

Minutes of a Special Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Thursday, December 30, 1982 at 3:54 P.M.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Victor Prusinowski, Councilman
Vincent Artale, Councilman
Louis Boschetti, Councilman

Also present: Richard Ehlers, Town Attorney

Supervisor Janoski: "Let us just call the meeting to order. Let the record show that it is 3:54 P.M. There being no communications or other business, let us proceed with . . ."

Irene J. Pendzick: "There is one communication."

Supervisor Janoski: "Is there?"

Irene J. Pendzick: "Yes."

COMMUNICATION

Robert Scheiner, submitting letter of resignation as Director of the Riverhead Community Development Office. Filed.

Supervisor Janoski: "Let us proceed with the resolutions. I think we can summarize this thing by just reading the titles. The press does have copies of the agenda and all the resolutions. In order to save time, . . ."

Irene J. Pendzick: "That's not this — that's next weeks' agenda. We don't have an agenda."

Supervisor Janoski: "You don't have any resolutions?"

Councilman Prusinowski: "We'll give you a copy of our resolutions."

Supervisor Janoski: "We'll make sure that you have copies of the resolutions."

RESOLUTIONS

#794 TRANSFER OF FUNDS - GENERAL TOWN ACCOUNTS

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

RESOLVED, that the funds in the General Town's account be transferred as follows:

	<u>FROM</u>
A1620.201 Shares Services - Automobiles	\$ 2,705.00
A1620.450 Microfilm	2,500.00
A1620.460 Postage	2,000.00
A1620.470 Maintenance - Typewriters	1,855.00
A1620.480 Repeater System	2,360.00
A1910.400 Unallocated Insurance	54,000.00
A1930.400 Judgments & Claims	29,435.00
A1950.400 Taxes on Town Property	6,020.00
A3120.130 Holiday Pay	13,770.00
A3120.160 Crossing Guards	6,100.00
A3120.180 Night Differential	2,390.00
A3120.201 New Vehicles	2,450.00
A3120.202 Microfilm Records	550.00
A3120.203 Prisoner Shields	1,000.00
A3120.204 Boat Plainers	45.00
A3120.205 Model 112 Federal	60.00
A3120.206 Radio Monitor	50.00
A3120.211 Bullet Proof Vests	445.00
A3120.217 Office Furniture	65.00
A3120.225 Miscellaneous - Police	750.00
A3120.227 Leather Goods	220.00
A3120.229 Composit ID Kit	405.00
A3120.231 Law Library	200.00
A3120.234 Police - Telephone System	60.00
A3120.236 Intercom System	450.00
A3120.402 Ammunition	195.00
A3120.406 Police Conferences	215.00
A3120.407 Doctor's Fees	300.00
A3120.409 Flares	140.00
A3120.412 Notary Stamps & International Association of Chiefs	120.00
A3120.413 Maintenance of Typewriters	110.00
A3120.418 Office Supplies	225.00
A3120.419 Oxygen	260.00
A3120.422 Radio Maintenance	2,455.00
A3120.424 Riverhead Water	80.00
A3120.426 Teletype Rental & Paper Supplies	660.00
A3120.435 Radio Tower Rental	420.00
A3120.438 Gloves	100.00

RESOLUTIONS - continued

	<u>FROM</u>	
A3120.110	Police Personal Services	\$95,000.00
A3120.120	O/T Pay	20,000.00
A3120.440	Mace	35.00
A3120.442	Police Boat Repairs	350.00
A3121.100	Personal Services - BINGO	1,800.00
A3121.400	Contractual Expenses - BINGO	225.00
A3125.100	Personal Services - JAB	13,000.00
A3125.401	Utilities - JAB	100.00
A3125.402	Supplies - JAB	1,450.00
A3125.403	Travel - JAB	1,450.00
A3125.404	JAB Programs	475.00
A3125.405	Miscellaneous - JAB	250.00
A3510.110	Personal Services - Safety from Animals	2,250.00
A3510.410	Propane Gas - Dog Warden	4,800.00
A3510.420	Gasoline - Dog Warden	280.00
A3510.430	Dog Food - Dog Warden	830.00
A3510.440	Cleaning Supplies - Dog Warden	580.00
A3510.450	Vet Care - Dog Warden	1,050.00
A3620.420	Office Expenses - Safety Inspection	40.00
A3620.430	Car Expenses	400.00
A3640.400	Contractual Expenses - Civil Defense	320.00
A4020.100	Personal Services - Public Health	790.00
A4210.402	Local Travel - DAPC	30.00
A4210.403	Food - DAPC	625.00
A4210.405	Conference Attendance - DAPC	300.00
A4210.406	Consultants - DAPC	250.00
A4545.202	New Equipment - Ambulance	200.00
A4545.402	Office Supplies	160.00
A4545.403	Seminars	100.00
A5010.100	Personal Services - Trans- portation Administration	4,900.00
A5410.400	Curbs, Gutters & Sidewalks	7,900.00
A5630.100	Personal Services - Senior Citizen Bus Operation	255.00
A5630.400	Contractual Expenses - Senior Citizen Bus Operation	2,600.00
A5650.200	Equipment - Off Street Parking	140.00
A5650.420	Signs	550.00
A6410.401	IDA Publicity	1,400.00
A7020.405	Dues	50.00
A7020.407	Utilities	160.00
A7110.130	Part-time Laborers	2,800.00
A7110.460	Landscaping	40.00
A7140.120	Specialists & Instructors	225.00
A7140.401	Printing	190.00
A7140.402	Program Supplies	100.00
A3125.200	Equipment - JAB	900.00

RESOLUTIONS - continued

		<u>FROM</u>	<u>TO</u>
A7140.405	Media Art Supplies	\$ 300.00	
A7180.110	Lifeguards	2,085.00	
A7180.120	Beach Attendants	290.00	
A9030.810	Social Security Police	1,740.00	
A1010.100	Personal Services		\$ 2,200.00
A1010.420	Travel Expenses		675.00
A1010.430	Advertising - Town Board Notices		4,325.00
A1010.450	Surveys & House Numbers		350.00
A1010.460	Litigation, Appraisals & Recordings		9,650.00
A1010.470	Miscellaneous Supplies		520.00
A1110.403	Civil Docket - Justice		65.00
A1110.406	Travel Expenses		140.00
A1110.409	Micellaneous Printing		530.00
A1220.100	Personal Services		3,300.00
A1220.420	Office Supplies		45.00
A1220.430	Town Car		775.00
A1220.460	Miscellaneous		320.00
A1310.100	Personal Services		2,360.00
A1310.402	Office Supplies		565.00
A1310.404	Travel Expenses		280.00
A1320.400	Contractual Expenses		55.00
A1355.110	Personal Services - Assessors		10,850.00
A1420.100	Law - Personal Services		3,840.00
A1420.201	Law - Books		205.00
A1440.400	Engineering Contractual Expenses		127,100.00
A1620.410	Light, Heat & Water		7,540.00
A1620.100	Personal Services		7,330.00
A1620.420	Supplies & Services		7,100.00
A1620.425	Town Hall Renovations		3,175.00
A1620.430	Telephone		19,735.00
A1660.100	Personal Services		995.00
A1920.400	Municipal Dues		770.00
A1990.400	Contingency		6,300.00
A3120.215	County Wide Radio System		2,305.00
A3120.238	Side Arms		280.00
A3120.401	Air Conditioning, Boiler & Building Maintenance		400.00
A3120.403	Automotive Repairs		13,000.00
A3120.405	Detective Clothing Allowance		85.00
A3120.414	Matron Fees		30.00
A3120.420	Photographic Supplies		300.00
A3120.421	Prisoner Food		75.00
A3120.427	Training		190.00
A3120.428	Uniform Cleaning Allowance		1,415.00
A3120.429	Uniform Replacement - New		560.00
A3120.430	Waxing & Cleaning - Police Units		40.00
A3120.437	First Aid Supplies		10.00
A3120.140	Police Base Clerical		11,550.00

RESOLUTIONS - continued

	<u>TO</u>
A3120.439 Miscellaneous	\$ 100.00
A3120.450 Recording Tapes	20.00
A3310.400 Contractual Expenses - Traffic Control	2,660.00
A3510.130 Overtime - Dog Warden	710.00
A3510.460 Building Repairs	1,050.00
A3510.470 Auto Repairs	40.00
A3510.480 Uniforms	290.00
A3510.490 Miscellaneous	135.00
A3620.100 Personal Services - Safety Inspection	1,110.00
A1355.410 Assessor Education	400.00
A1620.440 Copier	95.00
A3120.150 O/T Clerical	295.00
A4210.401 Supplies & Materials - DAPC	455.00
A4210.404 Miscellaneous - DAPC	430.00
A4545.203 Radios - Ambulance	1,660.00
A4545.401 Field Supplies	1,125.00
A4545.405 Uniforms	845.00
A4545.406 Vehicle Maintenance	3,070.00
A5010.400 Office Expenses - Transportation Administration	125.00
A5650.100 Personal Expenses - Off Street Parking	370.00
A5650.400 Contractual Expenses	80.00
A6772.100 Personal Services - Nutrition	4,320.00
A6772.800 Employee Benefits	475.00
A7020.110 Personal Services - Recreation Administration	650.00
A7110.110 Personal Services	2,220.00
A7110.120 Longevity	5.00
A7110.430 Utilities	3,000.00
A7110.470 Capital Improvements	3,010.00
A7140.404 Repair & Maintenance	655.00
A7180.460 Capital Improvements	420.00
A7230.410 Contractual Expenses	170.00
A7310.102 Wrestling	300.00
A7550.401 East End Art Concerts	150.00
A7550.403 Country Fair Expenses	1,160.00
A7620.403 Program Supplies	145.00
A7620.404 Maintenance	50.00
A8020.100 Personal Services - Planning Board	10,000.00
A9060.810 Health Insurance - Police	2,075.00
A9060.820 Health Insurance - Other	6,450.00
A9710.740 Interest on \$675,000	25.00
A9710.750 Interest on \$450,000	35.00
A9710.760 Interest on \$100,000	10.00
A3120.170 Termination Pay	115.00
A3120.432 Supplies for Copy Machine	55.00
A3120.435 Cleaning Supplies	5.00

RESOLUTIONS - continued

	<u>TO</u>
A5650.410 Contractual Expenses	\$ 60.00
A6772.410 Contractual Expenses	3,730.00
A7020.406 Supplies	10.00
A7110.440 Repairs & Maintenance	370.00
A7110.450 Supplies	75.00
A7140.403 Utilities	90.00
A7550.404 Winter Celebrations	425.00
A7620.401 Postage	45.00
A8160.110 Personal Services	2,225.00

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#795 TRANSFER OF FUNDS

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

RESOLVED, that the funds in the Public Parking District's account be transferred as follows:

FROM: ST5650.400 Contractual Expenses \$350.00

TO: ST5650.100 Personal Services Overtime	\$200.00
ST5650.800 Fringe Benefits	10.00
ST9730.700 BAN Interst	140.00

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#796 TRANSFER OF FUNDS

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

RESOLVED, that the funds in the Federal Revenue Sharing's account be transferred as follows:

	<u>FROM</u>	<u>TO</u>
CF9040.800 Worker's Comp.	\$ 2,615.00	
CF3120.400 FRS Contractual Expenses	2,000.00	
CF3120.140 FRS Night Differential	900.00	
CF3120.110 Federal Revenue Sharing Police Base	7,090.00	
CF3120.130 FRS Holiday Pay	6,220.00	
CF3120.120 Federal Revenue Sharing Overtime - Police		\$ 4,610.00
CF3120.150 Summer Police		13,970.00
CF9030.800 FRS FICA		245.00

RESOLUTIONS - continued

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#798 TRANSFER OF FUNDS - HIGHWAY DEPARTMENT

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

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

	<u>ITEM #3</u>	<u>FROM</u>	<u>TO</u>
DM9040.800	Worker's Compensation	\$ 381.00	
DM9060.800	Health Insurance		\$ 345.00
DM9030.800	Social Security		36.00
<u>ITEM #1</u>			
DR5110.402	Gravel and Stone	\$10,410.00	
DR9060.800	Gas, Oil and Grease		\$5,760.00
DR9060.800	Health Insurance		1,650.00
DR5110.140	Personal Services		3,000.00
<u>ITEM #4</u>			
DS1599	Appropriated Fund Balance	\$ 8,885.00	
DS5142.110	Employee Overtime		\$2,810.00
DS5140.420	Snow Removal Expenses		3,000.00
DS5140.470	Uniforms		200.00
DS5140.480	Miscellaneous		1,030.00
DS9030.800	Social Security		1,550.00
DS5142.120	Temporary Employees		295.00

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#799 TRANSFER OF FUNDS

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

RESOLVED, that the funds in the Ambulance account be transferred as follows:

	<u>FROM</u>	<u>TO</u>
AM5031	Transfer from General Fund	\$2,000.00
AM2705	Ambulance Donations	7,290.00
AM4540.200	Ambulance Equipment	\$9,000.00
AM4540.400	Contractual Expenses	290.00

RESOLUTIONS - continued

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#800 TRANSFER OF FUNDS

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

RESOLVED, that the funds in the Road Improvement District's account be transferred as follows:

	<u>FROM</u>	<u>TO</u>
SM0599 Appropriated Fund Balance	\$ 345.82	
SM9901.900 Transfer to General Town		\$ 345.82

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#801 TRANSFER OF FUNDS - STREET LIGHTING

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

RESOLVED, that the funds in the Street Lighting District's account be transferred as follows:

SL5182.401 Electricity	\$ 3,025.00	
SL5182.100 Personal Services		\$ 40.00
SL5182.402 Maintenance		\$ 2,985.00

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#803 AUTHORIZES HIGHWAY SUPERINTENDENT TO PAY PART-TIME EMPLOYEES

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

WHEREAS, there was an increase in the workload due to heavy snow conditions, and

WHEREAS, two men were hired on a hourly basis for this purpose,

NOW, THEREFORE, be it

RESOLVED, that the Highway Superintendent be authorized to pay the following men at the rate of FIVE DOLLARS and 12/100 (\$5.12) per hour for a total of THIRTY (30) hours in the sum of ONE HUNDRED FIFTY THREE and 60/100 (\$153.60) DOLLARS.

RESOLUTIONS - continued

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#804 AUTHORIZES TIME AND ONE-HALF FOR ACCOUNTING DEPARTMENT EMPLOYEES

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

RESOLVED, that the following employees of the Accounting Department be paid time and one-half overtime compensation.

Lorraine Miller-----	1	hr	at \$10.2651	= \$ 10.27
Elizabeth McKay-----	12.5	hrs.	at \$ 9.2733	= \$115.91
Christina Nunziato-----	2.5	hrs.	at \$ 9.2733	= \$ 23.81
Janice Carney-----	16.5	hrs.	at \$10.3209	= \$170.29

RESOLVED, that an explanatory report shall be filed with the Town Clerk detailing said overtime.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#812 AUTHORIZES RECALL/COURT PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, that the following Police Officers be paid Recall/Court Pay for a period from October 1, 1982 to December 21, 1982 to be paid from Federal Revenue Sharing.

1. Boden, R.	10-13-82	8	hrs.	85.38	
	12-20-82	2.5	hrs.	31.01	\$ 116.39
2. Danowski, J.	11-22-82	2	hrs.		24.81
3. Fagan, D.	10-18-82	3	hrs.		
	10-21-82	2	hrs.	5	53.37
4. Hegermiller, D.	10-09-82	8	hrs.		85.38
	10-08-82	8	hrs.		
	11-15-82	2	hrs.	10	106.73
	12-13-82	2	hrs.	2	24.81
5. Lydon, J.	10-10-82	7	hrs.		131.54
	11-15-82	2	hrs.	9	96.06
7. Lynch, T.	10-11-82	2	hrs.		
	10-29-82	8	hrs.	10	106.73
8. Peeker, R.	10-10-82	3.75	hrs.		40.02
					\$ 654.30

RESOLUTIONS - continued

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#813 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, that the following Police Officers be paid Overtime Pay for a period from October 1, 1982 to December 21, 1982 to be paid from Federal Revenue Sharing.

1.	Boden, R.	10-10-82	3	hrs.			\$ 32.02
2.	Danowski, J.	10-03-82	.5	hrs.			
		10-04-82	.5	hrs.			
		10-07-82	.5	hrs.			
		10-24-82	2	hrs.			
		10-28-82	.5	hrs.	4	42.69	
		12-06-82	1	hr.	1	12.40	\$ 55.09
3.	Fagan, D.	10-09-82	1	hr.			
		10-10-82	1.5	hrs.			
		10-15-82	1.5	hrs.			
		10-28-82	1.5	hrs.			
		10-31-82	2.5	hrs.	8	85.38	
		12-12-82	.75	hrs.	.75	9.30	\$ 94.68
4.	Loggia, J.	10-10-82	2	hrs.			
		10-23-82	1	hr.			
		10-26-82	15.5	hrs.	18.5		\$197.45
5.	Lydon, J.	10-09-82	1.33	hrs.			
		10-30-82	1	hr.	2.33	24.87	
		11-18-82	1	hr.	1	12.40	\$ 37.27
6.	Lynch, T.	10-23-82	2.5	hrs.		26.68	
		11-29-82	.75	hrs.		9.30	\$ 35.98
7.	Peeker, R.	10-09-82	.5	hrs.			
		11-03-82	.25	hrs.	.75	8.00	
		11-23-82	1.25	hrs.		15.50	\$ 23.50
						TOTAL	\$475.99

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#814 AUTHORIZES RECALL/COURT PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, that the following Police Officers be paid Recall/Court Pay for a period from October 1, 1982 to December 21, 1982.

RESOLUTIONS - continued

1.	Cheshire, D.	10-28-82	6	hrs.		\$ 110.34
2.	Dunleavy, J.	10-10-82	2	hrs.		38.25
3.	Foote, F.	10-20-82	2.5	hrs.		47.81
4.	Gianni, V.	11-14-82	2	hrs.		
		11-15-82	2	hrs.		
		12-15-82	2	hrs.		
		12-20-82	2	hrs.		165.50
5.	Green, D.	10-12-82	3	hrs.		
		11-27-82	6	hrs.	9	165.50
6.	Keller, B.	10-01-82	8	hrs.		
		10-28-82	6	hrs.	14	257.45
7.	Kurpetski, J.	10-12-82	2	hrs.		
		10-14-82	8	hrs.		
		10-25-82	8	hrs.		
		10-26-82	8	hrs.		
		11-01-82	2	hrs.		
		12-04-82	3	hrs.	31	598.58
8.	McDonald, O.	11-15-82	2	hrs.		38.25
9.	Mickoliger, L.	10-10-82	7	hrs.		
		10-11-82	9	hrs.	16	306.00
10.	Miller, D.	10-04-82	2.5	hrs.		45.97
11.	Moisa, W.	10-15-82	8	hrs.		
		10-21-82	8	hrs.		
		11-03-82	3.08	hrs.		
		11-04-82	4.5	hrs.	23.58	459.64
12.	Paasch, P.	11-01-82	5.25	hrs.		100.41
13.	Pleickhardt, J.	10-10-82	7	hrs.		128.73
14.	Romaniello, F.	10-04-82	2	hrs.		
		10-10-82	1.5	hrs.		
		11-01-82	3	hrs.	6.5	124.31
15.	Swiatocha, J.	10-26-82	8	hrs.		
		11-06-82	4.5	hrs.	12.5	229.87
16.	Troyan, P.	11-14-82	3	hrs.		57.38
17.	Witt, W.	10-04-82	4	hrs.		
		10-23-82	8	hrs.	12	229.50
18.	Woods, K.	10-05-82	8	hrs.		147.12
19.	Yakaboski, D.	10-07-82	8	hrs.		147.12
20.	Zaleski, J.	11-14-82	3	hrs.		57.38
TOTAL						\$3,455.11

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#815 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, that the following Police Officers be

RESOLUTIONS - continued

paid Overtime Pay for a period from October 1, 1982 to December 21, 1982.

* (Including 9-27-82)

1.	Cheshire, D.	12-11-82	.67	hrs.		\$ 12.32
2.	Densieski, A.	10-14-82	3	hrs.		
		12-11-82	.5	hrs.	3.5	66.94
3.	Dorfer, T.	10-02-82	2	hrs.		38.25
*4.	Dunleavy, J.	09-27-82	1	hr.		19.13
5.	Gianni, V.	10-10-82	5.67	hrs.		
		10-23-82	.5	hrs.		
		10-25-82	1	hr.		
		11-19-82	.5	hrs.	7.67	141.05
6.	Green, D.	11-06-82	2	hrs.		
		11-18-82	.75	hrs.	2.75	50.57
7.	Keller, B.	11-12-82	1	hr.		18.39
8.	Mackie, F.	11-21-82	1	hr.		
		12-07-82	2	hrs.	3	37.21
9.	McDonald, O.	10-18-82	3	hrs.		
		12-18-82	1	hr.	4	76.50
10.	Michalski, V.	10-03-82	.58	hrs.		11.09
11.	Moisa, W.	11-29-82	1.75	hrs.		34.10
12.	Psaltis, J.	10-13-82	2	hrs.		36.78
13.	Swiatocha, J.	10-03-82	.83	hrs.		
		10-30-82	.25	hrs.	1.08	19.86
14.	Troyan, P.	11-20-82	.5	hrs.		9.56
15.	Woods, K.	10-28-82	3	hrs.		
		11-04-82	1.17	hrs.	4.17	76.68
16.	Yakaboski, D.	11-13-82	.5	hrs.		9.56
TOTAL						\$657.99

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#816 AUTHORIZES RECALL/COURT PAY FOR DETECTIVES

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

BE IT RESOLVED, that the following Detectives be paid Recall/Court Pay for a period from October 1, 1982 to December 21, 1982.

1.	Curven, E.	10-05-82	2	hrs.
		10-27-82	2	hrs.
		11-23-82	2	hrs.
		12-04-82	2	hrs.

RESOLUTIONS - continued

	Curven, E.	12-06-82	4.5	hrs.		
		12-08-82	2	hrs.	14.5	\$ 293.18
2.	Doroski, A.	10-02-82	2.17	hrs.		
		10-21-82	4	hrs.	6.17	\$ 124.75
3.	Palmer, W.	10-25-82	12.75	hrs.		
		12-01-82	2	hrs.	14.75	\$ 301.39
4.	Robinson, D.	10-18-82	2.5	hrs.		
		10-23-82	4	hrs.		
		11-22-82	2.33	hrs.	8.83	\$ 205.07
5.	Summerville, A.	11-13-82	5.5	hrs.		
		11-14-82	1.25	hrs.		
		11-23-82	1.75	hrs.	8.5	\$ 173.68
6.	Underwood, R.	10-07-82	4	hrs.		
		11-15-82	2	hrs.		
		11-21-82	2	hrs.	8	\$ 177.92
					TOTAL	\$1,275.99

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#817 AUTHORIZES STANDBY PAY FOR DETECTIVES

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

BE IT RESOLVED, that the following Detectives be paid Standby Pay for a period from October 1, 1982 to December 21, 1982 (less Recall days).

1.	Doroski, A.	15	(240)	20	\$ 269.59	
2.	Palmer, W.	16	(256)	21.33	290.56	
3.	Robinson, D.	10	(160)	13.33	206.39	
4.	Summerville, A.	17	(272)	22.67	308.81	
5.	Underwood, R.	11	(176)	14.67	217.50	
					TOTAL	\$1,292.85

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#818 AUTHORIZES OVERTIME PAY FOR CIVILIAN EMPLOYEES

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

BE IT RESOLVED, that the following Civilian Employees be paid Overtime Pay for a period from October 1, 1982 to December 21, 1982.

RESOLUTIONS - continued

1. Hubbard, T.	10-10-82	9	hrs.		
	10-31-82	9.5	hrs.		
	11-09-82	2	hrs.	20.5	\$ 153.15
2. Ruskowski, F.	10-04-82	2	hrs.		
	10-05-82	1	hr.		
	10-06-82	1	hr.		
	10-07-82	1	hr.		
	10-08-82	1	hr.		
	10-10-82	7	hrs.		
	10-15-82	4	hrs.		
	10-17-82	2	hrs.		
	10-22-82	2	hrs.		
	10-24-82	2	hrs.		
	10-26-82	1	hr.		
	10-28-82	2	hrs.		
	10-29-82	1	hr.		
	11-04-82	4	hrs.		
	11-05-82	1	hr.		
	11-07-82	2	hrs.		
	11-09-82	2	hrs.		
	11-15-82	1	hr.		
	11-17-82	2	hrs.		
	11-18-82	1	hr.		
	11-19-82	2	hrs.		
	11-25-82	4	hrs.		
	12-04-82	9	hrs.		
12-05-82	4	hrs.			
12-14-82	1	hr.			
12-19-82	2	hrs.			
12-20-82	3	hrs.	65	\$ 600.82	
3. Sabotka, J.	10-29-82	4	hrs.		
	11-15-82	2	hrs.		
	11-20-82	2	hrs.		
	11-22-82	2	hrs.		
	12-06-82	2	hrs.		
4. Sargent, C.	12-07-82	2	hrs.	14	\$ 139.36
	10-09-82	2	hrs.		
	10-11-82	2	hrs.		
	10-15-82	1.25	hrs.		
	10-17-82	3	hrs.		
	10-20-82	3.5	hrs.		
	10-31-82	8	hrs.		
	11-09-82	2	hrs.		
	11-15-82	2	hrs.		
	11-16-82	2	hrs.		
	11-23-82	1.75	hrs.		
	11-28-82	2	hrs.		
	11-30-82	2	hrs.		
	12-04-82	2	hrs.		
	12-05-82	2.5	hrs.		
12-18-82	5.5	hrs.			
12-19-82	2	hrs.	43.5	\$ 381.14	

RESOLUTIONS - continued

5. Zlatniski, D. 10-31-82 8 hrs. \$ 59.77

TOTAL \$ 1,334.24

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#819 AUTHORIZES RECALL/COURT PAY FOR SERGEANTS

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

BE IT RESOLVED, that the following Sergeants be paid Recall/Court Pay for a period from October 1, 1982 to December 21, 1982.

1. J. Grattan	10-14-82	8	hrs.		
	11-22-82	2	hrs.	10	\$ 216.93
2. L. Mazzo	12-04-82	3	hrs.		\$ 65.08

TOTAL \$ 282.01

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#820 AUTHORIZES OVERTIME PAY FOR SERGEANTS

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

BE IT RESOLVED, that the following Sergeants be paid Overtime Pay from October 1, 1982 to December 21, 1982.

1. F. Alexander	10-10-82	6.5	hrs.		\$ 138.34
2. A. Grossman	10-02-82	1.42	hrs.		
	10-10-82	3	hrs.		
	10-24-82	.75	hrs.		
	10-25-82	3.75	hrs.		
	11-14-82	3.5	hrs.	12.42	\$ 264.34

TOTAL \$ 402.68

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#821 AUTHORIZES RICHARD EHLERS, JOSEPH BAIER, AND RICHARD HANLEY TO TRAVEL TO BOSTON

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

WHEREAS, the North Fork Water Study Committee is in the process of making its report and recommendations, and

WHEREAS, such report and recommendations will include the possibility of a Town-wide water district, and

WHEREAS, CMI of Boston, in conjunction with their counsel in Boston, will make certain legal recommendations,

NOW, THEREFORE, be it

RESOLVED, that Town Attorney, Richard Ehlers, Joseph Baier, of the Conservation Advisory Council, and Richard Hanley of the Community Development Office, are authorized to travel to Boston on the 28th day of December, 1982, and be it

FURTHER RESOLVED, that all expenses incurred with regard to such trip shall be taken from their respective accounts, and be it

FURTHER RESOLVED, that reimbursement be made from the New York State Department of Environmental Conservation.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#822 ACCEPTS RESIGNATION OF ROBERT SCHEINER

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

WHEREAS, Robert Scheiner, Director of the Riverhead Community Development Office, has submitted his resignation as a Town employee,

NOW, THEREFORE, be it

RESOLVED, that this resignation be accepted effective December 31, 1982.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#823 AUTHORIZES SUPERVISOR TO REIMBURSE CABLEVISION

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

WHEREAS, the Town of Riverhead entered into an agreement on July 20, 1978, with Long Island Cablevision Corporation, and

WHEREAS, Section 13 of the agreement provides for an escrow account to reimburse the cost of undergrounding the cables, and

WHEREAS, Section 13 required reimbursement of undergrounding costs,

NOW, THEREFORE, be it

RESOLUTIONS - continued

RESOLVED, that the Supervisor be and is hereby authorized to reimburse Cablevision to the extent of Fifty Eight Thousand Eighty Five Dollars and 25/100 (\$58,085.25) upon receipt of proper documentation.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#824 AUTHORIZES SUPERVISOR TO SIGN LEASE WITH RIVERHEAD CHAMBER OF COMMERCE

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

WHEREAS, the Riverhead Chamber of Commerce currently rents space from the Town of Riverhead pursuant to a lease, and

WHEREAS, such lease is expired,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be and is hereby authorized to execute the lease agreement with the Riverhead Chamber of Commerce, and be it

FURTHER RESOLVED, this resolution is subject to a permissive referendum.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#825 APPOINTS TEMPORARY GATE ATTENDANT

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

WHEREAS, it is necessary to employ a temporary gate attendant for the days of 1/3/83, 1/4/83, and 1/5/83 due to the transfer of an employee of the Sanitation Department to the Highway Department,

NOW, THEREFORE, be it

RESOLVED, that Steven Blasko be paid at the hourly rate of compensation of \$4.50 for the necessary hours worked for the above mentioned days.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#826 AUTHORIZES SETTLEMENT OF CANTIN CLAIM

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

RESOLVED, that the Supervisor is authorized to pay \$1,000 in total satisfaction of the claim of Jerome and Claire Cantin as alleged in their complaint dated January 3, 1979, Index number 79-782, and be it

RESOLUTIONS - continued

FURTHER RESOLVED, that such payment shall be made upon receipt of a signed release.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#827 RESOLUTION DIRECTING FORMATION OF A LOCAL DEVELOPMENT CORPORATION

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

WHEREAS, section 1822 of the Public Authorities Law of the State of New York permits the formation of local development corporations for the purpose of aiding and improving the economic conditions of local economies, and

WHEREAS, it is in the interest of the people of the Town of Riverhead to have available to them a local development corporation to aid in the development of jobs for the citizens of Riverhead,

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is directed to cause the formation of a local development corporation, pursuant to section 1822 of the New York Public Authorities Law to be known as the Riverhead Job Development Corporation, a not-for-profit corporation which shall consist of five members as follows:

Joseph F. Janoski

John Lombardi

Suzanne Colgan

Irwin Garsten

Donald Gallagher

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#829 DISCIPLINARY ACTION RE: POLICE OFFICER JAMES PLEICKHARDT

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

WHEREAS, POLICE OFFICER JAMES PLEICKHARDT was served with a charge dated May 11, 1982, alleging a violation of Section All4-23(39) in that he was alleged to have engaged directly or indirectly, in those occupations prohibited by the department's orders and laws of the State of New York, and

RESOLUTIONS - continued

WHEREAS, POLICE OFFICER JAMES PLEICKHARDT was served with a supplemental notice of charges alleging a violation of Section All4-23(76), alleging that the defendant, a police officer, did engage in outside employment without the written permission of the Chief of Police or his designee, and

WHEREAS, hearings were held before members of the Town Board,

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby find that POLICE OFFICER JAMES PLEICKHARDT did engage in an occupation prohibited by the department's order and did engage in outside employment without the written permission of the Chief of Police or his designee,

NOW, THEREFORE, be it

RESOLVED, that this Town Board has considered the background of this defendant before determining punishment, and be it

FURTHER RESOLVED, that disciplinary action had been previously taken with reference to two violations of the rules and regulations of the Riverhead Police Department, to wit:

- "1. Lounging or sleeping on Duty in Violation of Article VIII, Section 114-23, Subdivision A-6.
2. Failure to Perform a Duty in Violation of Article VIII, Section 114-23, Subdivision A-2.
(See filed Charges and Specifications for details)."

NOW, THEREFORE, be it

RESOLVED, that POLICE OFFICER JAMES PLEICKHARDT is suspended from service as a Riverhead Town Police Officer for a period of sixty (60) days pursuant to Section 75 of the Civil Service Law, and be it

FURTHER RESOLVED, that a copy of this resolution and supporting papers be forwarded to Officer Pleickhardt and the Suffolk County Department of Civil Service.

x Disciplinary
Action Taken

In the matter of the Disciplinary Proceeding
Re: Police Officer James Pleickhardt

Police Officer James Pleickhardt was charged with two violations of the Rules and Regulations of the Riverhead Police Department.

1. Lounging or sleeping on Duty in violation of Article VIII, Section 114-23, Subdivision A-6.
2. Failure to Perform a Duty in violation of Article VIII, Section 114-23, Subdivision A-2. (See filed Charges and Specifications for details).

At 12:30 P.M. on August 5th 1980 the Town Board of the Town of Riverhead met to hold a hearing on the above matter. All five members of the Town Board were present. Capt. L. Grattan was present representing the Police Department. Officer Pleickhardt declined to attend and Officer D. Miller, Vice President of the Riverhead PRA attended in place of Officer Pleickhardt at the request of said Officer.

The case in question was reviewed and the following disciplinary action taken by agreement between all parties concerned.

1. Officer James Pleickhardt is to be suspended without pay or benefits for a period of ten working days. Said suspension to commence at 0001 hours on August 9th 1980 and to terminate at 2400 hours on August 24th 1980. This suspension covers the following scheduled working days. August 11, 12, 13, 14, 15, 19, 20, 21, 22 and 24.
2. Officer James Pleickhardt will work ten (10) additional eight hour tours of duty without compensation. The ten (10) additional tours of duty will be worked on Officer Pleickhardt's normal off duty hours and will be scheduled at the need and convenience of the Riverhead Police Department.

I have read the above disciplinary action taken by the Riverhead Town Board this date. I have agreed to the above disciplinary action and accept it as written without recourse.

James Pleickhardt 8/10/80
James Pleickhardt

Donald A. Miller
PRA VP.

Lawrence Denton

-----x
 In the Matter of the Disciplinary Proceeding
 Re: Police Officer James Pleickhardt
 -----x

Charges filed pursuant
 to Rules and Regulations
 of the Riverhead Police
 Department

Police Officer James Pleickhardt is hereby charged with
 Lounging or Sleeping on Duty in Violation of Article VIII Section
 114-23, Subdivision A-6 according to Police Rules and Regulations
 of the Riverhead Town Police.

Specifications

PO Pleickhardt #127 was assigned a special detail the
 evening of the 2nd of August, 1980. This detail was to maintain
 and enforce the Law of the State of New York and the Ordinances
 of the Town of Riverhead in the area of the Wading River Parking
 field. His duty was one of a semi-fixed post. He was assigned to
 the parking field with an unmarked Police unit, Unit 675. His tour
 of duty extended from 2000 hrs. 8-02-80 to 0400 hrs. on 8-03-80.

At approximately 2357 hrs. two phone calls were received
 by the Riverhead Police Desk Officer in reference to the sound of
 breaking glass at Boenig's Service Station in the village of Wading
 River. Desk Officer John Kurpetski #107 attempted to raise unit
 675 - Officer Pleickhardt several times by radio. There was no
 answer from Officer Pleickhardt. Officer Kurpetski then assigned
 PO Romaniello #113.

A short time after PO Romaniello arrived on the scene he
 requested Sgt. Grossman #11 to respond there also. Sgt. Grossman
 arrived on the scene a short time later and was told by PO Romaniello
 that PO Pleickhardt was parked in his vehicle, not more than 75 yds
 away from them in the far corner of the parking lot. Sgt. Grossman
 approached PO Pleickhardt's unit and observed him asleep in a semi-
 reclined position in the front seat of the vehicle. Then Sgt. Grossman
 had to bang on the Police unit to fully awaken Officer Pleickhardt
 while talking to him.

All in violation of the above mentioned section of the
 Police Rules and Regulations.

Submitted

Apd August M Grossman #11

August M. Grossman
 Sergeant

x Charges filed pursuant to Rules
and Regulations of the Riverhead
Police Department

In the Matter of the Disciplinary Proceedings

Re: Police Officer James Fleickhardt x

Police Officer James Fleickhardt #127 is hereby charged with failure to perform duty in violation of Article VIII section 114-23, Subdivision A-2 according to Police Rules and Regulations of the Riverhead Town Police.

Specifications:

P.O. Fleickhardt #127 was assigned a special detail the evening of the 2nd of August, 1980. This detail was to maintain and enforce the Law of the State of New York and the Ordinances of the Town of Riverhead in the area of the Wading River parking field. His duty was one of a semi-fixed post. He was assigned to the parking field with an unmarked police unit #675. His tour of duty extended from 2000 hrs. 8-02-80 to 0400 hrs. on 8-03-80.

At approximately 2355 hrs. 8-02-80 two acts of criminal mischief were committed at the Wading River Garage and the Wading River Hardware Store. P.O. Fleickhardt was in position at that time to either prevent or terminate said criminal mischief and failed to do so.

All in violation of the above mentioned section.

Submitted

August M. Grossman, Sgt. #11

August M. Grossman
Sergeant

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes,
Lombardi, Yes, and Janoski, Yes.
The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#830 DISCIPLINARY ACTION RE: POLICE OFFICER JAMES PLEICKHARDT
Councilman Lombardi offered the following resolution
which was seconded by Councilman Prusinowski.

WHEREAS, charges were preferred against POLICE OFFICER
JAMES PLEICKHARDT, alleging that the respondent violated Section
All4-23(53) of the Riverhead Town Code, and that as a member
of the Riverhead Town Police Department, JAMES PLEICKHARDT
unlawfully and unnecessarily displayed his weapon, and

WHEREAS, said JAMES PLEICKHARDT was alleged to have
placed his handgun near LUTHER WILLIAMS, and

WHEREAS, the Town Board appointed Peter H. Mayer, Hearing
Officer, and

WHEREAS, hearings were held before Mr. Mayer on July 29th,
1982 and August 5th, 1982, and

WHEREAS, Mr. Mayer made findings of fact as outlined in
a decision dated October 20th, 1982,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby adopt as its
findings of fact the following pertinent portion of Mr. Mayer's
findings:

"In analyzing the testimony, it is undisputed that the
respondent, JAMES PLEICKHARDT, at a certain point in
time in the evening hours of April 7, 1982, while inside
John's Deli, drew his weapon at or near the vicinity of
LUTHER WILLIAMS. While there is some dispute as to the
exact area in which the weapon was pointed, it has been
conclusively established that the weapon was in fact drawn
in the vicinity of the head area of LUTHER WILLIAMS is
unclear, inconsistent and lacks the general indices of
reliability that would give rise to a fact finder using it
as a basis upon which to rest the ultimate judgment.
Accordingly, the undersigned does not credit the testimony
of LUTHER WILLIAMS in determining the material and necessary
elements of the charge.

I find that the respondent and his colleague, Douglas
Szczepanik, entered John's Deli after sunset on April
7, 1982. At the time the respondent entered, LUTHER
WILLIAMS was walking from the employee's area behind
the counter to the front, or what is commonly known
as the customer's area. At this time, Timothy Hubbard,
the deli clerk, and part-time Riverhead Town Police
Officer, was joking with Mr. WILLIAMS concerning money
owed and also concerning the fact that he was going to
be arrested on a warrant. At the time the respondent
was entering, a young woman who had a grocery bag in her
hands, walked out of the store. In addition, Joseph
Grattan, an employee was behind the salad/meat counter in
a position to observe the events. During the course of the
discussion between Hubbard and LUTHER WILLIAMS, the respon-
dent, PLEICKHARDT, stated he was a police officer, pulled
his weapon and placed it near the head of LUTHER WILLIAMS. I
also find that prior to the respondent and his colleague actually

RESOLUTIONS - continued

opening the door to enter, Timothy Hubbard attempted to simulate a "cuffing" of LUTHER WILLIAMS on the customer's side of the deli counter. This involved Mr. Hubbard actually touching the wrist of Mr. WILLIAMS for a period no greater than ten seconds. Mr. Hubbard then walked back behind the employee's counter. I find that no struggle occurred between Timothy Hubbard and LUTHER WILLIAMS as described by the respondent and his colleague, Douglas Szczepanik. Both Mr. Hubbard and Mr. Grattan, who were in a position to testify to the existence of such a struggle denied that it ever occurred. The only persons that alleged that a struggle took place were the respondent and his colleague. Further, if such a struggle had taken place, it certainly would have aroused the concern of Joseph Grattan, who by the respondent's own testimony, kept loading the beer case while the alleged struggle was going on. In addition, the undersigned finds it difficult to perceive that the respondent believed a crime or crimes were being committed in his presence, when upon entering a customer is leaving the store in a completely normal fashion. This, combined with the testimony by the respondent that Mr. Grattan did nothing unusual during the course of the argument and struggle, causes the undersigned to conclude that there indeed was a struggle. The struggle, it seems was apparently part of an effort to convince the undersigned that the respondent may have had a basis, in addition to the warrant announced by Hubbard, to arrest LUTHER WILLIAMS. In addition, the respondent testified that he had known LUTHER WILLIAMS on a previous occasion and that he had arrested him, during the course of which arrest WILLIAMS "struggled". I accepted this testimony on the basis that it may be relevant on the respondent's state of mind as he entered the store. In this regard, the respondent testified that he saw a "black guy" as he entered the store and did not know it was LUTHER WILLIAMS. Indeed, he testified that a hairstyle was different from the LUTHER WILLIAMS that he had known. Based upon all of the above evidence, I find that the respondent did not know it was LUTHER WILLIAMS until after the respondent drew his weapon. In addition, the respondent concedes in his testimony that WILLIAMS was making some sort of "purchase" when he entered the store. If this be the case, it would be unreasonable to infer that LUTHER WILLIAMS was committing a crime. Further,

RESOLUTIONS - continued

the respondent testified pursuant to questions by myself, and after both sides had concluded their examinations, that he saw Timothy Hubbard chase WILLIAMS around the counter as he was entering the deli. He further stated that Timothy Hubbard was running after LUTHER WILLIAMS. On his direct examination, by his own lawyer, the respondent testified that Hubbard was on the employee's side of the counter and WILLIAMS was on the customer's side. Indeed, he testified on direct that as he entered the store, Hubbard was behind the counter, WILLIAMS was on the customer's side. Although he saw WILLIAMS walk from the employee's side, the next thing he observed, according to his direct testimony, was Hubbard and WILLIAMS with their arms locked, struggling back and forth over the counter. This is in contradiction to his testimony when questioned by the undersigned, all of which leads me to conclude that there was no "chasing" by Mr. Hubbard.

Based upon all of the testimony, I find that the respondent unnecessarily displayed his firearm in violation of Section All4-23(53)",

RESOLVED, that the Town Board, having found that the respondent unnecessarily displayed his firearm in violation of Section 114-23(53) does now consider the defendant's prior record before determining punishment, and be it

FURTHER RESOLVED, that disciplinary action had been previously taken with reference to:

(1) two violations of the rules and regulations of the Riverhead Police Department, to wit,

- "1. Lounging or sleeping on Duty in violation of Article VIII, Section 114-23, Subdivision A-6.
2. Failure to Perform a Duty in Violation of Article VIII, Section 114-23, Subdivision A-2. (See filed Charges and Specifications for details)", and

(2) two violations of the rules and regulations of the Riverhead Police Department, to wit,

- "1. Engaging directly or indirectly in those occupations prohibited by Department orders or laws of the State of New York in violation of Section All4-23(39).

RESOLUTIONS - continued

(2) Engagement by an officer or superior officer in outside employment except with the written permission of the Chief of Police or his designee, who may issue such a permit, in violation of Section All4-23(76). (See statement of Charges and Supplemental Statement of Charges and Resolution)".

NOW, THEREFORE, be it

RESOLVED, that POLICE OFFICER JAMES PLEICKHARDT is dismissed from service as a Riverhead Town Police Officer pursuant to Section 75 of the Civil Service Law, and be it

FURTHER RESOLVED, that a copy of this resolution and support papers be forwarded to Officer Pleickhardt and the Suffolk County Department of Civil Service.

WHEREAS, POLICE OFFICER JAMES PLEICKHARDT was served with a charge dated May 11, 1982, alleging a violation of Section All4-23(39) in that he was alleged to have engaged directly or indirectly, in those occupations prohibited by the department's orders and laws of the State of New York, and

WHEREAS, POLICE OFFICER JAMES PLEICKHARDT was served with a supplemental notice of charges alleging a violation of SECTION All4-23(76), alleging that the defendant, a police officer, did engage in outside employment without the written permission of the Chief of Police or his designee, and

WHEREAS, hearings were held before members of the Town Board,

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby find that POLICE OFFICER JAMES PLEICKHARDT did engage in an occupation prohibited by the department's order and did engage in outside employment without the written permission of the Chief of Police or his designee,

NOW, THEREFORE, be it

RESOLVED, that this Town Board has considered the background of this defendant before determining punishment, and be it

FURTHER RESOLVED, that disciplinary action had been previously taken with reference to two violations of the rules and regulations of the Riverhead Police Department, to wit,

- "1. Lounging or sleeping on Duty in violation of Article VIII, Section 114-23, Subdivision A-6.
 2. Failure to Perform a Duty in Violation of Article VIII, Section 114-23, Subdivision A-2.
- (See filed Charges and Specifications for details)".

NOW, THEREFORE, be it

RESOLVED, that POLICE OFFICER JAMES PLEICKHARDT is suspended from service as a Riverhead Town Police Officer for a period of sixty (60) days pursuant to Section 75 of the Civil Service Law, and be it

FURTHER RESOLVED, that a copy of this resolution and supporting papers be forwarded to Officer Pleickhardt and the Suffolk County Department of Civil Service.

x Disciplinary
Action Taken

In the matter of the Disciplinary Proceeding
Re: Police Officer James Pleickhardt

Police Officer James Pleickhardt was charged with two violations of the Rules and Regulations of the Riverhead Police Department.

1. Lounging or sleeping on Duty in violation of Article VIII, Section 114-23, Subdivision A-6.
2. Failure to Perform a Duty in violation of Article VIII, Section 114-23, Subdivision A-2. (See filed Charges and Specifications for details).

At 12:30 P.M. on August 5th 1980 the Town Board of the Town of Riverhead met to hold a hearing on the above matter. All five members of the Town Board were present. Capt. L. Grattan was present representing the Police Department. Officer Pleickhardt declined to attend and Officer D. Miller, Vice President of the Riverhead PRA attended in place of Officer Pleickhardt at the request of said Officer.

The case in question was reviewed and the following disciplinary action taken by agreement between all parties concerned.

1. Officer James Pleickhardt is to be suspended without pay or benefits for a period of ten working days. Said suspension to commence at 0001 hours on August 9th 1980 and to terminate at 2400 hours on August 24th 1980. This suspension covers the following scheduled working days. August 11, 12, 13, 14, 15, 19, 20, 21, 22 and 24.
2. Officer James Pleickhardt will work ten (10) additional eight hour tours of duty without compensation. The ten (10) additional tours of duty will be worked on Officer Pleickhardt's normal off duty hours and will be scheduled at the need and convenience of the Riverhead Police Department.

I have read the above disciplinary action taken by the Riverhead Town Board this date. I have agreed to the above disciplinary action and accept it as written without recourse.

James Pleickhardt 8/5/80
James Pleickhardt

David A. Miller
PRA VP

Lawrence Grattan

LAWRENCE GRATTAN
NOTARY PUBLIC, State of New York
No. 1215-300 - Dutchess County
Commission Expires March 2, 1981

12/30/82

1319.

-----x
In the Matter of the Disciplinary Proceeding

Re: Police Officer James Pleickhardt
-----x

Charges filed pursuant
to Rules and Regulations
of the Riverhead Police
Department

Police Officer James Pleickhardt is hereby charged with
Lounging or Sleeping on Duty in Violation of Article VIII Section
114-23, Subdivision A-6 according to Police Rules and Regulations
of the Riverhead Town Police.

Specifications:

PO Pleickhardt #127 was assigned a special detail the
evening of the 2nd of August, 1980. This detail was to maintain
and enforce the Law of the State of New York and the Ordinances
of the Town of Riverhead in the area of the Wading River Parking
field. His duty was one of a semi-fixed post. He was assigned to
the parking field with an unmarked Police unit, Unit 675. His tour
of duty extended from 2000 hrs. 8-02-80 to 0400 hrs. on 8-03-80.

At approximately 2357 hrs. two phone calls were received
by the Riverhead Police Desk Officer in reference to the sound of
breaking glass at Boenig's Service Station in the village of Wading
River. Desk Officer John Kurpetski #107 attempted to raise unit
675 - Officer Pleickhardt several times by radio. There was no
answer from Officer Pleickhardt. Officer Kurpetski then assigned
PO Romaniello #113.

A short time after PO Romaniello arrived on the scene he
requested Sgt. Grossman #11 to respond there also. Sgt. Grossman
arrived on the scene a short time later and was told by PO Romaniello
that PO Pleickhardt was parked in his vehicle, not more than 75 yds
away from them in the far corner of the parking lot. Sgt. Grossman
approached PO Pleickhardt's unit and observed him asleep in a semi-
reclined position in the front seat of the vehicle. Then Sgt. Grossman
had to bang on the Police unit to fully awaken Officer Pleickhardt
while talking to him.

All in violation of the above mentioned section of the
Police Rules and Regulations.

Submitted

Agd August M Grossman #11

August M. Grossman
Sergeant

x Charges filed pursuant to Rules
and Regulations of the Riverhead
Police Department

In the Matter of the

vs. Police Officer P.O. Fleischhardt

Police Officer P.O. Fleischhardt #127 is hereby charged with failure to perform duty in violation of Article VIII section 114-23, Subdivision A-2 according to Police Rules and Regulations of the Riverhead Town Police.

Specifications:

P.O. Fleischhardt #127 was assigned a special detail the evening of the 2nd of August, 1980. This detail was to maintain and enforce the Law of the State of New York and the Ordinances of the Town of Riverhead in the area of the Wading River parking field. His duty was one of a semi-fixed post. He was assigned to the parking field with an unmarked police unit #675. His tour of duty extended from 2000 hrs. 8-02-80 to 0400 hrs. on 8-03-80.

At approximately 2355 hrs. 8-02-80 two acts of criminal mischief were committed at the Wading River Garage and the Wading River Hardware Store. P.O. Fleischhardt was in position at that time to either prevent or terminate said criminal mischief and failed to do so.

All in violation of the laws mentioned section.

Submitted

August M. Rosenbaum

August M. Rosenbaum
Sergeant

STATE OF NEW YORK : COUNTY OF SUTFOLK
TOWN OF RIVERHEAD

-----X		
In the Matter of Disciplinary Proceedings	:	STATEMENT
against JAMES PLEICKHARDT, under Section	:	OF
75 of the <u>Civil Service Law</u> and Section	:	CHARGES
155 of the <u>Town Law</u> .	:	
-----X		

ROSCOE C. PALMER, Chief of the Riverhead Town Police Department, as and for charges against JAMES PLEICKHARDT, alleges as follows:

FIRST: I am the Chief of the Riverhead Police Department.

SECOND: These charges are made for the purpose of seeking removal or punishment of JAMES PLEICKHARDT, Police Officer in the Riverhead Police Department, a Civil Service position, under the jurisdiction of the Civil Service Law, pursuant to Section 75(2) of the Civil Service Law and Section 155 of the Town Law of the State of New York.

THIRD: That pursuant to the decision dated April 3, 1982, of the Riverhead Town Police Committee, I informed Officer Pleickhardt that he was not to engage in the private security business in the Town of Riverhead and that his application to do so had been denied. On information and belief, the source being the attached sworn statement of Paul Garbandino, Officer Pleickhardt is engaging in the private security business

under the business name of Riverhead Courier Service.

FOURTH: That section A114-23(39) states the following:

"Engaging directly or indirectly in those occupations prohibited by Department orders or laws of the State of New York"

FIFTH: That Officer Pleickhardt is in violation of this section, A114-23(39).

SIXTH: That pursuant to Article VIII, Rule A114-29, JAMES PLEICKHARDT is subject to disciplinary action.

SEVENTH: That he be suspended without pay from any duty he may be permitted to engage in as a member of the Riverhead Police Department.

WHEREFORE, I hereby prefer the above charges for the removal of said JAMES PLEICKHARDT or such punishment as may properly be imposed to the said Civil Service Law and Town Law, Section 155, of the State of New York.

Dated: May 11, 1982



ROSCOE C. PALMER
Chief of Police
Town of Riverhead

STATE OF NEW YORK }
COUNTY OF SUFFOLK }

I Paul Garbandino

being duly sworn deposes and says:

I am 46 years of age born 2-3-36 in Bayshore New York. I am owner and operator of Karl Ehlers Quality Meats West Main St. Riverhead New York. I live at 230 Woodnollow Road Great River New York. I had twelve years of school and can read and write.

I don,t recall the exact day or date but approximately two weeks ago as I was closing the store for the evening James Fleickhardt and Doug Szczepanik pulled up to the front of the store and parked their car. I waved to Fleickhardt as I known him as a member of the Riverhead Police Dept. They walked to the door so I opened it and let them in. Fleickhardt then told me they just returned from New York City after receiving their Couriers license. He introduced me to Doug Szczepanik and told me about the C.V.A. market on the circle being robbed and would I be interested in them picking up and making bank deposits for my store. I told them that I would think about it and when they get some business cards to stop in. With that they both left.

Sometime during the first week of May 1982 (2nd thru 8th) once again I don,t recall the exact date or time, James Fleickhardt came to the store and gave me several business cards. Printed on said cards is Riverhead Courier Service (phone # 516-727-6560) with James Fleickhardt and Doug Szczepanik names on the bottom of the cards. Also on the cards is N.Y.S. Dept. of Transportation approved, armed and insured. I was asked once again if I was interested in them making bank deposits. I then told him if I would be in the future I would get back to him. Fleickhardt then left the store. On both occasions when James came to the store he was dressed in civilian clothes.

I have read the above statement and swear it is true to the best of my knowledge.

Sworn to before me this 7th day of May 1982

ALEXANDER C. DOROSY
NOTARY PUBLIC, State of New York
No. 50100000, Exp. 12/31/83
Term Expires 12/31/83

Alexander C. Dorosy

Paul Garbandino

STATE OF NEW YORK : COUNTY OF SUFFOLK
TOWN OF RIVERHEAD

-----X
In the Matter of Disciplinary Proceedings :
against JAMES PLEICKHARDT, under Section :
75 of the Civil Service Law and Section :
155 of the Town Law. :
-----X

SUPPLEMENTAL
STATEMENT
OF
CHARGES

ROSCOE C. PALMER, Chief of the Riverhead Town Police Department, as and for charges against JAMES PLEICKHARDT, alleges as follows:

FIRST: Repeats and reiterates each and every fact and allegation contained in paragraphs "First", "Second", "Third", "Fourth", "Fifth", "Sixth", and "Seventh" of the Statement of Charges dated May 11, 1982.

SECOND: That section A114-23(76) states the following:

"Engagement by an officer or superior officer in outside employment except with the written permission of the Chief of Police or his designee, who may issue such a permit"

THIRD: That no such permit was issued by the Chief of the Riverhead Police Department to Officer Pleickhardt, and upon information and belief, no such designee of the Chief of Police has issued said permit to Officer Pleickhardt.

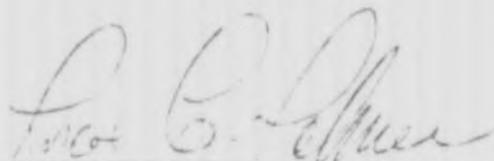
FOURTH: That Officer Pleickhardt is in violation of this section, A114-23(76).

FIFTH: That pursuant to Article VIII, Rule A114-29, JAMES PLEICKHARDT is subject to disciplinary action.

SIXTH: That he be suspended without pay from any duty he may be permitted to engage in as a member of the Riverhead Police Department.

WHEREFORE, I hereby prefer the above charges for the removal of said JAMES PLEICKHARDT or such punishment as may properly be imposed to the said Civil Service Law, and Town Law, Section 155, of the State of New York.

Dated: May 14, 1982

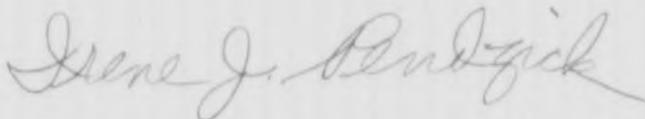


ROSCOE C. PALMER
Chief of Police
Town of Riverhead

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned.



Irene J. Pendzick, Town Clerk

IJP/vlv