

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, February 23, 1971 at 10:30 A.M.

Present:

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

Also present: John J. Munzel, Town Attorney
 Alex E. Horton, Supt. of Highways.

Supervisor Zaloga called the meeting to order at 10:30 A.M.

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

BE IT RESOLVED, That the Minutes of a Meeting of the Town Board held on February 2, 1971, be approved as submitted.

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

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined bills submitted on Abstracts dated February 23, 1971, as follows:

General Town	\$28,178.80
Highway Item No. 1	\$21,811.50
Highway Item No. 3	\$ 6,018.47
Highway Item No. 4	\$ 5,681.10

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

BE IT RESOLVED, That General Town bills in the amount of \$28,178.80, be approved as submitted, and

FURTHER RESOLVED, That the following Highway bills be approved for payment.

Highway Item No. 1	\$21,811.50
Highway Item No. 3	\$ 6,018.47
Highway Item No. 4	\$ 5,681.10

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

The resolution was thereupon declared duly adopted.

RESOLUTION

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

BE IT RESOLVED, That the Minutes of a Special Town Board Meeting held on February 19, 1971, be approved as submitted.

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

REPORTS

Supervisor's, month of January, 1971. Filed.

Tax Receiver's, dated February 11, 1971. Filed.

Recreation Department, month of January, 1971. Filed.

SUMMONS

Patrick Butler and Rose Butler vs. Town of Riverhead. Served on Town Clerk on February 16, 1971 and referred to Town Attorney on February 16, 1971.

PETITION

Jeanne Merkel and Joseph Merkel for Change of Zone-Osborne Avenue (permitted Use-Day Care Center). Filed.

Referred to Town of Riverhead Planning Board for recommendation and report.

COMMUNICATIONS

John J. Hart, Jr., Esq., dated Feb. 22, 1971 relating to application of Brookhaven Cable TV, Inc., for a franchise. Stating that a detailed economic study indicated that it would not be feasible at this time to build the system in the Town of Riverhead and therefore the petitioner is withdrawing the application. Filed.

Public Service Commission, Albany, New York, dated Feb. 19, 1971 re Case 26059-public hearing to be held on March 4, 1971 in New York City, N. Y. re Petitioner Arthur Wagner to operate an omnibus line between Suffolk County and LaGuardia and Kennedy Airports. Filed.

Public Service Commission, Albany, New York, dated Feb. 19, 1971 re Case 26060-public hearing to be held on March 4, 1971 in New York City, N. Y. re Petitioner Angelo Mami to operate an omnibus between Suffolk County and LaGuardia and Kennedy Airports. Filed.

John J. Munzel, Town Attorney, dated Feb. 22, 1971, submits opinion relating to Shell Fishing Regulations in Peconic Bay by the Town of Riverhead. Filed.

Town Clerk to submit opinion to Jamesport-South Jamesport Civic Ass'n. Inc.

Olin F. Warner, Sr., dated Feb. 22, 1971 relating to drainage problem on River Road, Calverton, created by Rollin Hargis filling in sump. Filed.

Copies to Town Board.

COMMUNICATIONS Continued:

Maurie Semel, dated Feb. 2, 1971, urging the Town Board to adopt legislation to enable persons 65 years of age or over to enjoy a 50% exemption from taxes. Filed.

Anthony P. Delibero, dated Feb. 3, 1971, urging the Town Board to bring the matter of the Pine Tree Nursery School to the public's attention so that it can be discussed openly. Filed.

Town of Brookhaven, dated Feb. 2, 1971 relating to public hearing on proposed amendment to Chapter 85 of the Building Zone Ordinance. Filed.
Copies to Building Inspector and Town Attorney.

Raymond Wiwczar, Housing Inspector, dated Feb. 11, 1971, relating to Inspection Report on house located on the southside of Main Road, Jamesport, occupied by Henry Randall and family. Filed.
Copies to Town Board and Building Inspector.

Raymond Wiwczar, Fire Inspector dated Feb. 17, 1971 relating to inspection at Pine Tree Day Nursery, stating that the automatic fire detection system installed at 811 Roanoke Avenue, Riverhead on Feb. 9, 1971 meets with requirements of the Fire Protection Ordinance No. 2 of the Town of Riverhead. Filed.
Copies to Town Board and Building Inspector.

L. I. Board of Realtors, Inc. dated Feb. 14, 1971, stating as follows:
"At its meeting of February 10, 1971, the Eastern Suffolk Chapter adopted, by unanimous vote of those members present and voting, the following motion:
We endorse the concept of Master Planning, Without planning there cannot be healthy growth and progress. The Eastern Suffolk Chapter of the Long Island Board of Realtors is ready to make constructive suggestions to responsible Master Planning." (End) Filed.

Joe Sanchez, Field Representative, CSEA, Inc. dated Feb. 10, 1971, requesting information on draft of bargaining agreement submitted to Town Board early in December of 1970. Filed.
Copies to Town Board and Town Attorney.

Public Service Commission, Albany, New York dated 2/10/71 re Case 25991- public hearing to be held 3/4/71 in New York City, N. Y. re L. I. Airports Limousine Service Corp. Petitioner to operate an omnibus line between the Town of Riverhead and LaGuardia and Kennedy Airports. Filed.

Public Service Commission, Albany, New York dated 2/10/71 re Case 26043- public hearing to be held 3/4/71 in New York City, New York re Petitioner Twin County Limousine Service, Inc. to operate an omnibus line between Suffolk County and LaGuardia and Kennedy Airports. Filed.

COMMUNICATIONS Continued:

Thaddeus T. Brandt, dated Feb. 18, 1971, requesting installation of street lighting in area of 673 Osborne Avenue, Riverhead. Filed.
Copy to Lighting Committee.

Relay Communications Corp. dated Feb. 18, 1971 acknowledging letter of appreciation from Police Chief Grodski and Town Board's Resolution of Commendation on assistance given to the Police Department during the night of a fire on January 19th. Filed.

Perry Wiesen, dated Feb. 19, 1971 offering suggestion that the Town Board appoint a consumer protection agent for the Town of Riverhead. Filed.

Shepard M. Scheinberg, Esq., dated Feb. 18, 1971, asking Edward Munson, Building and Zoning Inspector be requested to make inspection of the Riverhead Manor Home Court and report what violations if any exist in the subject park that would have to be brought into conformity with the ordinance and in turn advise Mr. Scheinberg so that steps may be taken to make corrections. Filed.

Copies to Town Board, Town Attorney and Building Inspector.

Waterview Terrace Civic Ass'n Inc. dated Feb. 16, 1971 requesting that arrangements be made to clear the entrance to Miamogue Canal and eliminate and correct condition caused by stagnant water. Filed.

Copies to Town Board.

Wading River Tercentenary Committee dated Feb. 14, 1971, advising that Wading River is celebrating its 300th Anniversary and has scheduled a series of events for the week end of August 6th, 7th and 8th. Asking permission to hold square dance at the town-owned parking lot by the twin ponds in Wading River and outlining that certain preparations such as black topping, erecting lights and seating facilities for spectators will be required and asking the cooperation of the Riverhead Town Board in order to make the celebration a success. Filed.

Copies to Town Board.

Tabled for further study.

Mrs. Rita D. Keillor, Historic House Tour Committee of Wading River Tercentenary Celebration dated Feb. 19, 1971 requesting permission of the Town Board to allow parking on the west side of Sound Road opposite two homes included in the Historic House Tour, said request for the day of the Tour, Friday, August 6, 1971 from 11 A.M. to 4 P.M. Filed.

Copies to Town Board and Police Chief Grodski.

Matter referred to Police Chief Grodski.

Suffolk County Department of Health, dated Feb. 18, 1971, outlining new life-guard requirements to become effective immediately. Said adopted requirements apply to municipalities which are under the jurisdiction of the Suffolk County Civil Service Department. Filed.

Copies to Town Board and Recreation Department.

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

Mr. John P. Riedsorph thanked the Town Board for the installation of lights in the area of Howell Lane.

Mr. John H. Langhorne, Horton Avenue (representing delegation in attendance) made complaint on the condition of the roads and damages to homes caused by waters flooding in the areas of Horton Avenue during a bad rainfall and asked the Town Board to take measures to correct the situation.

Mr. Jesse Shelton also spoke on the matter of areas being flooded, stating the waters come from Middle Road, Reeves Avenue and the woods.

Mr. Shelton also stated that the extent of the flooding is so great, one pump could not correct the condition or stop the waters coming into the areas.

Mr. Shelton appealed to the Town Board to take corrective measures.

Mrs. Lottie Trent also spoke on the flood problem.

Mr. Robert Brown also spoke on the flood problem.

A discussion was held on the matter and Alex E. Horton, Supt. of Highways stated he will make inspection of the dam in the area and evoke all necessary measures to endeavor to stem the waters from flooding the areas.

HIGHWAY MATTERS

Alex E. Horton, Supt. of Highways, informed the Town Board that an amount of \$10,000 is needed for costs of snow removal and requested that authorization be made for such borrowing.

BUILDING DEPARTMENT

Edward R. Munson, Building Inspector, reported that the printing of the Revised Zoning Ordinance is nearing completion and suggested the cost of the booklet be set at \$2.00 per copy.

Mr. Munson reported on the Inspection Report of Fire Inspector Raymond Wiwczar in relation to the Pine Tree Nursery located at 811 Roanoke Avenue, Riverhead, stating the automatic fire detection alarm system meets with all requirements of the Fire Protection Ordinance No. 2.

The Town Board asked Mr. Munson if the Day Care Center at Osborne Avenue is still in operation.

Mr. Munson replied stating that it is still operating.

The Town Board discussed the matter with the Town Attorney and directed the Building Inspector to immediately advise Jeanne and Joseph Merkel that they are in violation of the Zoning and Fire Ordinances of the Town of Riverhead and they are to "cease" and "desist" operations at the Day Care Center on Osborne Avenue.

BUILDING DEPARTMENT continued:

Mr. Munson reported on the Housing Inspection Report of Housing Inspector Raymond Wiwczar made of the house located at the south side of Main Road, Jamesport, occupied by the Henry Randall family.

Mr. Munson informed the Board that this family has created 22 violations since they moved into the house.

During discussion on the matter, Supervisor Zaloga announced that he is meeting with Mr. Kirby of Social Services and the Housing Inspector on Thursday to resolve this situation.

POLICE DEPARTMENT

Police Chief Grodski reported that the parking problem in the Fire Zone at the Shopping Plaza is working out very satisfactorily.

Police Chief Grodski also reported that the head office of Billy Blakes has been notified to put up signs in the Fire Zone area.

Supervisor Zaloga called a recess to hold a public hearing.

PUBLIC HEARING - 11:00 A.M.

Town Clerk submitted affidavits of publishing and posting Public Notice Calling Public Hearing on Application of Michael Caso for Building Permit to erect a Gasoline Service Station.

The affidavits were ordered filed.

Thereupon Supervisor Zaloga declared the Hearing open and asked if anyone wished to be heard on the matter.

James E. McGiff, Esq., representing Petitioner Michael Caso appeared before the Town Board and submitted for filing nineteen (19) mailing receipts of registered notices sent to owners of real property situated within the radius of 1000 feet of the proposed site for the gasoline service station (one receipt has not been returned as yet), and communication from Marion Heagy stating there is no objection to gas station opening on property adjoining her land.

Mr. McGiff also submitted the plot plan for the proposed station and same was reviewed by the Board.

Mr. McGiff stated that the subject property is on the southside of County Road 58, approximately 1/2 acre, 151 ft. frontage on the road and 150 ft. in the rear, 200 ft. on the east side and 180 ft. on the west side. That this is a prime location for a gas station and the applicant will conform in every respect to the requirements of the County insofar as curb cuts and will construct an attractive looking station.

Mr. McGiff respectfully requested that this Permit be granted.

Judge Costello asked how long Michael Caso has been in title.

Mr. McGiff replied that Mr. Caso took title on January 15th, 1971.

Judge Costello asked who was the predecessor.

Mr. McGiff replied: "Klem Ventures, Ltd.".

PUBLIC HEARING - 11:00 A. M. -continued:

Judge Costello asked who were the officers of the Klem Ventures, Ltd.

Mr. McGiff stated he does not have knowledge of that.

John Heagy addressed the Board and suggested and recommended that the service station carry diesel fuel.

Building Inspector Edward R. Munson advised that the sale of diesel fuel would be permitted.

Jim Hughes stated that when a major gasoline outfit goes in it generally has detailed plans and conforms to town regulations and asked if this was going to be another station built on speculation which will not meet specifications.

Mr. Hughes further stated that there are already four Shell Stations in Riverhead and asked if this town really requires another station.

Mr. McGiff replied to Mr. Hughes stating that his client intends to operate the station in a proper manner and will pursue it seriously if the Permit is granted, and the station will be operated by all means.

Judge Costello asked if Mr. Caso intends to be owner and operator or sell to Shell or another major company.

Mr. McGiff replied: "I don't know, I would just be guessing".

COMMUNICATION

State of New York, Department of Transportation, dated Feb. 22, 1971, acknowledging receipt of notice of public hearing and stating the office has no comment to offer. Filed.

No one else wishing to be heard and no further communications having been received thereto, Supervisor Zaloga declared the hearing closed at 11:15 A. M. and re-opened the meeting.

LIGHTING COMMITTEE

Town Justice Costello asked permission of the Board to complete the installation of improved street lighting from Roanoke Avenue on Elton Street East to Route 25.

It was the consensus of the Board that this be done and the Town Clerk was instructed to submit request to the Long Island Lighting Company.

RESOLUTION

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

RESOLVED, That the cost of the newly printed Zoning Ordinance No. 26 booklet be set at \$2.00 per copy.

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

The resolution was thereupon declared duly adopted.

RESOLUTION

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

WHEREAS, Warner Enterprises, Inc., owner and developer of realty subdivision, Marlwood at Baiting Hollow, located north of Sound Avenue, Baiting Hollow, New York, requested the Planning Board to reduce amount of cash security deposited with the Town Clerk from fifty-eight thousand (\$58,000.00) dollars to seven thousand, five hundred (\$7,500.00) dollars because a substantial amount of work has been completed, and

WHEREAS, a public hearing for the approval of the reduction of the amount of cash security was held on January 13, 1971 by the Town of Riverhead Planning Board after advertisement in the News Review on January 7, 1971, and

WHEREAS, the Riverhead Planning Board finds the construction of the road and the improvements in the subdivision required by Planning Board resolution dated December 10, 1969, to be substantially completed with the exception of some oiling and fencing of drainage basin, and

WHEREAS, a resolution was adopted by the Planning Board approving the reduction of the cash security to seven thousand five hundred (\$7,500.00) dollars and directed the Town Clerk to release to Warner Enterprises Inc., developer and owner of realty subdivision Marlwood at Baiting Hollow, cash security in the amount of fifty thousand five hundred (\$50,500.00) dollars,

NOW THEREFORE BE IT RESOLVED that Warner Enterprises, Inc., be permitted to receive cash security in the amount of fifty thousand five hundred (\$50,500.00) dollars, and

BE IT FURTHER RESOLVED that Warner Enterprises, Inc. shall continue their cash security of seven thousand five hundred (\$7,500.00) dollars for the completion of improvements as per the resolution of the Town of Riverhead Planning Board dated January 13, 1971, and

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Riverhead endorse over any certificates of deposit or cash security to the aforesaid Warner Enterprises Inc. in an amount not to exceed fifty thousand five hundred (\$50,500.00) dollars.

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

The resolution was thereupon declared duly adopted.

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

RESOLVED, That Highway bills submitted on Abstract dated Feb. 23, 1971, as follows: Machinery Item No. 3, George Malvese & Co. Inc., bills dated Feb. 1 and 2, 1971, totalling \$573.17; and Rand Mac-Murray, Inc., bills dated Jan. 21 and 27, 1971, totalling \$991.15; and Van Dyck & Yousik, Inc., bill dated Feb. 2, 1971, in the amount of \$950.38; be and are hereby approved for payment.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS

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

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay time and one-half overtime compensation for snow removal for the month of January, 1971 for a total of \$2,470.56.

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

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

BE IT RESOLVED, That the Superintendent of Highways be and is hereby authorized to transfer the sum of \$6,000 from Highway Item No. 4 Current Surplus Account to 5142.1 Snow Removal.

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

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

BE IT RESOLVED, That this Town Board ratifies the action of the Supervisor in placing moneys on Time Certificates of Deposit as follows:

<u>Date</u>	<u>Bank</u>	<u>Fund</u>	<u>Amount</u>	<u>Period</u>
2/8/71	Franklin National Bank	General Town Budgetary	\$200,000	60 days
2/8/71	Suffolk Co. National Bank	Town Welfare	15,000	60 days
2/8/71	Suffolk Co. National Bank	Highway #1-Budgetary	50,000	60 days

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

The resolution was thereupon declared duly adopted.

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

BE IT RESOLVED, That the Supervisor be and is hereby authorized to redeem the following Time Certificates of Deposit on February 26, 1971:

Highway Item #3-Budgetary	\$10,000.00
Highway Item #1-Budgetary	50,000.00
General Town-Budgetary	100,000.00
General Town-Budgetary	100,000.00

FURTHER RESOLVED, That the principal and interest of the aforesaid Time Certificates of Deposit be deposited to the respective accounts.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS

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

BE IT RESOLVED, That Conrad J. Silke and Lawrence S. Hansen be and are hereby appointed Police Patrolmen on a 12 month probationary period, from Suffolk County Civil Service Certification of Eligibles #9-115 (1/8/71) and #10-126 (1/8/71) respectively, effective February 28, 1971, and to be compensated at the rate of \$8,100. per annum, payable bi-weekly.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Zaloga, 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 Town Clerk of the Town of Riverhead is hereby authorized to publish the following public notice in the February 25th, 1971 issue of the News-Review:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held at the Town Hall, Town of Riverhead, 220 Roanoke Avenue, Riverhead, New York, on the 9th day of March, 1971 at 7:30 P.M. o'clock of said day to consider a proposed local law in effect immediately prior to the effective date of section 1556 of the Real Property Tax Law.

ANY PERSON 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 Zaloga, Yes.

The resolution was thereupon declared duly adopted.

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

A RESOLUTION PROVIDING FOR SERVICE ALLOWANCES FOR MILITARY SERVICE IN WORLD WAR II, SECTION 41-k TRANSFER OF SERVICE FROM ANOTHER SYSTEM, SECTION 43-g OTHER MILITARY SERVICE AS PROVIDED IN SUBDIV. 4, SECTION 243, OF MILITARY LAW.

BE IT RESOLVED; That the Town Board of the Town of Riverhead, does hereby elect to provide the benefits of sub-division k of Section 41, subdivision g of Section 43 of the Retirement and Social Security Law and sub-division 4 of Section 243 of the Military Law, all as presently or hereafter amended; and

BE IT FURTHER RESOLVED: That this election shall become effective with the payroll period beginning on the first day of April, 1971.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS

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

RESOLVED, That the Long Island Lighting Company be and is hereby authorized to make a survey for the installation of a street light on LILCO Pole #29 in the area of 373 Osborne Avenue, within the Riverhead Lighting District.

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

The resolution was thereupon declared duly adopted.

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

WHEREAS, an application was made by Michael Caso, residing at 5 Hale Street, Coram, New York, for the erection of a gasoline service station on premises described and bounded as follows:

BEGINNING at a point along the southerly side of Old Country Road a/k/a County Road No. 58 where said County Road No. 58 intersects with the northwesterly corner of lands now or formerly of M. Kaplan and the northeasterly point of lands of the applicant Michael Caso;

RUNNING THENCE along the southerly side of Old Country Road a/k/a County Road No. 58 approximately 151.29 feet in a general southwesterly direction to a point of the intersection of the southerly side of Old Country Road a/k/a County Road No. 58 and the northeasterly point of land now or formerly of Picone and others;

RUNNING THENCE in a general southerly direction 180.33 feet to other lands now or formerly of Picone and others;

RUNNING THENCE along said lands now or formerly of Picone and others in a general southeasterly direction a distance of 150.00 feet to a point along the lands now or formerly of M. Kaplan;

RUNNING THENCE in a general northerly direction 200.00 feet along the lands now or formerly of M. Kaplan to the point or place of BEGINNING.

and,

WHEREAS, Town Ordinance No. 26, the Zoning Ordinance of the Town of Riverhead, pursuant to Art. 1, Section 101A, Par. 45, Art. 2, Section 209A, Par. 2-d and Section 209C, Par. 's 1-a, 1-b and 1-c requires that the application for a building permit shall be subject to special permit of the Town Board, and

WHEREAS, Public Notice of said application was duly published in the News-Review, the official newspaper of the Town of Riverhead, calling for a public hearing to be held on the 23rd day of February, 1971 at 11:00 A. M. at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, and

WHEREAS, at the aforementioned time and place said public hearing was held and the Town Board having heard all persons interested therein, and

WHEREAS, the Town Board has taken the matter under due deliberation,

RESOLUTION continued:

NOW, THEREFORE BE IT RESOLVED, that the application of Michael Caso for a special permit to erect a gasoline service station pursuant to Art. 1 Section 101A, Par. 45, Art 2, Section 209A, Par. 2-d and Section 209C, Par.'s 1-a, 1-b and 1-c, is hereby granted, and

BE IT FURTHER RESOLVED that the Town Building Department issue the necessary permits in accordance with the laws of the State of New York and the Town of Riverhead.

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

The resolution was thereupon declared duly adopted.

The Town Board recessed at 12:00 Noon to reconvene at 7:30 P.M. to hold a Public Hearing on the petition of All-Towns Cable TV, Inc. for the purpose of hearing, reviewing and considering the granting of the provision, franchise and consent for the establishment of the Community Antenna Television (CATV) Service in the Town of Riverhead.

At 4:00 P. M. the Town Clerk was informed that Town Attorney John J. Munzel was advised by Lester Reed, Director of Planning -All Towns, Cable TV, Inc. that All Towns Cable TV, Inc. is withdrawing the application for Franchise Permit.

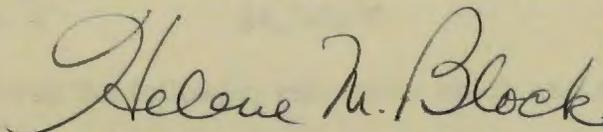
Town Clerk telephoned the office of Joseph J. Saladino, Attorney representing All Towns Cable TV, Inc. and received confirmation of the withdrawal of the application from Miss Hellert, Secretary to Joseph J. Saladino, Esq.

Miss Hellert indicated that the withdrawal will be confirmed in writing.

Town Justice Costello was scheduled to hold a jury trial at the Town Hall at 7:30 P. M. and graciously offered to stand by and inform any persons who may appear that the hearing has been cancelled.

The members of the Town Board were notified that the Public Hearing scheduled at 7:30 P. M. on the aforesaid matter was cancelled.

The Town Board Meeting hereby stands adjourned at 12:00 Noon to meet on Tuesday, March 2, 1971 at 10:30 A.M.



Helene M. Block, Town Clerk

HMB.