

9/5/72

269.

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead,
held on Tuesday, September 5, 1972 at 10:30 A. 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 10:30 A. M.

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

RESOLVED, That the Minutes of the Town Board Meeting held on August 15th,
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.

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

RESOLVED, That the Minutes of a Special Town Board Meeting held on
August 30th, 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 September 5th, 1972:

General Town	\$ 14,708.48
Highway Item #1	\$ 656.12
Highway Item #3	\$ 2,749.45
Highway Item #4	\$ 1,390.07
Special Districts	\$ 221.07

RESOLUTION

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

RESOLVED, That the following bills be approved for payment:

Special Districts	\$ 221. 07
General Town	\$14, 708. 48
Highway Item #1	\$ 656. 12
Highway Item #3	\$ 2, 749. 45
Highway Item #4	\$ 1, 390. 07

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

REPORTS

Fire Inspector's, month of August, 1972. Filed.
Police Department, month of August, 1972. Filed.
Building Department, month of August, 1972. Filed.

OPEN BIDS-Purchase of Police Surplus Cars

No bids received.

Police Chief Grodski asked permission to obtain private bids for the purchase of the Police Department Surplus Cars.

PETITIONS

48 citizens & taxpayers of Riverhead opposing the building of apartments on Elton Street, Riverhead. Filed.

116 Wading River Residents petition Town Board to request the State Department of Transportation to make a survey of Creek Road, Wading River for the purpose of establishing a 30 mile per hour speed limit. Filed.

WETLANDS ORDINANCE

The proposed Wetlands Ordinance submitted to the Board on August 15th, 1972 by Harold Evans, Chairman of the Town of Riverhead Conservation Advisory Council, was referred to the Town of Riverhead Planning Board for its recommendations and report.

PERSONAL APPEARANCES

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

John P. Riesdorff talked to the Board about the poor facilities for pedestrians on the south side of the road from Mrs. De Friests - east of the railroad track on East Main Street, Riverhead. He said there is a hole about one foot deep and asked the Board to look into the matter.

Town Clerk was directed to advise the New York State Department of Transportation of the conditions of the road in this area, and request repairs.

HIGHWAY MATTERS

Alex E. Horton, Supt. of Highways informed the Board that a flood condition is being created by several new building constructions on Harrison Avenue.

Building Inspector Edward R. Munson stated that in the plans of both operations there are requirements for drainage and catch basins to retain the water on their own property and he has had cooperation from the people from beginning to end.

Mr. Horton said that two catch basins have been put in- the dirt comes down into them and now they are putting in curbs and there is no sign of catch basins.

Mr. Munson assured Mr. Horton that the catch basins would be put in.

CSEA CONTRACT

Mr. Horton talked about the CSEA Contract saying all ten towns always consult the Supt. of Highways before a contract is signed but he knows nothing - also last week he was asked for three representatives to attend a meeting and the contract calls for "a representative" - also that 10 A. M. is not a convenient time to excuse any employees to attend meetings.

Judge Leonard reminded Mr. Horton that his department is the only one that was not represented.

Supervisor Leonard reminded Mr. Horton that the contract states that a representative from all departments should be present at meetings and he should have his representative here whether it be during working hours or not.

Mr. Horton said he is handicapped and 10 o'clock is a poor time to ask for release of two or three representatives. He suggested 3 o'clock as a better hour.

DRAINAGE

Mrs. Virginia Janzen of Wading River spoke to the Board about the sump near her home. She said this sump caused her to rebuild a driveway at the cost of \$700 - and that the flood waters which should have drained into the sump knocked down her son and she said she was fearful that there would be a reoccurrence.

Mrs. Janzen told the Board that Mr. Horton had promised to come and make corrections this past week but he did not show up or call up.

Mrs. Janzen said "I have had it", and asked the Board to take steps to have this deplorable condition corrected immediately.

Mr. Horton said his equipment broke down and promised the work would be done sometime in the Fall.

Supervisor Leonard told Mrs. Janzen that he hopes the Highway Department will get around to correct this situation at the earliest possible time.

POLICE DEPARTMENT

Police Chief Grodski talked to the Board about the draft of summons he had prepared for serving violators of abandoned vehicles on private property and which he had submitted to the Town Attorney for report.

Town Attorney advised Chief Grodski he found the draft in order and advised him to proceed with the printing of same.

Police Chief Grodski asked about the showing of proof of service.

Town Attorney advised that the officer serving such notice should fill out an affidavit and swear to before a notary public and this be affixed to original notice and filed with Town Clerk or Supervisor. This will show proof that the summons has been served and the Town Clerk can get it on the agenda and the Board would be posted of the outstanding summonses and the depositions.

BUILDING DEPARTMENT

Edward R. Munson, Building Inspector, advised the Board that the Circus held at the Shopping Center on Labor Day did not have a permit - that it was held in a Use District whereby he could not issue a permit for - that he had received numerous complaints early in the morning about the stink and the noise - he told them they had no permit as he had no right to issue one.

Mr. Munson further said that there must be something wrong with the zoning ordinance to allow such a thing to come in a place surrounded by residents. There is plenty of room in the Town and the shopping center on Route 58 is not the place to hold a circus.

Mr. Munson said he saw eight bins of garbage left there last night.

Yard Sales

Mr. Munson said he received a request this morning for a yard sale to be held on Billy Blake's property. He said all yard sales should be stopped and the Town Board should put a stop to them. He termed them commercial operations that should not be permitted in residential areas - all this happens over the weekend - the people pull out card tables and sell fruits, vegetables, rugs, baked goods, etc., etc.

Mr. Munson further said that mobile home parks are robbed by people going around and recoating driveways and suggested the Peddlers Ordinance be revised to include these hawkers.

Excavation Ordinance

Mr. Munson said the Excavation Ordinance is outdated - it cannot be enforced - he is tired of writing summonses - it has taken him two years to have one permit approved because of the required insurance - the invitations to court are not paid attention to - they are extended by the court and the end result is that he is the scapegoat.

Supervisor Leonard agreed with Mr. Munson that some of the ordinances need revision and asked that Mr. Munson bring his problems directly to the Board and perhaps a special meeting be held to iron out these problems.

Mr. Munson said that he has brought these things to the attention of the Board and no action was taken, except as a laughing matter as with the circus.

COMMUNICATIONS

Wildwood Hills Property Owners Ass'n, Inc., dated 8/22/72, requesting the Association be notified when the Board nears a decision concerning the proposed agreement between the Town and Mrs. Jay Hulse, as the Wildwood Hills community is concerned with conditions on this beach with respect to cleanliness, order, maintenance and environmentally sound preservation of the beach and bluffs. Filed.

Copies to Town Board.

Town Clerk to arrange meeting with the Town Board on Friday, Sept. 8th, 1972. To call Mrs. Jay Hulse and representatives of Wildwood Hills Community.

Wading River Civic Association, dated 8/16/72, expressing appreciation to Town Board for its cooperation in making the "Tercentenary Plus One" square dance a success, with special thanks to Alex Horton, John Leonard, Thomas Costello and Stanley Grodski for their individual contributions. The committee hopes this activity will become an annual social event and would appreciate any comments which would help improve this activity. Filed.

Town of Riverhead Planning Board, dated 8/23/72, submitting resolution of determination on its review and consideration of zoning ordinance wherein uses of multiple family dwellings, garden apartments and apartment houses are allowed by special permit of the Town Board in the Residence C Zoning Use District and in the Business A (Resort Business) Use District. Filed.

Copies to Town Board, Town Attorney, Bldg. Department and Zoning Board.

Town of Riverhead Planning Board dated August 23, 1972, submitting a change in original resolution relating to Petition for Zone Change application of Suffolk Land Holding Corp. to read from "Whereas, this lot is bounded on 2 sides by a shopping center and a greater portion of it is existing Business B District", to "Whereas, this lot is bounded on two sides by a shopping center and a large portion of it lies in Business B District, and it is evident that consideration was not given to property lines when the district line was established." Filed.

Copies to Town Board and Town Attorney.

Stephen I. Lampach, Esq., and Civil Engineer, dated 8/24/72, advising he has been retained by the Wildwood Acres Association, Inc., to prosecute their claim that the Town open and maintain Hulse Avenue, Park Street, Hill Street and 230 feet of Wildwood Road to the southwest of North Wading River Road. This demand is made pursuant to Section 189 of the Highway Law. Filed.

Copies to Town Board, Town Attorney and Supt. of Highways.
Referred to Town Attorney.

Ralph Giallorenzo, Chairman, North Shore Bicycle Path Committee, dated 8/24/72, stating this committee is attempting to persuade Suffolk County to construct bicycle paths on the LILCO right-of-way from Port Jefferson to Wading River and on the Brookhaven Town Green Belt that runs north and southeast of the Wm. Floyd Parkway. They have a signed petition of 3000 names which includes many from Riverhead. This Path extends as far east as the village of Riverhead. Brookhaven Town passed a resolution supporting the construction of these two bicycle paths and the committee hopes that the Town of Riverhead will consider following suit. Filed.

Town Board to take under advisement.

COMMUNICATIONS continued:

George Wiehe, dated 8/26/72, stating he has received a warning from neighbors on southside of Sunset Blvd. , - they will take court action unless drainage matter is corrected and urging Town Board to do everything possible to rush this correction. Filed.

Copies to Town Board and Supt. of Highways.

Town Clerk to arrange meeting with Mr. Wiehe and Town Board on Sept. 8th, 1972.

Town of Brookhaven, dated 8/28/72 re Public Hearing on amendment to Code relating to Penalties. Filed.

Copies to Town Attorney, Building Dept. , and Zoning Board.

Mr. and Mrs. Louis Bates, dated 8/19/72, outlining grievances regarding the Wading River Creek Boat ramp - enclosing petition of concerned residents asking the former boat ramp be opened. Filed.

Copies to Town Board and Recreation Supervisor.

Mr. Horton reported that the Recreation Supervisor has asked him to dump a couple loads offill there.

Judge Costello objected to the Recreation Supervisor giving this order, saying it is the authority of the Town Board.

Town Clerk was directed to arrange meeting with Mr. & Mrs. Bates and representatives of the boating group to meet with the Town Board on September 8th, 1972.

George H. Autenreith, Chairman, Board of Assessors, dated 9/1/72, stating the Suffolk County Real Property Tax Service Agency has advised that the tax map for the Town of Riverhead will be delivered in November, 1972. They will be reviewed and checked again and sent to the State for final approval. State approval is expected by February or March of 1973. Recommending the installation of a computer system as the transition and updating of all assessments, training of personnel and several thousand changes will take months - and suggesting immediate action be taken by the Board. Filed.

John V. N. Klein, Suffolk County Executive, dated 8/25/72, submitting proposed draft to extend temporary tax relief to the farming industry - this was brought about by meeting with the Agricultural Advisory Committee which creation of such Committee was founded on the conclusion that the preservation of agriculture in Suffolk County is an extremely desirable goal - with respect to potential means of deferring tax burdens on farm property, so as to relieve the immediate pressure for the farming industry to sell real property for commercial and residential development. Asking that the Board be favorably disposed toward pursuing this matter with the Town Attorney and Assessors so that direct discussions leading to negotiations between the farming industry and the Board can take place. Filed.

Copies to Town Board, Town Attorney and Board of Assessors. Also Planning Board and Zoning Board of Appeals.

COMMUNICATIONS continued:

Dr. Caryl Granttham informed the Board that she talked to Mr. Reuter on this (tax relief to farming industry) and he agreed that this is a vital matter .

Dr. Granttham said that the question of agriculture in this Town is important and should be looked into and it demands the Board's thoughtful consideration.

Judge Costello: "Nobody realizes it as much as I do. We should get together with the Committee. We don't even know what their recommendations are. "

Dr. Granttham: "That's no excuse not to do it. "

Judge Costello: "We are not making any excuses. Would you do something you knew nothing about?"

Dr. Granttham: "It's time you began to look into it. "

Judge Costello: "We got the letter only two days ago. You seem to have some problem about the five people sitting up here. "

Dr. Granttham: "We elected you people ----".

Judge Costello: "I'm sorry - I fulfill my job to the tee - I've been one of your leaders in getting things done and if you don't like it Mrs. Granttham - you know what to do the next time - just kick me in the pants out of office. "

Town Clerk was directed to send copy of Mr. Klein's communication to McClosky and Reuter, Planning Consultants.

Leo A. Reilly, dated 8/25/72, requesting that some action be taken regarding the unsightly condition of streets in Riverhead, listing the following:

Intersection of Middle Road and Roanoke Avenue - littered with newspapers.

Middle Road going west also littered and this litter could be seen on private property on both sides.

Osborn Avenue - uncovered trucks dump much of their loads on it every day.

Town Parking lot in middle of Griffing Avenue - the grass strip on the north side is filled with garbage and the sign reading "Municipal Parking Lot" blew down in Feb. 1972 and has not been replaced.

Oliver Street - the garbage from the shopping area is picked up by the wind and stops there.

Northville Tpke, west of Oliver Street - there is a broken down truck that has been parked on the side of the road for the past 48 hours. It has a U. S. Government license plate and will be stripped shortly. Filed.

Copy to Supt. of Highways and Police Chief Grodski.

Supervisor Leonard asked Police Chief Grodski to make report on the broken down truck.

Police Chief Grodski said the vehicle has been impounded and it is strange that the U. S. Government had not made inquiries regarding this vehicle. Also that the debris blown from the shopping plaza - the person responsible for policing the parking field - has been instructed last week to have this cleaned up.

DISCUSSION ON LITTERING

Mrs. Richard Carey said that most of the trucks going up to the dump have uncovered garbage. Also that last week there was an accident on Middle Road and the glass is still there.

Mr. Munson said between Mill Road and the Bridge on West Main Street - an area which he travels everyday - it is littered with beer cans, boxes, papers, bags from Colonel Chicken and MacDonaldis-Kroemer Avenue the same way - there is high grass on the corners between the sidewalk and the curbs.

Supervisor Leonard said it is a problem, but how do we stop it - we have an ordinance that states all trucks carrying garbage should have it covered.

Councilman Grodski: "Let's instruct the Police Department to issue summonses-in the meantime ask Mr. Horton to police the area."

Mr. Horton said he tries to keep it picked up but it is impossible to keep up with.

Councilman Grodski said we have to issue more summonses.

Mr. Munson said they used to put the garbage in plastic bags and throw them along the road.

Dr. Granttham also spoke on the question of litter saying that the people look to this Board for leadership and in this case again the Board should take some leadership and call on citizens and all organizations to help.

Dr. Granttham also said she has been named to the Beautification Committee, which committee has never held a meeting.

Mrs. John Cushman spoke on the litter in back of the A & P, Howell Avenue, East Main Street and said it was all over Riverhead - wherever you go - that it looks like the Town Dump a good part of the time. She said that Warners Auto Body Shop on Hubbard Avenue has acres and acres of junked cars and some of them cover wetlands.

Mrs. Cushman further said that she gets upset about Riverhead because she thinks we are going down hill and asked if there was some way we could put teeth into our ordinances as presently we seem to be a community without pride and as a community she does not see anyone joining together and standing up toward the beautification of the Town.

Mrs. Cushman further said that the denial for construction of apartment houses on Elton Street is a small victory in a big war.

Mrs. Cushman spoke about the apartment house Mr. Saxstein owns - it has no front doors and asked Mr. Munson if it passes building inspection.

Mr. Munson answered Mrs. Cushman saying: "We have them up on five charges - which are in court - ask the Judges."

Mrs. Cushman asked if anybody in Town has been issued a summons for littering.

DISCUSSION ON LITTERING continued:

Supervisor Leonard said he feels that our people are doing this - not outsiders - and it is very difficult to control as there is too much favoritism.

He said that the day the letter was received he took a ride to all the streets mentioned and he saw no litter - one day it is littered and the next day it is blown away. He said there was so much garbage brought in over the weekend at the Town Dump that one couldn't get in there. Now, it's up to the Town Board to start thinking and seriously so of enforcing the rules and regulations of this Town.

Supervisor Leonard further said he feels the Judges should back the Building Inspector and the Police and let's get things started. We should show no favoritism - no matter who it is - if they are caught throwing litter on the streets they should get punished - that's the trouble in this Town - too much favoritism.

Councilman Young said he met with the Merchants Division of the Chamber of Commerce and they want to meet with the Town Board, the Supt. of Highways, Police Chief and representatives of the whole Chamber to discuss specific measures that can be taken to clean up Riverhead.

Mrs. Cushman said that people in surrounding Towns know they cannot get away with littering and suggested Riverhead declare war on litter by putting up anti-litter signs to remind the people and that violators be prosecuted.

Mrs. Cushman again referred to the East Main Street apartment house and asked what is going to become of this eyesore and why don't they close it down.

Mr. Munson said the Health Department is doing a lousy job too - they are in violation as far as Fire Protection - in violation as far as interior conditions and its all on papers in the Justice Court.

Judge Leonard asked Mrs. Cushman what would she do with 45 families there.

Mrs. Cushman: "You will have to relocate them."

Judge Leonard: "Where would you relocate them? The man is trying to comply. He has just invested moneys into a sprinkling system."

Mr. Munson: "That sprinkling system is inadequate at the present time and is in violation."

Mrs. Cushman: "This man is taking a lot of money from these people and is not accepting the responsibility - other apartments have vacancies."

Judge Leonard: "All people can't afford these rents."

Supervisor Leonard: "We could all get involved - we should call the cops - but that's the trouble here - people are afraid to get involved."

Councilman Young: "I saw a man dumping garbage and gave the license number to the Police. I had to follow through and sign the information. The man was arrested and paid a fine."

DISCUSSION ON LITTERING continued:

Police Chief Grodski stated that his monthly report indicates the number of summonses issued for littering, etc., and said that you have to observe the violator doing the actual littering. He said that Brookhaven Township has an ordinance that carries a \$500 fine for a violation on Town and County Roads.

Mrs. Cushman asked if the local merchants were responsible for keeping their properties clean and if so why is the A & P not being looked into.

Mr. Munson: "You can go down there any night after they have closed and you will find garbage all over the back of the store."

Judge Leonard: "These people try but they have scavengers that open up the bins and go all through them."

Mrs. Ruth Scott asked why the A & P doesn't have locks on their garbage.

Mrs. Cushman asked for a copy of all town ordinances and was told they are available at the Town Clerk's Office.

Mrs. Cushman asked if there was any way the places with all these violations could be shut down. She recommended that the people living there be relocated by the County and the place be closed down.

Judge Leonard asked Mrs. Cushman what violations she was referring to.

Mrs. Cushman: "Mr. Munson said there were five - fire sprinkler, health, doors, holes in walls, alarm system and wrecked vehicles - this place is in constant violation and this goes on and on - if we would shut down these places in violation, they would get proper tools to get their places back in shape."

Judge Leonard: "The law says that everyone should be given reasonable time to correct violations."

Mrs. Cushman suggested the Town Attorney make a determination on what is "a reasonable time", as she does not like to see this Town deteriorating the way it is.

Judge Leonard: "I don't see where this Town is doing that much deteriorating."

Judge Costello: "One violation is before me - the alarm system and Mr. Saxstein has appeared before me several times - he has to get a part and his plumber has brought it in."

Dr. Granttham: "The potential is there for a fire if the ordinances are not enforced."

DISCUSSION ON LITTERING continued:

Judge Costello: "Dr. Granttham, what you don't know is that Mr. Saxstein has spent thousands and thousands of dollars in there. He put in a 6" main as a result of the fire inspector's issuance of violations. He put in sprinkler heads, etc. It isn't that he is flagrantly violating every ordinance that was ever written."

Mr. Munson: "In the first place in 1952 the Multiple Dwelling Law went into effect and it was supposed to have been registered in 1954 and brought up to the Multiple Dwelling Law of the State of New York. That sprinkler system was due in at that time. And there are many many multiple dwellings that have never been registered in this Town since 1952. I came to the Town Board many times and asked to have them take action and have them registered."

Judge Costello: "Would you give us a list of them, Mr. Munson?"

Mr. Munson: "I don't have a list. I would have to find out by snooping and I don't seem to have much luck in getting things corrected."

Judge Costello: "If you have a beef of any kind, come in and see the five members."

Mr. Munson: "I have on numerous occasions."

Councilman Young volunteered to arrange a meeting with the Merchants Division and also representatives of the Chamber of Commerce to meet with the Board on the matter of cleaning up the Town of Riverhead.

NEW BUSINESS

Building Inspector Edward R. Munson, reported to the Board that on August 29th, 1972, that he, the Town Attorney and Deputy Building Inspector attended the N. Y. State Building Codes Bureau Board of Review Hearing in New York City in the matter of Riverhead Building Dept. vs. Northville Holding Corp., DBA Roanoke Garden Apartments and asked the Town Attorney to report the results.

Town Attorney Frank J. Yakaboski reported as follows:

"That the matter on the application of the Garden Apartment Complex - first; The Building Code required they have one entrance and exit from their basement and second; That they be permitted to be relieved of the provision that they have two apartments in that complex suitable for handicapped persons such as elevator ramps, special facilities for the shower, etc.

I think frankly they will be granted their application - it will permit having one exit as the State Building Code is changing in ten days.

It will be several months before a decision is reached. The report of the Engineer of the State who examined the Town's files did report to the State Board that there were a few violations so that from our standpoint we were correct in refusing to issue the Certificate of Occupancy." (End).

RESOLUTIONS

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

RESOLVED, That Highway bill submitted on abstract dated September 5, 1972, as follows:

Miscellaneous Item 4 - Capitol Highway Materials, Inc. , bill dated August 11th, 1972 in the amount of \$645. 00; be and is 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.

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

BE IT RESOLVED, That Sophie V. Waski, Deputy Social Services Officer, be and is hereby authorized to attend the Town Social Services Officers Meeting to be held at Land's End Restaurant, Sayville, New York on September 15th, 1972, and that expenses incurred thereto be paid.

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 expense bill of the Town Attorney, Building Inspector and Deputy Building Inspector in the amount of \$10. 93, incurred on August 29th, 1972, in attending the N. Y. State Building Codes Bureau Board of Review Hearing, New York City, in the matter of Riverhead Building Dept. vs. Northville Holding Corp. DBA Roanoke Garden Apartments, be and is 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.

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

RESOLVED, That Betty Harris, Walter Robertson, Perry Wiesen, Nathan K. Johnson and Onell Driskell be and are hereby appointed School Crossing Guards, effective September 5, 1972, to be compensated at the rate of \$2. 50 per hour, payable bi-weekly and to serve at the pleasure of the Town Board.

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 Supervisor be and is hereby authorized to redeem the following Time Certificates of Deposit:

Sept. 6, 1972	General Town Funds	Franklin National Bank	\$100,000.
Sept. 5, 1972	Welfare Funds	Security National Bank	\$ 15,000.
Sept. 7, 1972	Welfare Funds	Security National Bank	\$ 10,000.
Sept. 5, 1972	Special District Funds	Security National Bank	\$ 30,000.
Sept. 5, 1972	Highway Item No. 1	Franklin National Bank	\$ 50,000.
Sept. 5, 1972	Highway Item No. 3	Franklin National Bank	\$ 30,000.
Sept. 5, 1972	Highway Item No. 4	Franklin National Bank	\$ 20,000.

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

Councilman Grodski offered the following resolution which was seconded by Councilman Young.
 BE IT RESOLVED, That the services of Walter Lindsay, Beach Attendant be terminated as of August 21, 1972.

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

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

RESOLVED, That the Supervisor be and is hereby authorized to transfer the sum of \$4.52 from 1990.4 Contingent Account to 9710.7-Debt Service/Interest Park Acquisition for the purpose of paying bank costs.

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.

RESOLVED, That the Town Clerk be and is hereby authorized to publish the following Notice of Public Hearing in the September 7th, 1972, issue of the News-Review, in the matter of rescheduling the adjourned Public Hearing on application of Rose Longi, for a Special Permit to erect Garden Apartment Units at Manor Lane, Jamesport, New York.

RESOLUTION continued:PUBLIC NOTICE RESCHEDULES
ADJOURNED PUBLIC HEARING

PLEASE TAKE NOTICE that the following Public Hearing on application for a special permit scheduled for August 15th, 1972 at 8:00 P. M. , has been adjourned to be held on September 19th, 1972 at 8 P. M. , Town Hall, Riverhead, New York:

WHEREAS, Rose Longi, President of MANOR LANE GARDENS, INC. , of 4 Sejon Drive, Sayville, New York, has filed with the building department of the Town of Riverhead, application #5842, dated May 25, 1972, for a special permit to erect garden apartments consisting of five (5) buildings containing seventy-four (74) apartment units at Manor Lane, Jamesport, New York, and

WHEREAS, Article 2, section 204A, subdivision 2, paragraph c of Zoning Ordinance #26 of the Town of Riverhead, requires that the application for a building permit shall be subject to a special permit of the Town Board,

NOW, THEREFORE, BE IT RESOLVED, That pursuant to Article 1, section 102, paragraph 45 of the Zoning Ordinance #26 of the Town of Riverhead, a Public Hearing on the application for such special permit be held on the date as aforesaid.

ALL PERSONS DESIRING TO BE HEARD ON THE ABOVE MATTER SHOULD APPEAR AT THE TOWN HALL, RIVERHEAD, NEW YORK, ON SEPTEMBER 19TH, 1972 at 8:00 P. M.

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.

-----X
In the Matter of the
Amendment of Town Ordinance No. 26 of the
Town of Riverhead, known as "Zoning Ordin- :
ance of the Town of Riverhead, Suffolk County,
New York," effective June, 1959, as Amended.

PUBLIC NOTICE CALLING
PUBLIC HEARING

-----X
Pursuant to Section 265 of the Town Law and Article V, Section 501 of the "Zoning Ordinance of the Town of Riverhead, Suffolk County, New York", being Town Ordinance No. 26 of the Town of Riverhead, a public hearing will be held by the Riverhead Town Board at the Town Hall, 220 Roanoke Avenue and Second Street, Riverhead, New York, on September 19th, 1972, at 7:50 P. M. prevailing time, on a proposal to amend the "Zoning Map of the Town of Riverhead, Suffolk County, New York".

By changing from Residential "C" Zoning Use District to Business "B" Zoning Use District, bounded and described as follows:

RESOLUTION continued:

ALL that certain plot, piece or parcel of land situate, lying and being at the Town of Riverhead, County of Suffolk and State of New York, being known and designated as parts of lots 23 and 24 on Map of Oliver's Development, filed in the Office of the Clerk of the County of Suffolk on September 3, 1930, as Map #674, being more particularly bounded and described as follows:

BEGINNING at a point South 19 degrees 45' East a distance of 270.40 feet from the intersection of the southerly side of Old Country Road (Country Road 58) and the westerly side of Oliver Street; running thence from said point of beginning South 19 degrees 45' East to a point 78.73 feet; thence South 70 degrees 15' West 165.00 feet to the land now or formerly of Leroy P. Raynor; thence North 19 degrees 45' West 146.75 feet; thence South 87 degrees 21' East 178.47 feet to the point or place of beginning.

All persons desiring to be heard on the above matter should appear at the time and place 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.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD, NEW YORK, ADOPTED SEPTEMBER 5, 1972, AUTHORIZING THE REDEMPTION IN PART, OF \$36,500 BOND ANTICIPATION NOTE 1971, FOR THE CONSTRUCTION OF ROADS IN THE NORTHVILLE HOMES ROAD IMPROVEMENT DISTRICT, TO THE EXTENT OF \$2,500, AND APPROPRIATING SAID AMOUNT THEREFOR.

(Recital)

WHEREAS, The Town of Riverhead, in the County of Suffolk, New York, has heretofore duly authorized, sold and issued its \$36,500 BOND ANTICIPATION NOTE for construction of roads in the Northville Homes Road Improvement District, pursuant to the resolution duly adopted by the Town Board on August 17, 1971, and it is now necessary to redeem said Note to the extent of \$2,500, now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD, IN THE COUNTY OF SUFFOLK, NEW YORK, AS FOLLOWS:

Section 1. The \$36,500 BOND ANTICIPATION NOTE 1971 for the construction of roads in the Northville Homes Road Improvement District is hereby authorized to be redeemed on September 8, 1972, to the extent of \$2,500 from funds of said Town, now available to said purpose, and the said amount of \$2,500 is hereby appropriated therefor.

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RESOLUTION continued:

Section 2. This resolution shall take effect immediately.

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 and moved its adoption:

BOND ANTICIPATION NOTE RESOLUTION SEPTEMBER 5, 1972.
A RESOLUTION AUTHORIZING THE RENEWAL IN PART OF A \$36,500 BOND ANTICIPATION NOTE OF THE TOWN OF RIVERHEAD, NEW YORK, FOR THE CONSTRUCTION OF ROADS IN THE NORTHVILLE HOMES ROAD IMPROVEMENT DISTRICT BY THE ISSUANCE OF A NEW NOTE IN THE PRINCIPAL AMOUNT OF \$34,000.

(Recital)

WHEREAS, The Town of Riverhead, in the County of Suffolk, New York, has heretofore duly authorized, sold and issued its \$36,500 Bond Anticipation Note in connection with the construction of roads in the Northville Homes Improvement District, and it is now necessary and desirable to provide for the renewal in part, of said Note by the issuance of a new Note in the principal amount of \$34,000; now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD, IN THE COUNTY OF SUFFOLK, NEW YORK, AS FOLLOWS:

Section 1. The \$36,500 Bond Anticipation Note-1971 for construction of Roads in the Northville Homes Road Improvement District of the Town of Riverhead, in the County of Suffolk, New York, dated September 8, 1971, maturing September 8, 1972, numbered 1-R5, heretofore duly authorized, sold and issued pursuant to the Resolution duly adopted by the Town Board on August 17, 1971, is hereby authorized to be renewed, in part, by the issuance of a new Note in the principal amount of \$34,000, said Note dated September 8, 1971, having been heretofore authorized to be redeemed to the extent of \$2,500, all as hereinabove referred to in the Recital hereof, pursuant to the provisions of the Local Finance Law of the State of New York. The maturity of said renewal Note herein authorized shall not be later than one year from its date.

Section 2. The terms, form and details of said renewal note shall be as follows:

Amount and Title:	\$34,000. - For the construction of roads in the Northville Homes Improvement District.
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RESOLUTION continued:

Dated: September 8, 1972.

Matures: September 8, 1973.

Number: 1-R6

Denomination: \$34,000.

Interest Rate: _____% per annum, payable at maturity.

Place of Payment of
Principal and Interest: Supervisor's, Office, Riverhead, N. Y.

Form of Note: Substantially in accordance with the
form as prescribed by Law.

Section 3. Said Note is hereby sold to Riverhead, New York, at the price of par, to bear interest at the rate of _____% per annum, payable at maturity, and the Supervisor is hereby authorized to deliver said Note to said purchaser upon receipt of the principal amount, plus accrued interest, if any, from the date of said Note to the date of delivery.

Section 4. Said Note shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and shall be a general obligation of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town, without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest of said Note and provision shall be made in the budget of the Town by appropriation for the redemption of the Note to mature in such year and for the payment of interest to be due in such year.

Section 5. Said Note shall be executed in the name of the Town by its Supervisor and the corporate seal of said Town shall be affixed thereto and attested by its Town Clerk.

Section 6. This resolution shall take effect immediately.

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

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

NOES: None.

The resolution was thereupon declared duly adopted.

RESOLUTIONS

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 Two (2) New 1973 Dump Trucks for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications be prepared by the Superintendent of Highways, and bids to be returnable up to 7:45 P. M. on Tuesday, September 19, 1972, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Tuesday, September 19, 1972 at 7:45 P. M., at the Town Board Room, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Dump Trucks".

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

The resolution was thereupon declared duly adopted.

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

BE IT RESOLVED, That the Riverhead Police Department is hereby authorized to repair and replace the front of Police Headquarters at Main Street, Riverhead, New York, at a cost not to exceed \$1,500.00.

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.

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

BE IT RESOLVED, That the Riverhead Police Department be authorized to repair the air conditioning unit at Police Headquarters, Main Street, Riverhead, New York, at a cost not to exceed \$2,250.00.

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.

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

BE IT RESOLVED that the pamphlets commemorating the 175th Anniversary of the Town of Riverhead be declared to be surplus and that such surplus property be sold to the Riverhead Historical Society at Fifty (\$.50) Cents each.

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

The resolution was thereupon declared duly adopted.

RESOLUTION

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

-----X
In the Matter of the Application by

ROMEO ROSANO, AUGUST ROSANO, DOMINICK GUGLIELMO, LOUIS CARDAMONE and LOUIS DEPASQUALE, to erect Garden Apartments on the south side of Elton Street near Saw Mill Brook, in the Town of Riverhead, Suffolk County, New York.

: DECISION
:

-----X
WHEREAS, ROMEO ROSANO, AUGUST ROSANO, DOMINICK GUGLIELMO, LOUIS CARDAMONE and LOUIS DEPASQUALE, have applied to this Board pursuant to the provisions of Section 203A (2) of Zoning Ordinance No. 26 of the Town of Riverhead, for a special permit to construct garden apartments on premises situate on the southerly side of Elton Street, in the Town of Riverhead, and

WHEREAS, applicants petition has been referred to the Riverhead Town Planning Board for its consideration, and which Board has issued its report in the form of a resolution dated the 19th day of June, 1972, and duly filed with the Town Clerk on that day; and which report, based upon the provisions of Zoning Ordinance No. 26, recommends approval of the application, and

WHEREAS, pursuant to the provisions of Zoning Ordinance No. 26 and the provisions of Town Law, a public hearing was held before this Board on the 19th day of July, 1972, and

WHEREAS, the individual members of this Board, in addition to considering the recommendation of the Planning Board and the evidence adduced at the public hearing on the 19th day of July, 1972, have each personally examined the premises herein and all facts and circumstances relating to this application, and

WHEREAS, this Board, as the legislative authority, in the public interest has considered applicants' petition not only in terms of the provisions of the Zoning Ordinance relating to area, lot, coverage, side yards and the like, but in terms of the welfare of the entire community, and

WHEREAS, this Board has taken into account the fact that the granting of this application would require an extension of the Riverhead Water District with respect to two-thirds (2/3) of applicants' premises, and has further considered that applicants' premises are in the Riverhead Sewer District which would necessitate the providing of service to this apartment house complex with an excess of 200 units proposed at a time when the community is faced with expenses relating to satisfying recent State requirements relating to sewer treatment plants and at a time when the present sewer plant is operating at peak capacity, and

WHEREAS, this Board has also considered that with respect to traffic control, even though applicants proposed to have all persons exiting from the apartment complex make a right turn onto Elton Street, that this would be only one phase of the traffic problem; and that Howell Avenue would certainly, if this application were granted, become a much more highly used street thereby changing the character of this residential area, and

RESOLUTION continued:

WHEREAS, the proposed road facilities in the complex itself, as presented to this Board, in the opinion of the Board do not allow for turn-around areas sufficient for fire and other emergency apparatus, and

WHEREAS, this Board is aware that in terms of community need this apartment complex would add to the present garden apartment complexes in the Town of Riverhead, none of which are filled to capacity; and further this Board has considered that at the present time in the Town of Riverhead, there are eighteen (18) mobile home parks occupying nearly 200 acres of real property and even though these parks are not yet completed, there exist at this time 2,000 mobile home sites which taken together with existing apartment complexes, provide more than adequate facilities of the type sought by applicants herein;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the application be and the same is hereby denied.

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.

RESOLVED, That the Town Clerk of the Town of Riverhead is hereby directed to publish the annexed Public Notice calling Public Hearing in connection with the amendments to Zoning Ordinance No. 26 of the Town of Riverhead, as Amended:

PUBLIC NOTICE

PLEASE TAKE NOTICE, that on the 19th day of September, 1972, at 8:45 o'clock P. M., a public hearing will be held before the Town Board of the Town of Riverhead, at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, to hear all interested persons in connection with the proposed amendments to Zoning Ordinance No. 26 of the Town of Riverhead, in the following respects:

FIRST: That Section 102, DEFINITIONS, be amended as follows:

By adding a new No. 15 defining "DRIVE-IN RESTAURANT" as follows:

DRIVE-IN RESTAURANT -- A building with accessory uses devoted to the preparation, sale and/or serving of food, refreshments, edibles or drink within the premises and which makes available any facility (including but not limited to parking or standing space on the premises for vehicles or persons) for, or which permits in open spaces, patios, accessory buildings or automobiles on premises, the consumption of such food, refreshments edibles or drink.

By renumbering all of the following definitions commencing with the present No. 15 accordingly.

RESOLUTIONS continued:

By amending present definition No. 45, SPECIAL PERMIT BY TOWN BOARD, by adding the following to the foot thereof;

A special permit issued by the Town Board, pursuant to the provisions of this Ordinance, shall be valid for a period of one year only and is not transferrable except upon application to the Town Board of the Town of Riverhead.

SECOND: That Section 203, RESIDENCE C DISTRICT, be amended as follows:

That Section 203A, USES, be amended by deleting Section 203A (2) and Section 203A (2)a, for a period of one year.

That Section 203C, LOT AREA, is amended by deleting paragraph "2" therefrom, for a period of one year.

And by deleting Section 203F, ADDITIONAL REQUIREMENTS.

THIRD: That Section 205, BUSINESS A DISTRICT, be amended as follows:

By amending Section 205A, USES, 1 g. Restaurant, as follows:

- g. Restaurant, except that a drive-in restaurant, as hereinbefore defined, shall be permitted only by special permit of the Town Board.

By deleting Section 205A (2) therefrom.

By deleting Section 205C, LOT AREA, paragraph "1" and "2" therefrom, for a period of one year.

By deleting Section 205G, ADDITIONAL REQUIREMENTS.

FOURTH: That Section 206, BUSINESS B DISTRICT, be amended as follows:

That Section 206A, USES, 1. 1. Restaurant, be amended to read as follows:

- 1. Restaurant, except that a drive-in restaurant, as hereinbefore defined, shall be permitted only by special permit of the Town Board.

By amending Section 206A (2) by deleting paragraph "b" thereof and renumbering paragraph "C" accordingly, for a period of one year.

FIFTH: That Section 207, BUSINESS C DISTRICT, be amended as follows:

- By amending Section 207A, USES, 1. m. Restaurant, to read as follows:
- m. Restaurant, except that a drive-in restaurant, as hereinbefore defined, shall be permitted only by special permit of the Town Board.

RESOLUTION continued:

By amending Section 207A, USES, (2) by deleting paragraph "b" thereof and renumbering "c" accordingly for a period of one year.

By amending Section 207B, GENERAL LOT, YARD AND HEIGHT REQUIREMENTS, by deleting paragraph "3" thereof, for a period of one year.

SIXTH: That Section 208, BUSINESS D DISTRICT, be amended as follows:

By amending Section 208A, USES, 1. n. Restaurant, to read as follows:

- n. Restaurant, except that a drive-in restaurant, as hereinbefore defined, shall be permitted only by special permit of the Town Board.

By amending Section 208A, USES, (2), by deleting paragraph "b" thereof and renumbering paragraph "c" accordingly for a period of one year.

SEVENTH: That Section 209, INDUSTRIAL A DISTRICT, be amended as follows:

By amending Section 209A, USES, 1. q. Restaurant, as follows:

- q. Restaurant, except that a drive-in restaurant, as hereinbefore defined, shall be permitted only by special permit of the Town Board.

By amending Section 209A, USES, 2. Special Exception and Special Permit Uses, as follows:

By deleting paragraph "e" thereof and by amending paragraph "i" to read as follows:

- i. Camps of types p, 3, 4, 5 and 6 by special permit of the Town Board.

EIGHTH: That Section 210, INDUSTRIAL B DISTRICT, be amended as follows:

By amending Section 210A, USES, 1. k. Restaurant, as follows:

- k. Restaurant, except that a drive-in restaurant, as hereinbefore defined, shall be permitted only by special permit of the Town Board.

By amending Section 210A, USES, 2. Special Exception and Special Permit Uses, as follows:

By amending paragraph "h" to read as follows:

- h. Camps of types 1, 3, 4, 5 and 6 by special permit of the Town Board.

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RESOLUTION continued:

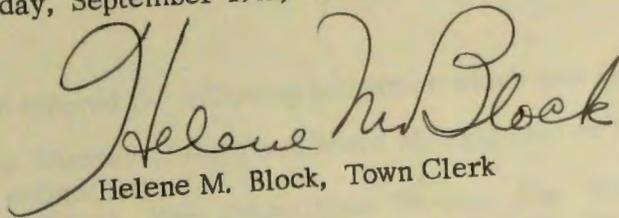
By amending paragraph "j" to read as follows:

- j. Any other use, except for multiple family dwelling, apartment house, garden apartment or condominium and camp of type 2, not hereinbefore permitted, may be established by special permit of the Town Board.

Any person desiring to be heard on the said proposed amendments 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.

There being no further business on motion and vote, the meeting adjourned at 12:50 P. M., to meet on Tuesday, September 19th, 1972 at 7:30 P. M.



Helene M. Block, Town Clerk

HMB.