state by the federal government in 1971. Identified were coastal erosion hazard areas along the bluffs and also on the Bay. And there will be a public hearing on July 18th. I attended that meeting as did quite a few other people and some of them expressed surprising concern that there was nobody from the Town of Riverhead as a representative at that meeting. I'd just like to give you this information because there was substantial concern if the town would be implementing these regulations. There was nobody there."

Councilman Lombardi, "Alright Bill. That's July 18th the next meeting?"

Bill Roberts, "That will be the public hearing."

Councilman Lombardi, "Public hearing, right."

Councilman Boschetti, "Bill, who called this meeting?"

Bill Roberts, "It was the D.E.C. I got a certified letter from the D.E.C. in Albany. So did all of my neighbors having property on the Sound. And the mailing was directly from Albany."

Councilman Boschetti, "Was anybody aware of this meeting?"

Councilman Lombardi, "I didn't get anything."

Bill Roberts, Spoke from audience. INAUDIBLE.

Councilman Boschetti, "I was out of town. I certainly would have been here because I know we've been quite interested in this particular procedure. They had originally come across with the ideas some time last year. And they told us at the time that, they anticipated moving in this direction and that would give towns and municipalities ample time to try to construct some type of coastal erosion plan of their own. And if they did not do that, then the state would come in and give them one."

Bill Roberts, "Well the state laid out everything that they proposed to do. They had photographs of all water areas. And the implication was that this is what the town of Riverhead will do. Or else if the town doesn't do it, then New York State will do it."

Councilman Boschetti, "I see."

Bill Roberts, "In other words, they could super impose their authority on the town. I'm sorry. If the town doesn't do it, then the County will do it. If the County won't do it, then the State."

PERSONAL APPEARANCES Continued

Councilman Boschetti, "What representative from the D.E.C. was at that meeting? Do you recall?"

Bill Roberts, "There were 3 men there. I haven't got their....."

Irene Pendzick, "Excuse me. You should really go to the microphone."

Bill Roberts, "I've got their names at home but I can't remember them off hand. One of them was (I think) Gilliam or Gilson. A Raymond. But I can't think of the other one. But I can give you that information."

Councilman Boschetti, "Yes. Could you get in touch with me with those names?"

Councilman Artale, "Bill, what time was this meeting held?"

Bill Roberts, "I think it was 7:30. Steve Haizlip was there. Wasn't it 7:30? I believe it was."

Irene Pendzick, "7:30."

Steve Haizlip, "It was just after....."

Bill Roberts, "Yes 7:30."

Steve Haizlip, "I didn't even know about it. I just dropped in on it."

Councilman Artale, "Thank you."

Councilman Lombardi, "Thank you Bill. Steve."

Steve Haizlip, "As long as I was attending that meeting, I asked a gentleman there about that case in Westhampton where the fellow put in the swimming pool. I believe it was Mr. Hal-ler. And after he got his permits and everything, then the D.E.C. came down on him and said 15 thousand dollars. This is what I read in the paper. He denied it that night and....."

TAPE ENDED

Steve Haizlip, ".....and later after all this work was done. Now, Unfinished Business. If I remember correctly, I think it was about a year ago along about now, that a gentleman put in a request for a speed limit on River Road to be reduced down to 45 miles an hour from 55. Is any action being taken on that from the State? From what I understand it has to come from the State."

Councilman Lombardi, "The only thing I can say Steve is we'll check on it."

PERSONAL APPEARANCES Continued

Steve Haizlip, "Good."

Councilman Lombardi, "Ok. Charlie you wouldn't know anything about that would you? Anything been done on that?"

Charlie Bloss, Highway Superintendent, "The request has to come from the Town Board through the Police Department."

Councilman Lombardi, "It was done. Now, I don't know what results were from that. I have to find out from.....
Ok. Mr. Hatcher."

Frank Hatcher, Northville Turnpike, "I wondered if anything is being done about Horton Avenue. We still have water up there and I have some tenants that are moving out because they can't get home. So it's hurting me. I wish somebody would do something about it. That water ran from their side over on me."

Councilman Lombardi, "Right. There was a meeting (I believe) today. Was there Charlie? Would you give us a little run down on it? What was discussed? There was a meeting with the engineers today."

Charlie Bloss, "Everytime anybody sees me they tell me it's raining out. That's just what I need. There was a meeting (Mr. Hatcher) today with the engineer. I believe it's Bien Stock and Lucchesi whose working on that drainage project. They're going to enlarge the basin on the east side of the road. They're going to raise the road up at least 4 feet higher. In other words, up to the level of the existing berm around the basin there now. They're out doing some topog work. It should be another couple of weeks and he should come in with a plan."

Councilman Lombardi, "Very good Charlie. Thank you."

Frank Hatcher, "One more thing. On the east side of that road they dug it out. When they put that water main in there, that's something like a vein of water there. I hit that vein. That water in there keeps pushing out. Because they had to have 2 pumps (3 pumps) to take the water when they run that main through there. I knows and I watched as they pushed that dirt back. That water kept coming all the time. So that's what they hit when they put the water main in. So I think if they put that dirt back in that hole up top of the road, it might help for a while. Until they get something done."

Councilman Lombardi, "Charlie. Do you understand what Mr. Hatcher is saying about that berm or something?"

Charlie Bloss, "There is a possibility there is a layer of clay.....Inaudible."

PERSONAL APPEARANCES Continued

Councilman Lombardi, "Oh. So that's what we're doing now. Ok. Mr. Hatcher?"

Frank Hatcher, "Ok thank you."

Councilman Lombardi, "We'll continue sir. Thank you. Does anyone also have anything? We'll go on to resolutions."

RESOLUTIONS

#421 AUTHORIZES SUPERVISOR TO EXECUTE LICENSE ON BEHALF OF THE RIVERHEAD WATER DISTRICT TO THE TOWN OF RIVERHEAD RE: REEVES PARK.

(See Water District Minutes)

#422 AUTHORIZES SUPERVISOR TO EXECUTE LICENSE ON BEHALF OF THE TOWN OF RIVERHEAD WITH THE RIVERHEAD WATER DISTRICT RE: REEVES PARK.

(See Water District Minutes)

#423 TRANSFER OF FUNDS.

Councilman Lombardi offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following:

	<u>FROM</u>	<u>TO</u>
A8560.400 Shade Trees- Contractual Expenses	1,000.00	
A8540.400 Drainage-Contractual Expense		1,000.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#424 BUDGET ADJUSTMENT - UNDERGROUND MAIN STREET PHASE II CAPITAL PROJECT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Supervisor be and hereby is authorized to adjust the following:

	<u>FROM</u>	<u>TO</u>
H5031.831 Transfer from Parking Meter	5,500.00	
H5182.832 Engineering		5,500.00

RESOLUTIONS Continued

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#425 BUDGET CREATION - UNDERGROUND MAIN STREET PHASE IIA CAPITAL PROJECT.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Supervisor be and hereby is authorized to adopt the following:

	<u>FROM</u>	<u>TO</u>
H5031.731 Transfer from Parking Meter	30,000.00	
H5182.731 Construction		24,000.00
H5182.731 Engineering		6,000.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#426 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR SNOW FENCE & POSTS - HIGHWAY DEPARTMENT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on 12,500 feet of snow fence and 1500,6 foot heavy duty snow fence posts for use of the Town of Riverhead Highway Department, and be it

RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11 a.m. on July 24, 1984, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on July 24, 1984 at 11 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Snow Fence and Posts".

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#427 AUTHORIZES OVERTIME - HIGHWAY DEPARTMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime for a total of 156 hours in the amount of \$2,209.50, in accordance with personal services abstract submitted and filed in the office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#428 ACCEPTS RESIGNATION OF TEMPORARY LABORER-HIGHWAY DEPT.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, Karl Fleischman did submit his resignation from his position of Laborer.

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Karl Fleischman be and is hereby accepted effective July 13, 1984.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#429 AUTHORIZES TIME AND ONE HALF OVERTIME COMPENSATION FOR MAINTENANCE EMPLOYEES.

Councilman Lombardi offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the following Maintenance Employees be paid time and one half overtime compensation.

Paul Bokee-----	10 hrs.	@ \$10.8816----	\$108.82
Charles Brown-----	10 hrs.	@ \$12.1172----	\$121.17
Joseph Celic-----	9 hrs.	@ \$10.8816----	\$ 97.93
Lawyer Jackson-----	19 hrs.	@ \$12.1172----	\$230.23
Dominick Pantaleo---	9 hrs.	@ \$10.8816----	\$ 97.93
Edward Polecki-----	6 hrs.	@ \$10.8816----	\$ 65.29

FURTHER RESOLVED, that the explanatory report relating to aforesaid overtime be filed in the Office of the Town Clerk.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#430 ACCEPTS MAINTENANCE BOND OF CENTURY FARMS, SECTION I.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Maintenance Bond posted by Wading River Estates, Inc., with regard to Century Farms, Section I, be and is hereby accepted, which bond is in the amount of \$8,000, and shall be in effect for a period of one year.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#431 APPOINTS RECREATION SPECIALIST (WATER SAFETY INSTRUCTOR) TO RECREATION DEPARTMENT.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that Margo E. Mullady be and is hereby appointed to serve as a Recreation Specialist (Water Safety Instructor) effective June 25, 1984 to and including September 3, 1984, to be paid bi-weekly at the hourly rate of \$4.50 and to serve at the pleasure of the Town Board.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#432 AMENDS SECTION 108-112 OF THE RIVERHEAD TOWN CODE, BUSINESS PB DISTRICT.

Councilman Lombardi offered the following resolution to be TABLED which was seconded by Councilman Boschetti.

(SEE PAGE 540 FOR CONTEXT OF RESOLUTION)

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared TABLED.

#433 RESOLUTION REPEALING LOCAL LAW NO. 2-1968, CHAPTER 100 OF THE RIVERHEAD TOWN CODE, "VEHICLES ABANDONED" AND ADOPTING LOCAL LAW NO. 1-1984, CHAPTER 100 OF THE RIVERHEAD TOWN CODE, "VEHICLES JUNKED AND ABANDONED".

Councilman Lombardi offered the following resolution to be TABLED which was seconded by Councilman Boschetti.

(SEE PAGE 550-554 FOR CONTEXT OF RESOLUTIONS)

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared TABLED.

RESOLUTIONS Continued#434 AMENDMENT TO SECTION 107-7 OF THE RIVERHEAD TOWN CODE, CONSERVATION ADVISORY COUNCIL.

Councilman Lombardi offered the following resolution to be TABLED which was seconded by Councilman Boschetti.

(SEE PAGE 562-563 FOR CONTEXT OF RESOLUTION)

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared TABLED.

#435 AMENDS SECTION 108-67(C) OF THE RIVERHEAD TOWN CODE, LOT AREA.

Councilman Lombardi offered the following resolution to be TABLED which was seconded by Councilman Boschetti.

(SEE PAGE 567-568 FOR CONTEXT OF RESOLUTION)

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared TABLED.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared TABLED.

Councilman Boschetti, "By way of explanation, I think we should explain a little bit about why we are tabling all these resolutions. It's simply because of the illness of Supervisor Janoski and the unavailability of Councilman Prusinowski. We have not been able to discuss the findings of the public hearings which these resolutions are a result of. So in fairness, we felt that we would table them until they can return and have some input on these matters."

#436 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: AMENDMENT TO SECTION 101-12 OF THE RIVERHEAD TOWN CODE, "WEST STREET", NO PARKING CERTAIN HOURS

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to an amendment to Section 101-12 of the Riverhead Town Code, deleting West Street from the list of roads indicated as "No Parking Certain Hours: roads leading to water".

RESOLUTIONS ContinuesPUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 7th day of August 1984, at 7:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following proposed deletion to Section 101-12 of the Riverhead Town Code, "West Street", South Jamesport, New York:

101-12. No parking certain hours: roads leading to water.

Parking is hereby prohibited during the hours designated upon any street or portion thereof as follows:

<u>Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
West-Street in-the-hamlet of-South Jamesport	Both	6:00-a.m.-to 10:00-p.m.	Beginning-126 feet-south-of the-2nd-Street intersection and-thence southerly-to-the southerly-terminus of-West-Street.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#437 AUTHORIZES SICK TIME BONUS PAY TO MEMBERS OF THE POLICE BENEVOLENT ASSOCIATION FOR THE PERIOD FROM APRIL 1, 1984 TO JUNE 30, 1984.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that the following members of the Police Benevolent Association be paid Sick Time Bonus Pay for a period from April 1, 1984 to June 30, 1984.

1. Boden, R.	\$75.00
2. Cheshire, D.	\$75.00
3. Danowski, J.	\$75.00
4. Densieski, A.	\$75.00
5. Dorfer, T.	\$75.00
6. Dunleavy, J.	\$75.00
7. Erick, C.	\$75.00
8. Fagan, D.	\$75.00
9. Foote, F.	\$75.00
10. Gianni, V.	\$75.00
11. Green, D.	\$75.00
12. Griffing, L.	\$75.00
13. Hegermiller, D.	\$75.00

RESOLUTIONS Continued

14.	Haley, R.	\$75.00
15.	Keller, B.	\$75.00
16.	Kurpetski, J.	\$75.00
17.	Loggia, J.	\$75.00
18.	Lydon, J.	\$75.00
19.	Lynch, T.	\$75.00
20.	Mackie, F.	\$75.00
21.	McDonald, O.	\$75.00
22.	Michalski, V.	\$75.00
23.	Mickoliger, L.	\$75.00
24.	Miller, D.	\$75.00
25.	Moisa, W.	\$75.00
26.	Paasch, P.	\$75.00
27.	Palmer, W.	\$75.00
28.	Peeker, R.	\$75.00
29.	Psaltis, J.	\$75.00
30.	Rodgers, F.	\$75.00
31.	Romaniello, F.	\$75.00
32.	Sadowski, e.	\$75.00
33.	Summerville, A.	\$75.00
34.	Swiatocha, J.	\$75.00
35.	Troyan, P.	\$75.00
36.	VonVoigt, R.	\$75.00
37.	Weinand, D.	\$75.00
38.	Witt, W.	\$75.00
39.	Woods, K.	\$75.00
40.	Yakaboski, D.	\$75.00
41.	Zaleski, J.	\$75.00

TOTAL \$ 3,075.00

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was there upon duly declared adopted.

#438 AUTHORIZES BUILDING INSPECTOR AND FIRE INSPECTOR TO ATTEND SEMINAR SPONSORED BY LIQUID PETROLEUM GAS AND N.Y.S. UNIFORM FIRE PREVENTION AND BUILDING CONSTRUCTION CODE.

Councilman Lombardi offered the following resolution which was seconded by Councilman Boschetti.

BE IT RESOLVED, that Raymond Wiwczar, Building Inspector and John Ziemacki, Fire Inspector, be and are hereby authorized to attend one day seminar, July 10, 1984, at Suffolk County Fire Training Center, Yaphank, New York, which is sponsored by the Department of State's Office of Fire Prevention and Control and the New York State L.P. Gas Association. Expenses incurred for registration shall be charged to the budget of the Building Department and the Fire Inspector. Expenses will be properly receipted upon return.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#439 APPOINTS WORKING FOREMAN - HIGHWAY DEPARTMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

WHEREAS, a vacancy exists in the Highway Department for a working foreman,

WHEREAS, Carl Haupt has submitted an application for working foreman, and his application having been approved by Civil Service,

NOW, THEREFORE, BE IT RESOLVED, that Carl Haupt is hereby appointed to the position of working foreman at Group 11, Step 8 of the Salary Administration Schedule at a salary of \$19,867.46, effective July 2, 1984.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#440 AUTHORIZES PROMOTION - HIGHWAY DEPARTMENT.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, due to the advancement of the Automotive Mechanic Foreman a vacancy exists in the Highway Department.

WHEREAS, George Grodski has submitted an application for Automotive Mechanic Foreman and his application having met the Civil Service requirements

NOW, THEREFORE, BE IT

RESOLVED, that George Grodski be and is hereby appointed to the position of Automotive Mechanic Foreman at Group 10, Step 3, of the Salary Administration Schedule at a salary of \$17,211.77, effective July 2, 1984.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#441 AMENDS SITE PLAN APPROVAL OF LONGWOOD REALTY.

Councilman Lombardi offered the following resolution to be TABLED which was seconded by Councilman Boschetti.

WHEREAS, by resolution #272 adopted April 23, 1984, this Town Board did approve a site plan as submitted by Longwood Realty for a building permit for an auto service center to be known as "Jiffy Lube" to be located at Route 58, Riverhead, and

WHEREAS, Clause "3" provides "that the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property", and

RESOLUTIONS Continued

WHEREAS, Longwood Realty has submitted the attached sign drawing dated May 4, 1984 for the review of the Riverhead Town Board.

NOW, THEREFORE, BE IT

RESOLVED, that the attached sign drawing dated May 4, 1984 to be erected at the auto service center to be known as "Jiffy Lube" to be located at Route 58, Riverhead, be and is hereby approved, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Longwood Realty and the Riverhead Building Department.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared TABLED.

#442 RELEASES PERFORMANCE BOND, RE: LONG ISLAND CABLEVISION.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

RESOLVED, that in accordance with the franchise granted to Long Island Cablevision by the Town of Riverhead, Long Island Cablevision has complied with the requirements of said agreement and therefore, this Town Board does hereby release the \$500,000 performance bond provided in accordance with Section 9A(1) of said franchise, said bond to be released effective March 30, 1984, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Long Island Cablevision.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#443 RESOLUTION APPROVING SITE PLAN OF RIVERHEAD SAVINGS BANK.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, a site plan most recently dated May 16, 1984, as prepared by Young and Young Land Surveyors, was submitted to this Town Board by Riverhead Savings Bank with regard to the parking area located at premises on Peconic Avenue, Riverhead, New York, and

WHEREAS, this site plan was reviewed by this Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Riverhead Savings Bank most recently dated May 16, 1984, as prepared by Young and Young for the parking area located at bank property on Peconic Avenue, Riverhead, New York, be and is hereby approved, subject to the following:

RESOLUTIONS Continued

1. Any and all limitations outlined in the Riverhead Town Code, as it may from time to time be amended.
2. That a covenant containing all the limitations and provisions of this site plan approval resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.
3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.
4. That the entire parking area and exterior areas of all buildings shall be maintained on a daily basis in a neat and orderly way free of litter and debris and if such maintenance is not adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.
5. Trash receptacles of a decorative design shall be maintained at the entrance of the building.
6. That the property shall be maintained on a weekly basis by the owner of the property. In the event that the property is not maintained on a weekly basis, the Town Board may, upon two days written notice, enter upon the property for the purpose of removing rubbish and debris and cleaning the property of noxious weeds, grasses, and other growth, mow the property, trim the trees, and do all things necessary to restore the property to a neat appearance and the expenses thereof shall be borne by the owner of the facility upon presentation of a bill by the Town. In the event that such amount is not paid within ten (10) days of the presentation of such bill, the amount of the bill shall be added to the tax bill covering the property.
7. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stantion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.
8. That the property be maintained at all times in conformity with the plans filed with the Building Department which formed the basis of this site plan approval, specifically, the site plan prepared for Riverhead Savings Bank most recently dated May 16, 1984.

RESOLUTIONS Continued

9. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade. Specifically, the applicant shall maintain the parking field free from all pot-holes and with identifiable striping.

10. Subject to the necessary curb cut approvals from the County of Suffolk.

and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to Riverhead Savings Bank and/or their agent, and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of July 1984, by Riverhead Savings Bank with offices at 7 West Main Street, Riverhead, New York, Declarant,

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Peconic Avenue, Suffolk County, New York, more particularly bounded and described as set forth in Schedule A annexed hereto, and

WHEREAS, for an in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be for the best interests of the Town of Riverhead and the owners and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

WHEREAS, Declarant has considered the foregoing and determined that same will be for the best interest of the Declarant and subsequent owners of said parcel,

NOW, THEREFORE, THIS DECLARATION WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. Any and all limitations outlined in the Riverhead Town Code, as it may from time to time be amended.

2. That the form, design, location and color of all signage be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

RESOLUTIONS Continued

3. That the entire parking area and exterior areas of all buildings shall be maintained on a daily basis in a neat and orderly way free of litter and debris and if such maintenance is not adhered to the Town Board may revoke the Certificate of Occupancy which may result from this site plan approval.

4. Trash receptacles of a decorative design shall be maintained at the entrance of the building.

5. That the property shall be maintained on a weekly basis by the owner of the property. In the event that the property is not maintained on a weekly basis, the Town may, upon two days written notice, enter upon the property for the purpose of removing rubbish and debris and cleaning the property of noxious weeds, grasses, and other growth, mow the property, trim the trees, and do all things necessary to restore the property to a neat appearance and the expenses thereof shall be borne by the owner of the facility upon presentation of a bill by the Town. In the event that such amount is not paid within ten (10) days of the presentation of such bill, the amount of the bill shall be added to the tax bill covering the property.

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto.

7. That the property be maintained at all times in conformity with the plans filed with the Building Department which formed the basis of this site plan approval, specifically, the site plan prepared for Riverhead Savings Bank most recently dated May 16, 1984.

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade. Specifically, the applicant shall maintain the parking field free from all pot-holes and with identifiable striping.

9. Subject to the necessary curb cut approvals from the County of Suffolk.

IN WITNESS WHEREOF, the Declarant has hereunto set his hand and seal the day and year above written.

RIVERHEAD SAVINGS BANK

BY: _____

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

RESOLUTIONS Continued

On this _____ day of July, 1984, before me personally came _____, the individual authorized to execute the above declaration and covenant on behalf of Riverhead Savings Bank; that he was so authorized by the Board of Directors of said bank; and he did swear to me that he executed same.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#444 APPROVES STANDARDIZATION OF WATER METERS FOR WATER DISTRICT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Artale.

WHEREAS, this Town Board recognizes that it is in the best interest of the Riverhead Water District and the citizens that it serves to standardize the water meters used by the Water District to enable the District to keep on hand a reasonable number of replacement parts and to train its personnel in making repairs and installation, and

WHEREAS, all of the water meters now in use by the Riverhead Water District are products of "ROCKWELL INTERNATIONAL",

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead as governing body of the Riverhead Water District pursuant to Section 103(5) of the General Municipal Law standardize "ROCKWELL INTERNATIONAL" as the water meter for the Riverhead Water District.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

(ALSO IN WATER DISTRICT MINUTES)

#445 AWARDS BID FOR DIESEL FUEL FOR SANITATION AND HIGHWAY DEPARTMENTS.

Councilman Boschetti offered the following resolution which was seconded by Councilman Artale.

WHEREAS, on June 19, 1984 the Town Clerk did receive and read aloud bids for diesel fuel for use by the Sanitation and Highway Departments, and

WHEREAS, two bids were received.

RESOLUTIONS Continued

NOW, THEREFORE, BE IT

RESOLVED, that the bid for diesel fuel for use by the Sanitation and Highway Departments be and hereby is awarded to Agway Petroleum Corp., the lowest responsible bidder at Northville Tank Car Reseller Price plus \$.075 per gallon, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Agway Petroleum Corp., the Riverhead Highway Department, and Riverhead Sanitation Department.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#446 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS RE: DRAINAGE IMPROVEMENTS TO PECONIC BAY BOULEVARD.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, it is the intention of this Town Board to make drainage improvements to Peconic Bay Boulevard.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a notice to bidders in the July 12, 1984 issue of the The News Review and to receive said bids on August 2, 1984 at 11:00 a.m.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#447 APPOINTMENT TO SECRETARY TO BOARD OF ASSESSMENT REVIEW.

Councilman Lombardi offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, by resolution #313, this Town Board did appoint Rita Alaimo to the position of Clerk to the Board of Assessment Review, and

WHEREAS, Rita Alaimo has since given notice that she is unable to accept the position of Secretary to the Board of Assessment Review.

NOW, THEREFORE, BE IT

RESOLVED, that Colleen A. Tucker be and is hereby appointed to the position of Secretary to the Board of Assessment Review at the rate of \$5.50 per hour.

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

PERSONAL APPEARANCES

Councilman Lombardi, "Does anyone else have anything else to say or bring up? Steve."

Steve Haizlip, "Mr. Lombardi, acting Supervisor and other board members."

Councilman Lombardi, "Thank you."

Steve Haizlip, "I want to bring something up that I read in the Suffolk Life which I do not think is true and since this Town Board gives the opportunity for it's residents to express their views and feelings on any matter. Now, Legislator John Russo from Mastic Beach, added to the abolishment of the legislators that you just don't keep on trying to get rid of them. And he says that the people already has voted to replace the Board of Supervisors with the Legislature. This is not true. Mr. Banacki and Mr. Block make the court to force the change from the weighted Board of Supervisors or Board of Supervisors to another form. And the court said yes. What the Supervisor was doing does not represent the people fair and square. So come up with another system. So the court says do that. Now, what they did, they came up with these legislative districts. Now, the people naturally had to vote for the people that is in there now. But this is the system they came up with because they couldn't very well appoint people year after year. So they came up to give the people a choice after this was mandated by the court. And I believe this is correct. If anybody knows otherwise, please say so."

Councilman Lombardi, "Thank you Steve. Anyone else? I guess we get to go home early tonight. I make a motion to adjourn."

Councilman Boschetti, "So moved."

The vote, Boschetti, yes, Artale, yes, Prusinowski, absent, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Councilman Lombardi, "Thank you for coming."

There being no further business on motion or vote, the meeting adjourned at 8:29 p.m.



Irene J. Pendzick
Town Clerk