

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York on Tuesday, April 16, 1985 at 7:30 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 called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

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

RESOLVED, that the Minutes of Regular Board Meeting held on April 2, 1985 are dispensed without objection and be approved.

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

The resolution was thereupon duly declared adopted.

#### BILLS

Bills submitted on abstract dated April 16, 1985 as follows:

General Town	\$370,860.19
Highway	75,114.85
Capital Project	3,445.00
Street Lighting	21,846.13
Small Cities	587,384.30

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

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

General Town	\$370,860.19
Highway	75,114.85
Capital Project	3,445.00
Street Lighting	21,846.13
Capital Projects	587,384.30

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The heads of the departments of town government are present this evening should anyone have any questions of them. Reports Mrs. Pendzick."

REPORTS

Police Department-For the month of March, 1985. Filed.

Environmental Quality Review Board-That application Re: Saffals Assoc. is a Type II Action which will not have significant impact on the environment. Filed.

Tax Receiver-Collections as of April 10, 1985 (\$12,339,815.99) Filed.

County Executive-Appportionment of surplus dog tax monies. (\$2,289.48) Filed.

Supervisor's Office-Annual financial report for 1984. Filed.

Open Bid Report-Liquid Asphalt-Highway. Filed.

Open Bid Report-Peconic Bay Boulevard Improvements. Filed.

Open Bid Report-Pick-Up Truck for Dog Pound. Filed.

OPEN BID - LIQUID ASPHALT - HIGHWAY DEPARTMENT

Bid Date: April 15, 1985 at 11:00 a.m.  
2 Bids Submitted

#1 NAME: R.O. WELCH ASPHALT CO.

ADDRESS: 1064 WOODCREST AVENUE, RIVERHEAD

TOTAL BID: Item #1 \$ .9640 per/gal.  
Item #2 1.16 per/gal.  
Item #3 .95 per/gal.

#2 NAME: LANDSDELL ASPHALT & BITUMINOUS CORP.

ADDRESS: OLD NORTHPORT ROAD, BOX 697, KINGS PARK, NY

TOTAL BID: Item #1 \$1.029 per/gal.  
Item #2 1.115 per/gal.  
Item #3 1.025 per/gal.

REPORTS ContinuedOPEN BID - PECONIC BAY BOULEVARD IMPROVEMENTS

Bid Date: April 16, 1985 at 11:00 a.m.  
1 Bid Submitted

#1 NAME: CHESTERFIELD ASSOCIATES, INC.  
ADDRESS: P.O. BOX 1229, WESTHAMPTON BEACH, NY  
TOTAL BID: \$198,935.00

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OPEN BID - PICK-UP TRUCK - DOG POUND

Bid Date: April 8, 1985 at 11:00 a.m.  
5 Bids Submitted

#1 NAME: HERB OBSER MOTORS  
ADDRESS: ROUTE 58, RIVERHEAD, NY  
TOTAL BID: Exc. Spec. #10 N/A  
Inc. Spec. #10 \$10,399.00  
VEHICLE: 1985 JEEP J10 PICK-UP

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#2 NAME: RIVERHEAD DODGE, INC.  
ADDRESS: 642 WEST MAIN STREET, RIVERHEAD  
TOTAL BID: Exc. Spec. #10 \$ 8,807.00  
Inc. Spec. #10 10,807.00  
VEHICLE: 1985 DODGE D100 PICK-UP TRUCK

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#3 NAME: MEADOWBROOK FORD INC.  
ADDRESS: 271 JERICHO TURNPIKE, SYOSSET  
TOTAL BID: Exc. Spec. #10 \$ 9,679.00  
Inc. Spec. #10 11,392.00  
VEHICLE: FORD F150

REPORTS Continued

#4 NAME: KINNEY CHEVROLET-OLDS  
 ADDRESS: EAST MAIN STREET, RIVERHEAD  
 TOTAL BID: Exc. Spec. #10 \$ 8,746.00  
 Inc. Spec. #10 10,868.00  
 VEHICLE: 1985 CHEVY CC10903-E63

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#5 NAME: REESE BROS. INC.  
 ADDRESS: 855 SUNRISE HIGHWAY, LYNBROOK  
 TOTAL BID: Exc. Spec. #10 \$ 9,014.05  
 Inc. Spec. #10 11,007.05  
 VEHICLE: 1985 DODGE D100 MODEL DIE62 PICK-UP

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Irene Pendzick, "That concludes Reports."

Supervisor Janoski, "Thank you. Applications."

APPLICATIONS AND PETITIONS

Special Permit - Sanford and Robert Hefter (expand pre-existing use on Northville Turnpike and Elton Street). Filed.

Site Plan - River Center Associates/Stanley Cohen (Peconic Plaza Addition). Filed.

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Jamesport Fire District, 4/8/85-Requesting a meeting with Town Board Re: property on Manor Lane, Jamesport. Filed.

Planning Board, 4/8/85-Resolution adopted supporting County Planning Board Re: Village Incorporations and Comprehensive Planning. Filed.

Supervisor Janoski, "Thank you. The time for the first public hearing has not yet arrived. Under Unfinished Business:

UNFINISHED BUSINESS

Kimbrooke Enterprises-Special Permit for condominiums on Sound Avenue. "That is going through the environmental process."

George Nunnara-Site Plan for storage of gas/welding supplies. "The Town Board is awaiting submission of building elevations."

Steve Tsontakis-Site Plan for gas station facade, Route 25 and 25A. "We are awaiting a revised site plan."

Riverhead Honda-Site Plan for office building on Route 25A. "That is presently under consideration by the Town Board."

Supervisor Janoski, "I would like to take the opportunity to recognize Marietta Seaman who is visiting us from Congressman Carney's office. The Congressman has opened an office in Riverhead and she will be gracing our meetings. Thank you for being here. I will now recognize anyone wishing to be heard. Steve."

Steve Haizlip, Calverton, "Mr. Janoski and the other Board members. You've always allowed anyone to speak on any subject. Today I would like to speak on the State Legislature. I attended the University meeting at the Jacob Javits Hall. Mr. Cochran. Mr. Sawicki's name was there but he wasn't there. Mr. Behan, he was present but he wasn't in his seat. And Mr. Cochran was doing the speaking. I got up and spoke and took that day off and spoke about many unjust things. Like paying for uninsured drivers when the law requires for everybody to have insurance and so forth and so on. Then I followed it up with a letter and then that letter was sent out on the 15th day of March. As of this date, (I called Mr. Sawicki to make sure I had the right address) nothing has come through. I am going to take a page from Jessie Tomlinson's book. It seems that they don't care anything about us. Because when she was speaking about the gas plant down there, (the nerve gas) seems that they don't care anything about us. Just whatever they can get out of us, what they can squeeze out of us, that's all they want to know and I think most of all that stuff is a formality. Thank you."

Supervisor Janoski, "Thank you Steve. Yes sir."

Felix Mackie, Aquebogue, "I would like to make a suggestion. I think the Town of Riverhead should have its own consumer's protection board so that anybody that is a resident or a taxpayer of Riverhead and buys something local and get stiffed, not getting what he wants; he goes to the dealer or whatever he buys the article from and doesn't get any satisfaction, he can at least come here to the town to see our own town consumer rights man who could get in touch with the store, company, or whatever it is. And the reason I'm saying this is I bought a used car (Renault) and they were going to take care of it and do everything to it, tune it up, do this, do that. I had trouble with that car from the time I bought it and it would get sluggish. Finally my wife said; I'm not going to drive it any more. And I got the mechanic down and we worked on this car and we took these plugs out. These plugs that were supposed to be tuned up, I think were in from the time

PERSONAL APPEARANCES ContinuedFelix Mackie, Continued

the car was made. I would like to show you one of these if I may. This was a plug that was taken out that was supposedly tuned. It was so rusted in that we could only get 5 out and I got the sixth out. We wound up having to get a carburetor and when I went back to the dealer and showed him the blood and the distributor cap which was all corroded, he said: I'm sorry there isn't anything I can do about it. So it wound up I laid another couple of hundred dollars because he didn't do what he said he did. He said it was all taken care of. It had been tuned up, a new distributor, a new cap. It broke down on me when I went to the city for a wake and the mechanic there replaced a master cylinder that went on the fritz and said that you're fuel system is contaminated. I brought it back here to the dealer I got it from and told him that. And when I picked it up he said; don't worry. It's all taken care of. In actuality, he did nothing to it. And I went back and he said sorry there's nothing we could do about it. I think because of things like that, we ought to have our own consumers rights man right here in Riverhead to take care of things that happened to us here in Riverhead with our local dealers and stores. I understood that if you got work done on a car, they would either give you or show you the parts that they replaced. You can see from that that they never gave them to me or never showed them to me. But when I spoke to him, did he take care of it, oh! He took care of everything. Everything was done. And also there's another item. I don't usually watch the bills in the house but we got a bill 2 weeks ago from Cablevision. And on the bill was a little yellow sticker saying our name was put on a mailing list. They didn't ask permission. They just told us it was put on there. Usually I don't even look at the bills. Because of that, I looked at the bill and saw that they billed us for two months in advance. Are you aware that that's a practice with Cablevision?"

Supervisor Janoski, "I can't really say that I am. I pay the bill whatever it is."

Felix Mackie, "Yes, but you signed the agreement with them. The town signed the agreement with Cablevision right? Are you aware that that's their practice to charge two months in advance? Is the Town Attorney here? I know he must have been in on it."

Richard Ehlers, "I spoke to the fellow today and he did not mention it to me but I'll call him tomorrow."

Felix Mackie, "Yes. But I mean you had to be there when he signed this agreement right? When it was being made up."

Richard Ehlers, "I don't recall it being.... It's not in the agreement. I can tell you that. I don't know why he sent you a bill two months in advance, but I can tell you it's not in the agreement."

PERSONAL APPEARANCES Continued

Felix Mackie, "You're the Town Attorney. When this agreement was made up, wasn't that spelled out between the town and Cablevision?"

Richard Ehlers, "He's not entitled to charge you two months in advance."

Felix Mackie, "He's not entitled to?"

Richard Ehlers, "No. I'll be happy tomorrow to call."

Felix Mackie, "He's doing that with everybody. I can show you my bill and a bill from a friend of mine right here."

Richard Ehlers, "I'm glad you brought it to our attention so I'll call tomorrow."

Felix Mackie, "You weren't aware of this?"

Richard Ehlers, "No."

Felix Mackie, "I can't believe that."

Supervisor Janoski, "Do you have Cablevision?"

Richard Ehlers, "I don't watch T.V."

Felix Mackie, "That's ridiculous."

Councilman Artale, "You listen to the radio right Dick."

Felix Mackie, "Here. Here's mine."

Supervisor Janoski, "Ok sir. We're going to have to..... We'll be happy to take a look at that and the Town Attorney will look into it tomorrow."

Felix Mackie, "Why not tonight? I got it right here now."

Supervisor Janoski, "No. I'm not talking about that. I'm talking about talking to Cablevision tomorrow. I've got a public hearing that I have to call in a very little while."

Felix Mackie, "The thing that I want to bring up was that these people are charging us for two months in advance. You're saying now they shouldn't. So it means that all the time they're charging us for two months in advance, they're getting thousands of dollars from us right? And if this is going on throughout Long Island, Nassau and Suffolk, there's hundreds of thousands. If it's statewide, it's millions that they're getting from us that they shouldn't. If we should be billed monthly, we shouldn't be paying two months in advance. Right? Instead of paying 23, you should be paying \$11.50. So that means they got another \$11.50 for another 30 days that they shouldn't have from thousands of people. Maybe hundreds of thousands."

PERSONAL APPEARANCES Continued

Councilman Artale, "They're billing you for a service you haven't even received yet."

Felix Mackie, "They're billing us two months in advance which is the practice."

Councilman Artale, "I can tell you that they've been doing that for a long, long time even when it was Long Island Cablevision. I've been getting my bills and they've been two months in advance."

Supervisor Janoski, "We would not be aware of something if a person does not have Cablevision. And unless someone like yourself stands up to the microphone and says are you aware of this practice, I would not be aware of it. I'm hooked up to Cablevision. I get a bill and I never notice it."

Felix Mackie, "When you signed the agreement, did you give them permission...."

Supervisor Janoski, "Sir, we've already said that it was not part of the agreement and we will contact Cablevision tomorrow because they were not entitled to do that."

Felix Mackie, "Will they give us the money back because they over-billed us in advanced?"

Supervisor Janoski, "I don't think so."

Felix Mackie, "Well, why not? This comes to a lot of money. This isn't a hundred dollars. This is thousands. If they're doing it all over the state and Nassau and Suffolk, thousand people is 13 thousand dollars, 10 thousand people is 130 thousand dollars they shouldn't have gotten for another 30 days. And nobody was aware of it?"

Councilman Lombardi, "Why don't you ask Bob to make a comment?"

Felix Mackie, "That and the fact that we ought to have our own.... That's another reason we should have a consumer's protective agency. Maybe the consumer would know that."

Supervisor Janoski, "There is a.... Cconsumer affairs (as I recall) does not have jurisdiction over Cablevision. There is a state cable commission."

Felix Mackie, "Maybe so. But we could bring it up to the state cable agency is a consumer. Right?"

Supervisor Janoski, "As a matter of fact, you could call the state cable commission."

Felix Mackie, "That's how I found out. I called them. But you people, you don't help the consumers out. You're an elected official. If you got a consumers affair guy, he would look out for the consumers part."

PERSONAL APPEARANCES Continued

Councilman Boschetti, "There is a Department of Consumer Affairs on the county level."

Felix Mackie, "Yes. But why don't we have one in Riverhead?"

Councilman Boschetti, "That would only... Of course if we duplicate county services,...."

Felix Mackie, "No. This is separate. What does it have to duplicate? We're not taking care of the whole county."

Councilman Boschetti, "Because it already exists. It exists for the entire county. And as a county resident, you can avail yourself of that service."

Councilman Artale, "It's at the county center."

Felix Mackie, "Does it exist in the Town of Riverhead for us?"

Councilman Boschetti, "It's right at the county center. They have an office...."

Felix Mackie, "But that's in the county."

Councilman Boschetti, "No. No. It's less than a mile from where we're sitting right now."

Felix Mackie, "Is that in Riverhead?"

Councilman Boschetti, "Actually it's in the Town of Southampton. But it's the county center nonetheless."

Felix Mackie, "Why can't we have one in Riverhead for the residents of Riverhead?"

Supervisor Janoski, "I can't think of a reason."

Felix Mackie, "Somebody to look out for our interests. I think the one that's for the county is going to cover the whole county. Why can't we have somebody that looks out for Riverhead?"

Councilman Lombardi, "Sam, why don't you leave that copy here and we'll get it to...."

Felix Mackie, "I'll give it to nobody."

Councilman Lombardi, "Give it to me and we'll make a copy."

Felix Mackie, "It amounts to thousands and thousands of dollars that they've been billing us illegally."

Supervisor Janoski, "Sir, I'm going to have to interrupt you."

Felix Mackie, "That's always the way. We run out of time. Can I have my spark plug back?"

PERSONAL APPEARANCES Continued

Councilman Lombardi, "Here it is. I was going to use it in my truck but I don't have them any more."

Felix Mackie, Spoke from audience. INAUDIBLE.

Councilman Lombardi, "Sam, you have that copy and we'll run off a copy. No you don't have to talk to your lawyer."

Supervisor Janoski, "I'll bring in my own bill. I'm sure that I probably do the same thing. Well, let the record show that the hour of 7:49 p.m. has arrived. The Town Clerk will please read a notice of Public Hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, April 16, 1985 at 7:45 p.m. at Riverhead Town Hall, to hear all interested persons regarding: A Proposed Amendment to Town Code Chapter 105-11 "Discontinuance of Service by Order of the Board or Superintendent".

(See Water Minutes)

7:45 PUBLIC HEARING CLOSED AT 7:51

Supervisor Janoski, "Ok. Before we get into the resolutions, is there anyone who would like to address the Board on anything on the agenda? Mr. Kasperovich."

William Kasperovich, Wading River, "Gentlemen, you haven't heard me here at the microphone for the last two meetings because I've been sitting here specifically analyzing and trying to understand the manner of the Town Board's function. It doesn't sit right with me to listen to Councilmen to read something from a paper using words that they can not even pronounce. Obviously, if they can't pronounce the words, they didn't write the motion. We sit here and listen to a motion from a printed piece of paper by well educated and learned councilmen. And it's obvious that the legal language used in it was written by an attorney and not by the councilmen. Now, in all these years, we have no way to know who sponsors what resolutions, who champions what resolutions, who is responsible for bringing it to be written into the town laws. There's no way to know. And yet you four gentlemen sit up there (three and one absent) and read these resolutions and they go into the town record for posterity under your name. Now, I sat in your office Mr. Janoski this afternoon and it became obvious that some of these resolutions were not seen until 11 o'clock this morning. Some of them were questionable whether they were seen or read. And yet here tonight you're going to sit and set them in concrete in the Town Clerk's Office. You had a half dozen resolutions that you're going to pass on tonight that had to be explained by the Town Attorney that were skimmed over so quickly. Even paying strict attention, I couldn't fathom what was going on and you're

PERSONAL APPEARANCES ContinuedWilliam Kasperovich, Continued

going to sit here tonight and pass them. Now, for the first time in about 10 years, I got copies of the resolutions this afternoon. I couldn't believe myself that I got copies of them. For the first time. And as I went through them in leaving here and supper, there are a lot of things that an average interested citizen would want to look into to see whether he agrees or disagrees or whether he would want to say anything to the Town Board. And you can't do it. There just isn't that kind of time. Now, many of these things that are in here are not that pressing that they couldn't be put off until the next meeting. There are a number of things here that could have been brought up before this. And so we went from two councilmen and a supervisor with two justices to four councilmen and a supervisor. And yet so called due process is not given the citizen. You're four in number so there wouldn't be an even tie. But the majority does not rule because the majority just got the resolutions and wasn't able to sleep on them. And I contend that if you didn't get the resolutions in time to sleep on it, ponder on it over night, look something up, think something over or verify something or check something, then that is what is referred to as steam rolling and I thought that steam rolling went out with "Tamany Hill". So we sit complicitly at home feeling that 5 men, the majority, will rule because the majority will have to follow. And that is not so. Occasional abstention, an occasional dissent in the general administration of this town by these resolutions so many in number, are not by majority rule. And so come election time, your name is on a lot of resolutions. We don't know what you did with them. We don't know how much of it was your doing. And so what are we voting for? Granted you can't put in that much time as the supervisor can. I'm speaking to the councilmen now. Because you're only making a third of his salary, you put in a third of his time. But the few resolutions that carry your name, should be sponsored by you. They should be what you believe in and what you have brought up and instilled and created and brought in for the good of the town. But no. You read things as if you are reading them for the first time. And as I said this afternoon, you probably only got it this afternoon. And this is wrong. We accepted you elected officials by a majority vote, There are 5 of you with a majority vote that puts the resolution in the books. And from the 5, I feel we should know who has written, who has sponsored, who has put forth for the good of Riverhead these resolutions. As it stands now, you put your name to it but there's no way for us to know that it's yours and that you're wholeheartedly and in all good conscience, behind it. And so I request that this unamerican procedure, this lack of democratic principals be changed. And if you can't put the resolution out tonight, you can put it out at the next meeting or the following meeting. But at least let the people feel that you councilmen are counted by the majority and that's the way Riverhead laws are put in the books. Anything other than that is not the democratic way of life. Thank you."

Supervisor Janoski, "Henry."

PERSONAL APPEARANCES Continued

Henry Pfeiffer, Wading River, "Bill, I'm not in total agreement with you. Although I'm not the most articulate person in the world, not the most learned person in the world, most of the resolutions that are read here, seem to be quite clear. Where I do not understand them, (I, like you) I do not hesitate to get up and ask a question. And I think that in many issues, (particularly the way we have hearings) the explanation of the town attorney is so clear that even I can understand it. It's 1,2,3,4 and following a natural and normal sequence. As far as the language obtained in the resolutions and the other materials that come before us, I think that all the matter put into terms that's for the protections of the town's people, are probably done by the town attorney and such a well way that the language is (I shall say) secure from challenge. Thank you."

Supervisor Janoski, "Thank you. Steve."

Steve Haizlip, "Mr. Janoski and the other Board members. How does the county executives get into dog tax monies? I thought that was strictly a town administered fee and collected within the town."

Supervisor Janoski, "I didn't get the... What tax monies?"

Steve Haizlip, "It says the county executives apportionment of surplus dog tax monies, \$2,289 dollars. How do they get in the act of dog tax money? I thought that was a town function and the licenses issues by the Town Clerk and all the monies collected. How do they get involved?"

Irene Pendzick, "Steve, the town only keeps 53% of monies generated by the dog licenses and my office has to send the county and the state the rest."

Steve Haizlip, "That answers my question Irene. Thank you."

Supervisor Janoski, "Is there anyone else who wishes to be heard at this time? Dick Benedict, Fanning Boulevard."

Dick Benedict, Fanning Boulevard, "I seen for several meetings that the River Center Associates are not on the Unfinished Business but I now see it back again with a site plan. Is that for retail stores?"

Supervisor Janoski, "There are.... Mr. Town Attorney, was there 2?"

Richard Ehlers, "There's been a compromise solution reached which provides that he will be in conformity with the proposed new zoning in the area and the site plan has been modified to reflect that. There are 5 large offices, a restaurant which is contemplated by the new office service district and (2 smaller) I should say; one small and one medium size retail establishment which when you consider it's total density which we anticipate would be permitted for the office service district goes into effect, this should

PERSONAL APPEARANCES ContinuedRichard Ehlers, Continued

be just about in line with. That's balanced by the fact that he did have a site plan submitted prior to the consideration of this service zone and it's in the settlement of that litigation that this site plan is now considered by the Board."

Dick Benedict, "He submitted this site plan before the moratorium? Is that what you're saying? We are going to concede to retail stores?"

Richard Ehlers, "He has some site plans submitted before the moratorium. He had some amended site plans submitted after the moratorium."

Dick Benedict, "And he's also going to dump his water into that so called wooded swamp that's already over loaded for these 5 or 6 or 6 buildings? So I see. He just came in a little late."

Richard Ehlers, "Maybe he's talking about the storm water run off."

Dick Benedict, "Run off from all of the buildings and the storm water."

Richard Ehlers, "You're not talking about the sanitary sewage?"

Dick Benedict, "No."

Richard Ehlers, "Sanitary sewage would be approved by the Suffolk County. The storm water run off at the time, they condemned the Suffolk County water flow there into that recharge area, gave easements to those property owners to give their storm water run off in that area. As to Middle Road itself, the resolution stipulates that the curbing on Middle Road, the height and elevations of the curbing as well as any drainage that would be required on Middle Road must be designed by him and submitted to the town Highway Superintendent for his approval and then it would be constructed."

Dick Benedict, "How many more people can dump in there? The department of motor vehicle and Malvese and Metropolitan Life have all gone in since that piece was given to the County."

TAPE ENDED

Dick Benedict, "The whole parking lot is already paved. There's no place for the water to run to."

Richard Ehlers, "That will not be changed by this. The water is supposed to run into the county sump."

PERSONAL APPEARANCES Continued

Dick Benedict, "All the water from Suffolk County, Motor Vehicle Bureau parking lot is already running on to Middle Road. If you've ever been down there during the rain, it's not catching it all. And that wooded swamp was already filled up long before anyone else dumps in there. I would suggest that you take a close look at the drainage and dump it more towards the south towards the bay. Not towards Middle Road. Thank you."

Supervisor Janoski, "Bill."

Bill Nohejl, Wading River, "I must commend the Highway Department and the town for the beautiful job they did on Sound Road in Wading River. It's a pleasure to drive that road there. It's really wonderful. Thank you."

Supervisor Janoski, "Does anyone else wish to be heard at this time? Let us proceed with the resolutions."

RESOLUTIONS

#269 AUTHORIZES OVERTIME COMPENSATION - WATER DISTRICT.

(See Water District Minutes)

#270 ESTABLISHED IMPRESSED PETTY CASH ACCOUNT FOR WATER DEPT.

(See Water District Minutes)

#271 CORRECTS RESOLUTION #205 OF MARCH 19, 1985.

(See Sewer District Minutes)

#272 A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO THE PROPOSED ESTABLISHMENT OF EXTENSION NO. 30 TO THE RIVERHEAD WATER DISTRICT IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, PURSUANT TO ARTICLE 12-A OF THE TOWN LAW.

(See Water District Minutes)

#273 A RESOLUTION APPROVING THE ESTABLISHMENT OF THE PROPOSED EXTENSION NO. 30 TO THE RIVERHEAD WATER DISTRICT IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AND FURTHER APPROVING THE CONSTRUCTION OF IMPROVEMENTS PROPOSED THEREFOR.

(See Water District Minutes)

#274 RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENTS OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

RESOLUTIONS Continued

- #275 A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO THE PROPOSED ESTABLISHMENT OF EXTENSION NO. 29 TO THE RIVERHEAD WATER DISTRICT IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, PURSUANT TO ARTICLE 12-A OF THE TOWN LAW.

(See Water District Minutes)

- #276 A RESOLUTION APPROVING THE ESTABLISHMENT OF THE PROPOSED EXTENSION NO. 29 TO THE RIVERHEAD WATER DISTRICT IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AND FURTHER APPROVING THE CONSTRUCTION OF IMPROVEMENTS PROPOSED THEREFOR.

(See Water District Minutes)

- #277 RESOLUTION IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

- #278 APPROVES REQUEST OF JOSEPH BILEK FOR SIX-MONTH LEAVE OF ABSENCE.

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

WHEREAS, Joseph Bilek did submit his written request for a six-month leave of absence from his position of Sewer Treatment Plant Operator.

NOW, THEREFORE, BE IT

RESOLVED, that Joseph Bilek be and is hereby granted a six month leave of absence from his position of Sewer Treatment Plant Operator effective May 8, 1985.

(Also in Sewer District Minutes)

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

The resolution was thereupon duly declared adopted.

- #279 APPROVES LEAVE OF ABSENCE OF HOME AIDE.

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

WHEREAS, Marjorie Kellar did submit her written request for three-month leave of absence from her position of Home Aide due to medical reasons.

NOW, THEREFORE, BE IT,

RESOLVED, that Marjorie Kellar be and is hereby granted a three-month leave of absence from her position of Home Aide effective April 15, 1985.

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

#280 AUTHORIZING THE SUPERVISOR TO ACCEPT ON BEHALF OF THE TOWN OF RIVERHEAD A DEED FROM H. LYNDON HALLOCK CONVEYING PROPERTY ON PIER AVENUE FOR A FUTURE DRAINAGE FACILITY.

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

WHEREAS, the Town of Riverhead Planning Board in conjunction with the granting of a subdivision covering property in the vicinity of Pier Avenue in Riverhead, has required the dedication by H. Lyndon Hallock, applicant, of a parcel of property on the west side of Pier Avenue for the construction of a future drainage facility, and

WHEREAS, a tender has been made of a deed and the necessary title work has been completed.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized to accept and the Town Clerk to record with the Suffolk County Clerk the attached deed from H. Lyndon Hallock to the Town of Riverhead, and be it further

RESOLVED, that such property is taken for drainage purposes and is specifically not accepted as dedicated park land.

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

The resolution was thereupon duly declared adopted.

#281 AUTHORIZING THE SUPERVISOR TO EXECUTE ON BEHALF OF THE TOWN OF RIVERHEAD RELEASES AND AGREEMENTS REGARDING DRIVEWAY IMPROVEMENTS ON HORTON AVENUE WITH THE PROPERTY OWNERS.

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

WHEREAS, the Town of Riverhead has prepared bid specifications for driveway improvements at Horton Avenue, which improvements require construction easements from certain owners of real property abutting Horton Avenue.

NOW, THEREFORE, BE IT

RESOLVED, the Supervisor is authorized to execute, in behalf of the Town of Riverhead, Releases and Agreements with Sherman Trent, Frank Hatcher, Mary Hatcher, Spencer Hobson and Louise Hobson.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#282 REQUESTS STATE LEGISLATURE TO RATIONALIZE MUNICIPAL TORT LIABILITY.

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

WHEREAS, in recent years the cost of tort liability for local government has increased dramatically, especially in New York State, and

WHEREAS, New York is one of only two states with unlimited liability exposure for local government entities, and

WHEREAS, such unlimited liability has caused serious fiscal problems for local government budgets which, combined with reductions in federal assistance and volatile economic conditions, threatens the financial health of public treasuries and diverts limited tax dollars from the provision of essential services, and

WHEREAS, the unpredictability of large damage awards and settlements is a constant threat to many of the State's smaller jurisdictions which may simply not be able to afford a catastrophic loss, and

WHEREAS, the State Legislature can take action to moderate local government liability at no cost to the State, be it

RESOLVED, that the Town Board of the Town of Riverhead respectfully requests the New York State Legislature to pass, and the Governor to sign into law (a) bill(s) for the purpose and effect of:

1. Amending the doctrine of joint and several liability to limit damages governmental defendants are required to pay to their equitable share of judgments;
2. Limiting recovery for non-economic losses (e.g., pain and suffering) to cases where significant injury is proven according to objective standards;
3. Establishing a reasonable cap on recovery against governmental tort defendants or some other appropriate means of limiting local government liability; and be it further

RESOLVED, that this Town Board of the Town of Riverhead urges the State Legislature to act favorably on the legislation currently pending before it, or a comparable alternative thereto, which would accomplish the aforementioned goals; and be it further

RESOLVED, that this resolution be sent to Governor Cuomo and the members of the New York State Legislature.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#283 AUTHORIZING OVERTIME COMPENSATION - RECREATION DEPARTMENT.

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

RESOLVED, that the following employee of the Riverhead Recreation Department be paid time and one-half overtime compensation:

Oliver Miles 16 hrs. x \$11.4345 = \$182.95

FURTHER RESOLVED, that the explanatory report relating to aforesaid overtime submitted by the Superintendent of the Recreation Department, be filed in the Office of the Town Clerk and overtime compensation be taken from Account A7140.140.

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

The resolution was thereupon duly declared adopted.

#284 REQUESTING STATE FUNDED MUNICIPAL ENVIRONMENTAL IMPAIRMENT INSURANCE.

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

WHEREAS, the Town of Brookhaven has, by resolution, called upon the State Legislature to adopt legislation which would provide for the provision of environmental impairment liability insurance for municipalities, and

WHEREAS, such insurance is necessary for the orderly conditions of the affairs of municipal governments.

NOW, THEREFORE, BE IT

RESOLVED, that in conjunction therewith, or in the alternative, that New York State either impose a cap as to any claim and cause of action initiated against a municipality for environmental impairment, or that the same be required to be tried in the New York State Court of Claims; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby directed to remit copies of this resolution to the New York State Association of Towns, all of the Towns in Nassau and Suffolk Counties, the Long Island New York State Legislative Delegation, and the respective insurance committees and sub-committees of the New York State Legislature which are involved with insurance.

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

The resolution was thereupon duly declared adopted.

#285 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:

RESOLUTIONS Continued

	<u>FROM</u>	<u>TO</u>
D5140.410 Engineering	\$ 6,000.00	
D5140.480 Off Street Parking	10,000.00	
D5142.400 Snow Removal		\$16,000.00

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

The resolution was thereupon duly declared adopted.

#286 AUTHORIZES ATTENDANCE OF HIGHWAY SUPERINTENDENT AT SUFFOLK COUNTY HIGHWAY SUPERINTENDENT'S ASSOCIATION CONFERENCE.

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

WHEREAS, the Suffolk County Highway Superintendent's Association Annual Conference shall be held Sunday June 2 through June 5, 1985 at Shelter Island, New York, and

WHEREAS, Highway Superintendent Charles Bloss has expressed a desire to attend said convention,

NOW, THEREFORE, BE IT,

RESOLVED, that Highway Superintendent Charles Bloss be and is hereby authorized to attend the Suffolk County Highway Superintendents Association Annual Conference, June 2 through June 5, 1985, at Shelter Island, New York, and

FURTHER BE IT RESOLVED, that all necessary fees and expenses be advanced and charges to the appropriate Highway Department Account. Said expenses shall not exceed \$350 and shall be fully receipted.

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

The resolution was thereupon duly declared adopted.

#287 AWARDS BID FOR LIQUID ASPHALT - HIGHWAY DEPARTMENT.

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

WHEREAS, the Town Clerk was authorized to advertise for bids for Liquid Asphalt for the Highway Department, and

WHEREAS, on the 15th day of April, 1985 all bids received were opened and read aloud, and

WHEREAS, only two bids were received, and

WHEREAS, R.O. Welch Asphalt Company, 1064 Woodcrest Avenue, Riverhead, New York for the Bid price of ITEM #1 \$0.9640 per/gal; ITEM #2 \$1.16 per/gal; ITEM #3 \$0.95 per/gal., in conformity with the bid specifications, documents, etc., on file with the Town of Riverhead.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#288 BUDGET ADJUSTMENT.

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

RESOLVED, that the Supervisor be and hereby is authorizing the following Budget Adjustment:

LOCAL STREET & HIGHWAY CAPITAL PROJECT

	<u>FROM</u>	<u>TO</u>
H3501 State Aid	\$2,300.00	
H5112.385 Construction		\$2,300.00

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

The resolution was thereupon duly declared adopted.

#289 AUTHORIZES POLISH TOWN STREET FAIR AND FESTIVAL.

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

WHEREAS, the members of the Polish Town Civic Association wish to hold an annual "Street Fair and Festival" in the area of Pulaski Street, and

WHEREAS, the Police Department and Fire Department will be advised by letter of the plans and arrangements of the "Street Fair and Festival", and

WHEREAS, obstructions will not be permitted in the street for the passage of emergency vehicles, if necessary,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 6403 of the Town Law, this Town Board grants permission to the Polish Town Civic Association to conduct the "Polish Town Street Fair and Festival" and that Pulaski Street be closed to vehicular traffic from Marcy Avenue to Hallet Street; and the length of Osborn Avenue from the High School parking lot south to Lincoln Street; and Lincoln Street from Griffing Avenue to Marcy Avenue; during the hours of 10:00 a.m. to 6:00 p.m. on Saturday, August 17, 1985 and the hours of 12:00 to 6:00 p.m. on Sunday, August 18, 1985; for the purpose of a community "Street Fair", and on condition that a certificate of insurance in the amount of \$1,000,000 (one million) dollars be filed with the Town Clerk, and be it

FURTHER RESOLVED, that permission is hereby granted to hold a "Polka Dance Festival" on Friday, August 16, 1985 from 8:00 p.m. to 1:00 a.m. in addition to the aforementioned dates at the corner of Lincoln Street and Osborn Avenue, on condition that a certificate of insurance in the amount of \$1,000,000 (one million) dollars be filed with the Town Clerk.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#290 AUTHORIZES TOWN CLERK TO ATTEND ANNUAL CONFERENCE.

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

RESOLVED, that the Town Clerk be and is hereby authorized to attend the 3rd Annual Conference of the New York State Town Clerk's Association in Albany, New York on April 21 to 23rd, 1985 and that the expenses incurred to be charged to the Town Clerk's account 1410.400 and not to exceed the amount of \$150.00

BE IT FURTHER RESOLVED, that all expenses are to be fully receipted upon her return.

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

The resolution was thereupon duly declared adopted.

#291 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS  
RE: HIGHWAY RECONSTRUCTION OF HORTON AND OSBORNE AVENUES.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Notice to Bidders in the April 18, 1985 issue of The News Review and be it further

RESOLVED, that the funds necessary to complete this highway reconstruction project shall be taken from Community Development Block Grant monies.

PUBLIC NOTICE  
NOTICE TO BIDDERS

Notice is hereby given that

THE TOWN OF RIVERHEAD

Will accept sealed bids for the highway construction of:

HORTON AVENUE AND OSBORNE AVENUE  
RIVERHEAD, NEW YORK  
CONTRACT NO. R1-85

According to drawings and specifications prepared by Bienstock and Lucchesi, P.C. and described in general as follows:

Highway reconstruction of Horton Avenue and Osborne Avenue  
Sealed Bids will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York, 11901 until 11 a.m., Monday, May 6, 1985.

Bids will be publicly opened and read aloud at that time and place for the following contract:

Highway reconstruction of Horton Avenue and Osborne Avenue  
(Bids received after that time will not be accepted)

Plans and specifications may be obtained at the Office of the Town Clerk, upon \$50 for each set furnished.

Deposits for plans and specifications will be refunded to bidders who return plans and specifications within ten (10) days in good condition. Each proposal must be accompanied by a bid bond or certified check in the amount of 5 percent of the total bid, made payable to Joseph F. Janoski, Supervisor, Town of Riverhead.

RESOLUTIONS Continued

The Town Board reserves that right to reject any or all bids, to waive any informalities and to accept such alternate bids which in the opinion of the Town Board will be in the best interests of the Town of Riverhead.

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

The resolution was thereupon duly declared adopted.

#292 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF BIDDERS  
RE: TOWN OF RIVERHEAD POLICE/COURT FACILITY INTERIOR WORK,  
ARCHITECTURAL WOODWORK.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Notice to Bidders in the April 18, 1985 issue of The News Review.

PUBLIC NOTICE  
NOTICE TO BIDDERS

Notice is hereby given that  
THE TOWN OF RIVERHEAD  
Will accept sealed bids for the construction of:  
THE TOWN OF RIVERHEAD  
POLICE/COURT FACILITY INTERIOR WORK  
RIVERHEAD, NEW YORK

According to drawings and specifications prepared by Angelo Francis Corva and Associates, Architects, and described in general as follows:

Architectural woodwork

Sealed bids will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:30 a.m., Monday, May 6, 1985.

Bids will be publicly opened and read aloud at that time and place for the following contract:

Contract No. 6: Architectural woodwork

(Bids received after time will not be accepted)

Plans and specifications may be obtained at the Office of the Town Clerk and the architect, Angelo Francis Corva and Associates, Architects, 99 Quentin Roosevelt Boulevard, Garden City, New York, 11530, upon deposit of \$50 for each set furnished.

Deposits for plans and specifications will be refunded to bidders who return plans and specifications within ten (10) days in good condition. Each proposal must be accompanied by a bid bond or certified check in the amount of 5% of the total bid, made payable to Joseph F. Janoski, Supervisor, Town of Riverhead.

The Town Board reserves that right to reject any or all bids, to waive any informalities and to accept such alternate bids which in the opinion of the Town Board will be in the best interests of the Town of Riverhead.

RESOLUTIONS Continued

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

The resolution was thereupon duly declared adopted.

#293 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS  
RE: TOWN OF RIVERHEAD POLICE/COURT FACILITY INTERIOR WORK,  
DETENTION CELL FRONTS.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post below Notice to Bidders in the April 18, 1985 issue of The News Review.

PUBLIC NOTICE  
NOTICE TO BIDDERS

Notice is hereby given that  
 THE TOWN OF RIVERHEAD  
 Will accept sealed bids for the construction of:  
 THE TOWN OF RIVERHEAD  
 POLICE/COURT FACILITY INTERIOR WORK  
 RIVERHEAD, NEW YORK

According to drawings and specifications prepared by Angelo Francis Corva and Associates, Architects, and described in general as follows:

Detention Cell Fronts

Sealed bids will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York, 11901 until 11:15 a.m., Monday, May 6, 1985.

Bids will be publicly opened and read aloud at that time and place for the following contract:

Contract No. 5: Detention Cell Fronts

(Bids received after that time will not be accepted)

Plans and specifications may be obtained at the office of the Town Clerk and the architect, Angelo Francis Corva and Associates, Architects, 99 Quentin Roosevelt Boulevard, Garden City, New York, 11530, upon deposit of \$50 for each set furnished.

Deposits for plans and specifications will be refunded to bidders who return plans and specifications within ten (10) days in good condition. Each proposal must be accompanied by a bid bond or certified check in the amount of 5% of the total bid, made payable to Joseph F. Janoski, Supervisor, Town of Riverhead.

The Town Board reserves that right to reject any or all bids to waive any informalities and to accept such alternate bids which in the opinion of the Town Board will be in the best interests of the Town of Riverhead.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#294 AUTHORIZES TOWN CLERK TO PUBLISH AND POST 1984 ANNUAL FINANCIAL REPORT SUMMARY AND FEDERAL REVENUE SHARING FUNDS REPORT.

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

RESOLVED, that the Town Clerk be and hereby is authorized to publish and post the Annual Financial Report for the year ending December 31, 1984.

TOWN OF RIVERHEAD  
ANNUAL FINANCIAL REPORT  
(Summary)  
1/1/84

<u>Governmental Fund Types</u>	<u>Reserved &amp; Unreserved</u>		
<u>General</u>	<u>Fund Balance</u>	<u>Receipts</u>	<u>Disbursements</u>
General Fund	\$1,044,050.17	\$6,274,735.79	\$6,714,946.35
<u>Special Revenue</u>			
Highway	378,958.98	1,421,542.74	1,610,758.49
Community Development	4,793.13	-----	-----
Small Cities	47,833.40	430,461.73	358,432.22
Federal Revenue Sharing	120,187.81	346,096.14	366,410.72
Ambulance Fund	10,918.96	18,370.61	13,710.17
Parking Meter	43,871.14	17,172.63	5,294.97
Lighting District	118,200.89	174,106.01	230,390.45
Water District	122,015.94	730,216.96	736,599.04
Police Athletic League	2,870.27	7,308.75	6,894.09
Teen Center	-0-	2,141.04	1,796.25
Sewer District	166,072.44	406,868.78	366,786.18
Public Parking District	58,560.92	100,801.84	85,273.26
Scavenger Waste District	224,866.03	97,813.98	35,910.95
<u>Debt Services</u>			
General Town Debt Service	29,730.39	336,852.94	262,022.37
Water Debt Service	39,412.54	1,075,719.95	176,545.84
Sewer Debt Service	109,310.85	111,439.87	37,262.91
Public Parking Debt Service	-0-	217,419.03	69,553.19
<u>Capital Projects</u>			
Capital Projects	152,970.28	5,318,873.56	4,838,602.08
<b>Total All Funds</b>	<b>\$1,918,951.52</b>	<b>17,087,942.35</b>	<b>15,917,149.53</b>

12/31/84  
Reserved & Unreserved  
Fund Balance

<u>General</u>	
General Fund	\$ 603,839.61
<u>Special Revenue</u>	
Highway	189,743.23
Community Development	4,793.13
Small Cities	119,862.91
Federal Revenue Sharing	99,873.23
Ambulance Fund	15,579.40
Parking Meter	55,748.80
Lighting District	61,916.45

RESOLUTIONS Continued

	12/31/84 Reserved & Unreserved <u>Fund Balance</u>
Water District	\$ 115,673.86
Police Athletic League	3,284.93
Teen Center	344.79
Sewer District	206,155.04
Public Parking District	74,089.50
Scavenger Waste District	162,963.00
<u>Debt Services</u>	
General Town Debt Service	104,560.96
Water Debt Service	938,586.65
Sewer Debt Service	183,487.81
Public Parking Debt Service	147,865.84
<u>Capital Projects</u>	
Capital Projects	<u>327,301.20</u>
 Total	 \$3,089,744.34

TOWN OF RIVERHEAD  
STATEMENT OF INDEBTNESS  
FOR FISCAL YEAR ENDING 12/31/84

	<u>Outstanding</u> <u>1/1/84</u>	<u>Issued During</u> <u>Fiscal Year</u>	<u>Paid During</u> <u>Fiscal Year</u>	<u>Outstanding</u> <u>12/31/84</u>
Total	\$4,101,750.00	\$4,133,250.00	\$283,625.00	\$7,951,375.00

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the Annual Report for Federal Revenue Sharing Funds as follows:

PUBLIC NOTICE  
REPORT  
FEDERAL REVENUE SHARING FUNDS  
for the year 1984

PLEASE TAKE NOTICE, that the Annual Report of Proposed and Actual Expenditures of Federal Revenue Sharing Funds for the year ending December 31, 1984 is filed in the Town Clerk's Office, Town of Riverhead, 200 Howell Avenue, Riverhead, New York, and are available for public inspection.

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#295 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD.

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

WHEREAS, Gerald Allen did submit his letter of resignation from his position of laborer with the Highway Department, and

WHEREAS, a vacancy presently exists in that position.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Help Wanted Ad in the April 18th 1985 issue of The News Review

PUBLIC NOTICE  
HELP WANTED AD

The Town of Riverhead is now accepting applications for Laborer in the Highway Department. Applicants should be in good physical condition and possess a New York State Driver's License. Interested individuals are asked to apply in the Accounting Department, Riverhead Town Hall, 200 Howell Avenue, Riverhead. No applications shall be accepted after April 26, 1985.

The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment of the provision of services.

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

The resolution was thereupon duly declared adopted.

#296 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: ADDITION TO SECTION 101-3 OF VEHICLES AND TRAFFIC OF THE RIVERHEAD TOWN CODE, RE: "STOP AND YIELD INTERSECTIONS".

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to addition to Section 101-3 of Vehicles and Traffic of the Riverhead Town Code, Re: "Stop and Yield Intersections".

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 7th day of May, 1985, at 8:50 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following addition to Section 101-3 of Vehicles and Traffic of the Riverhead Town Code as follows:

RESOLUTIONS Continued

<u>INTERSECTION</u>	<u>STOP SIGN ON</u>	<u>ENTRANCE FROM</u>
<u>Parker Road</u>	<u>Farm Road East</u> <u>Farm Road West</u>	<u>North</u> <u>North</u>
<u>North Side Road</u>	<u>Central Avenue</u> <u>Short Road</u>	<u>North</u> <u>South</u>
<u>North Wading River Rd.</u>	<u>Hulse Avenue</u> <u>Laurel</u>	<u>South</u> <u>North</u>
<u>Sound Road</u>	<u>Pond View Blvd.</u> <u>Greenbrier Road</u>	<u>East</u> <u>East</u>
<u>Sunset Boulevard</u>	<u>Little Bay Road</u> <u>South Road</u> <u>Cross Road</u>	<u>South</u> <u>South</u> <u>South</u>
<u>Wading River Manor Rd.</u>	<u>Benjamin Street</u> <u>Francis Street</u>	<u>West</u> <u>West</u>
<u>Long Pond Road</u>	<u>Stephen Drive</u> <u>Whitespruce Drive</u> <u>Barnes Road</u>	<u>East</u> <u>East</u> <u>West</u>
<u>Shade Tree Lane</u>	<u>Trout Brook Lane</u> <u>Cove Street</u> <u>Victor Street</u>	<u>West</u> <u>West</u> <u>West</u>
<u>Peconic Bay Blvd.</u>	<u>Seacove Lane</u> <u>Legend Lane</u> <u>St. Mary's Dr.</u>	<u>South</u> <u>North</u> <u>North</u>
<u>West Lane</u>	<u>Westwoods Blvd.</u>	<u>West</u>
<u>Broad Avenue</u>	<u>Robert Street</u>	<u>East &amp; West</u>
<u>Linda Avenue</u>	<u>Robert Street</u>	<u>West</u>
<u>INTERSECTION</u>	<u>YIELD SIGN ON</u>	<u>ENTRANCE FROM</u>
<u>Middle Road</u>	<u>Doctors Path</u>	<u>North</u>
<u>Fresh Pond Avenue</u>	<u>South Path</u>	<u>West</u>
<u>Tuthills Lane</u>	<u>North Apollo Drive</u> <u>South Apollo Drive</u>	<u>West</u> <u>West</u>
<u>Church Lane</u>	<u>Promenade Drive</u>	<u>South</u>
<u>Roanoke Avenue</u>	<u>Waterview Court</u> <u>Linda Lane East</u> <u>Sandy Court</u> <u>Nancy Court</u> <u>Linda Lane West</u>	<u>East</u> <u>East</u> <u>West</u> <u>West</u> <u>West</u>

RESOLUTIONS Continued

<u>INTERSECTION</u>	<u>YIELD SIGN ON</u>	<u>ENTRANCE FROM</u>
<u>Cliff Road</u>	<u>Peach Street</u> <u>Pine Street</u> <u>Cedar Street</u>	<u>West</u> <u>West</u> <u>West</u>
<u>Herod Point Road</u>	<u>Cherry Lane</u> <u>Berry Lane</u>	<u>West</u> <u>West</u>
<u>Sylvan Drive</u>	<u>Shirley Street</u> <u>Faye Street</u> <u>Deane Street</u> <u>Howard Street</u> <u>Sylvan Place</u> <u>Elizabeth Drive</u>	<u>West</u> <u>West</u> <u>West</u> <u>West</u> <u>West</u> <u>West</u>
<u>Oakwood Drive</u>	<u>Shirley Street</u> <u>Faye Street</u> <u>Deane Street</u> <u>Howard Street</u>	<u>East</u> <u>East</u> <u>East</u> <u>East</u>
<u>INTERSECTION</u>	<u>STOP SIGN ON</u>	<u>ENTRANCE FROM</u>
<u>Edwards Avenue</u>	<u>Meadow Drive</u> <u>Silver Beech Lane</u> <u>Landing Lane</u> <u>River Road</u>	<u>West</u> <u>West</u> <u>East</u> <u>East and West</u>
<u>Mill Road</u>	<u>Industrial Blvd.</u> <u>Hinda Blvd.</u> <u>Fanning Street</u> <u>J.T. Blvd.</u>	<u>East</u> <u>East</u> <u>East</u> <u>East</u>
<u>J.T. Blvd.</u> <u>C.R. 58</u> <u>Sound Avenue</u>	<u>Industrial Blvd.</u> <u>Kroemer Avenue</u> <u>Oak Drive</u> <u>Warner Drive</u> <u>Baiting Hollow Lane</u> <u>Sebastian Drive</u> <u>Dolphin Way</u> <u>Cross River Dr. C.R. 105</u>	<u>West</u> <u>South</u> <u>North</u> <u>North</u> <u>South</u> <u>North</u> <u>North</u> <u>South</u>
<u>Middle Road</u>	<u>Manor Road</u> <u>Nadel Drive</u>	<u>West</u> <u>North</u>
<u>Osborn Avenue</u>	<u>Gregory Place</u>	<u>South</u>
<u>Ostrander Avenue</u>	<u>Kings Drive</u> <u>Robinson Parkway</u>	<u>East</u> <u>West</u>
<u>East Avenue Exit</u>	<u>Robinson Parkway</u>	<u>East</u>
<u>Northville Turnpike</u>	<u>Kings Drive</u>	<u>West</u>
<u>Roanoke Avenue</u>	<u>Cranberry Street</u>	<u>West</u>

RESOLUTIONS Continued

<u>INTERSECTION</u>	<u>STOP SIGN ON</u>	<u>ENTRANCE FROM</u>
<u>Harrison Avenue</u>	<u>School Street</u>	<u>East</u>
<u>Howell Avenue</u>	<u>Brook Street</u>	<u>East</u>
<u>Hubbard Avenue</u>	<u>Jackson Road</u>	<u>South</u>

\*Underscore indicates addition.

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

The resolution was thereupon duly declared adopted.

Councilman Boschetti, "Mr. Supervisor, I would like to move for a ten minute recess."

MEETING RECESSED AT 8:30 p.m.

MEETING RECONVENED AT 8:53 p.m.

Supervisor Janoski, "The meeting will return to order. I have a brief announcement before we continue regarding library votes. The Riverhead Library budget was approved by 439 'yes' 51 'no'. The Baiting Hollow Library; 365 'yes' - 100 'no'. Let us continue with the resolutions."

#297 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: LOCAL LAW # -1985, REPEALING SECTIONS 95-7 AND 95-8 OF THE RIVERHEAD TOWN CODE, ENTITLED "TAXATION" AND ADOPTING SECTIONS 95-7 AND 95-8 OF THE RIVERHEAD TOWN CODE.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to repealing Sections 95-7 and 95-8 of the Riverhead Town Code, entitled "Taxation" and adopting Sections 95-7 and 95-8 of the Riverhead Town Code.

## PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 7th day of May, 1985, at 8:00 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following proposed local law amending Sections 95-7 and 95-8 of the Riverhead Town Code, as follows:

95-7-----Statutory-authority;-procedure-

~~Pursuant-to-the-Real-Property-Tax-Law-s458;-Subdivision-5(b); the-Assessors-of-the-Town-of-Riverhead;-after-full-value-assessment has-been-completed;-may-increase-or-decrease-and-heretofore-or-hereafter-granted-veteran's-exemption-in-such-subsequent-year-in-the-same~~

RESOLUTIONS Continued

~~proportion-as-the-total-assessed-value-has-been-increased-or decreased.--Such-adjustment-shall-be-made-by-the-Assessors-in-the manner-provided-in-Paragraph-(3)-of-Subdivision-1-of-the-Real Property-Tax-Law-s458,-and-no-application-therefor-need-be filed-by-or-on-behalf-of-any-owner-of-any-eligible-property.~~

~~95-8.----Adoption-subject-to-referendum.~~

~~The-adoption-of-this-chapter-shall-be-subject-to-per- missive-referendum-pursuant-to-the-Municipal-Home-Rule-Law s24-Subdivision-2e.~~

95-7. Property exempt from taxation.

If the ratio between the exemption granted under Section 458 of the Real Property Tax Law and the total assessed value of the real property for which such exemption has been granted increased or decreased due only to the 1979 full assessment by the Town of Riverhead the amount of the exemption heretofore or hereafter granted be increased or decreased in such subsequent year in the same proportion as the total assessed value had been increased or decreased in 1979. Such adjustment shall be made by the assessors in the manner provided in Section 458 of the Real Property Tax Law and no application therefor need be filed by or on behalf of any owner of any eligible property.

Where property which is owned by a veteran and receiving any exemption pursuant to Section 458 of the Real Property Tax Law is sold and other real property is acquired to replace the formerly-owned property, the exempt amount granted on the formerly-owned property pursuant to this subdivision and as expressed in a percentage shall be granted on the property acquired to replace the formerly-owned property, provided that the newly acquired property is in the same assessing unit and provided, further, that the exemption granted on the newly acquired property shall not exceed the exemption on the formerly owned property as expressed in a dollar amount.

95-8. Adoption subject to referendum.

The adoption of this local law shall be subject to per- missive referendum pursuant to the Municipal Home Law.

\*Underscore indicates addition

\*Running line indicates deletion.

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

The resolution was thereupon duly declared adopted.

#298 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: ADOPTING LOCAL LAW EXTENDING SENIOR CITIZENS EXEMPTION FILING DATE, ARTICLE V OF THE RIVERHEAD TOWN CODE, "TAXATION".

RESOLUTIONS Continued

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to adopting a Local Law # -1985, Article V of the Riverhead Town Code, "Taxation".

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 7th day of May, 1985 at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following proposed Local Law # -1985 to the Riverhead Town Code, "Taxation" as follows:

## ARTICLE V

## EXTENDING SENIOR CITIZEN EXEMPTION FILING DATE

95-20. Exemption filing extending Real Property Tax Law Section 467.

Pursuant to Section 467 subdivision 8, the Town Board of the Town of Riverhead hereby elects to extend the time within which the Assessors of the Town of Riverhead shall accept applications for renewals pursuant to Section 467 of the Real Property Tax Law past taxable date up to date for the hearing of complaints where an application for exemption pursuant to Real Property Tax Law Section 467 is received after taxable status date pursuant to the authority above the Assessors of the Town of Riverhead shall execute and transmit to the Board of Assessment review a verified statement that such late application for exemption has been received.

95-21. Exemption filing extending Real Property Tax Law Section 467-d.

Pursuant to Section 467-d, the Town Board of the Town of Riverhead hereby elects to extend the time within which the Assessors of the Town of Riverhead shall accept applications for renewals pursuant to Section 467-d of the Real Property Tax Law past taxable date up to date for the hearings of complaints where an application for exemption pursuant to Real Property Tax Law Section 467-d is received after taxable status date pursuant to the authority above the Assessors of the Town of Riverhead shall execute and transmit to the Board of Assessment review a verified statement that such late application for exemption has been received.

\*Underscore indicates addition

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

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

- #299 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: ADOPTING A LOCAL LAW AMENDING LOCAL LAW #6-1982, CHAPTER 10 OF THE RIVERHEAD TOWN CODE, "CIVIL CLAIMS".

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to adopting a Local Law amending Local Law #6-1982, Chapter 10 of the Riverhead Town Code, "Civil Claims".

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 7th day of May, 1985, at 8:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following proposed local law amending Local Law #6-1982, Chapter 10 of the Riverhead Town Code, as follows:

10-1 Compliance required.

No civil action shall be maintained against the Town of Riverhead, the Town of Riverhead Water District, the Town of Riverhead Sewer District, the Town of Riverhead Scavenger Waste District, the Town of Riverhead Streetlighting District, the Town of Riverhead Industrial Development Agency, Riverhead Housing Development Corporation, Riverhead Multi-Family Housing Corporation, the Riverhead Parking District, the Community Development Agency, and the Riverhead Job Development Corporation, a not for profit corporation, unless the requirements of this chapter are fully met.

10-2. ~~Written-notice-required.~~ Activities covered.

No civil action shall be maintained against the Town of Riverhead or any of the agencies mentioned in Section 10-1 herein, for damages or injuries to person or property sustained by reason of any defect in; the condition, maintenance or design of any property (including easements and rights of way and leased lands) highway, bridge, culvert, curb, catch basin, recharge area, fencing, sidewalk; sewer manhole, main or appurtenance; water meter, main or appurtenance; curb, any missing highway sign or the failure to provide, by ordinance or otherwise, for the erection of any highway sign; the granting or refusal to grant any building permit, special permit, site plan approval, curb-cut, variance, subdivision or special exception; park, playground, beach, wharf, dock, marina, community hall; unless written notice of such defective, unsafe, dangerous or obstructed condition shall be filed with the Town Clerk fifteen (15) calendar days prior to the event giving rise to the alleged claim.

10-3. Insufficient notice.

In the absence of written notices, as required above, no civil claim shall be maintained against the Town of Riverhead or any of the agencies mentioned in Section 10-1 herein, nor shall any civil claim be maintained based on the allegation that such defect, danger or obstruction existed for so long a

RESOLUTIONS Continued

period of time that the same should have been discovered and remedied in the exercise of reasonable care and diligence nor a claim that any town employee possessed actual notice of such defect, danger or obstruction unless written notice is filed with the Town Clerk as required above.

10-4. Remains the same.

10-5. Remains the Same.

10-6. Remains the same.

10-7. The invalidity of a postion of this chapter shall not evvect the validity of the whole of this chapter.

\*Underscore indicates addition

\*Running line indicates deletion

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

The resolution was thereupon duly declared adopted.

#300 AWARDS BID RE: PICK-UP TRUCK FOR DOG POUND.

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

WHEREAS, on April 8, 1985, the Town Clerk did receive bids for a pick-up truck for the use of the Dog Pound, and

WHEREAS, all bids received were opened and read aloud, and WHEREAS, five (5) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for a pick-up truck for the use of the Dog Pound be and is hereby awarded to Kinney Chevrolet-Olds as the lowest responsible bidder in the amount of \$8,746.00 excluding specification #10, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kinney Chevrolet-Olds, Wm. Heard, and David Halliday.

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

The resolution was thereupon duly declared adopted.

#301 APPROVES SITE PLAN OF RIVER CENTER ASSOCIATES.

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

WHEREAS, a site plan and elevations were submitted by River Center Associates for a building permit for the addition of retail stores and offices to "Peconic Plaza" to be located at Route 58 in Riverhead New York, designated as Tax Map Numbers 0600-84-4-36.4 and 0600-84-4-33.3, prepared by Donald A. Denis, A.I.A., P.C., dated January 11, 1985, and

WHEREAS, this Town Board has reviewed the site plan and elevations submitted as prepared by Donald A. Denis, A.I.A., P.C., dated January 11, 1984, with the latest revision dated April 11, 1985.

RESOLUTIONS Continued

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by River Center Associates for a building permit for the addition of retail stores and offices to "Peconic Plaza" located at Route 58 in Riverhead, New York, designated as Tax Map Numbers 0600-84-4-36.4 and 0600-84-4.33.3 as prepared by Donald A. Denis, A.I.A., P.C., dated January 11, 1984, with the latest revision dated April 11, 1985, be and is hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, executed by representatives of River Center Associates shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk.

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

4. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

5. Trash receptacles of a decorative design shall be maintained at the premises.

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

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

8. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones.

9. Subject to Suffolk County curbcut approval if necessary.

10. That the planting schedule as provided on the site plan as prepared by Donald A. Denis, A.I.A., P.C., originally dated January 11, 1984, with the latest revision dated April 11, 1985, be adhered to.

11. This approval is subject to approval by the Suffolk County Department of Health.

12. That the curbing shown on the site plan approved herewith at Middle Road shall be designed by a licensed professional at the expense of River Center Associates, including the design of the curbing, elevations and drainage, as necessary which shall be submitted to the Highway Superintendent for his review and approval.

RESOLUTIONS Continued

13. That uses permitted shall be the uses shown on the site plan, those being; five (5) offices, two (2) retail and one (1) restaurant.

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to River Center Associates and the Riverhead Building Department.

## DECLARATION AND COVENANT

THIS DECLARATION made the \_\_\_\_\_ day of \_\_\_\_\_, 1985, by River Center Associates, a corporation formed under the state of \_\_\_\_\_ with offices at \_\_\_\_\_ Declarant.

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

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

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

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



RESOLUTIONS Continued

- #302 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: SPECIAL PERMIT APPLICATION OF ROBERT J. HEFTER AND OTHERS.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to special permit application of Robert J. Hefter and others for an expansion of their non-conforming office use at the intersection of Elton Avenue and Northville Turnpike in Riverhead, New York, which property is currently zoned Residential C as filed with the Town Clerk, and be it further

RESOLVED, that the Town Clerk mail copies of said notice to property owners within five hundred (500) feet of said premises.

## PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 7th day of May, 1985, at 9:00 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of Robert J. Hefter and others for an expansion of their non-conforming office use at the intersection of Elton Avenue and Northville Turnpike in Riverhead, New York, which property is currently zoned Residential C and as filed with the Town Clerk.

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

The resolution was thereupon duly declared adopted.

- #303 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING, RE: A PROPOSED LOCAL LAW RELATING TO THE MEMBERSHIP OR COMPOSITION OF A BOARD OF POLICE COMMISSIONERS IN THE TOWN OF RIVERHEAD.

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

RESOLVED, that the Town Clerk is hereby authorized to publish and post the below Public Notice with regard to a proposed local law relating to the membership or composition of a Board of Police Commissioners in the Town of Riverhead.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on the 21st day of May, 1985 at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following proposed local law relating to the membership or composition of a Board of Police Commissioners in the Town of Riverhead.

RESOLUTIONS Continued

LOCAL LAW NO. \_\_\_\_\_ OF 1985

A LOCAL LAW RELATING TO THE MEMBERSHIP OR  
COMPOSITION OF A BOARD OF POLICE COMMISSIONERS

## Section 1. Purpose.

(a) Section 150(2) of the Town Law authorizes establishment of a board of police commissioners and provides for the composition of such a board. Pursuant thereto, a town board may establish a board of police commissioners consisting of one police commissioner appointed by the town board and two members of the town board designated by the town board. Pursuant thereto, a town board may also establish a board of police commissioners consisting of three police commissioners appointed by the town board. In view of the absence of language expressly authorizing a town board to appoint three members of the town board as the members of a board of police commissioners, and in view of the common law rule that a member of a public board may not be appointed by such board to another public office in the absence of legislative authority, a question arises as to whether Section 150(2) of the Town Law authorizes a town board to establish a board of police commissioners consisting of three members of the town board appointed by the town board.

(b) Section 10(1)(ii)(d)(3) of the Municipal Home Rule Law expressly grants to a town board the power to adopt a local law amending or superseding provisions of the Town Law. The purpose of this local law is to provide express legislative authority by local law authorizing the Town Board of the Town of Riverhead to establish a Board of Police Commissioners for the Town of Riverhead consisting of three members of said Town Board appointed by said Town Board. Therefore, this local law amends or supersedes Section 150(2) of the Town Law in its application to the Town of Riverhead, to the extent of expressly authorizing the Town Board of the Town of Riverhead to establish a Board of Police Commissioners for the Town of Riverhead consisting of three members of said Town Board appointed by said Town Board as hereinafter provided.

(c) It is not the intent of this local law to abolish, transfer or curtail any power of the Town Board of the Town of Riverhead under Section 150(2) or Article 10 of the Town Law. It is the intent of this local law to expressly authorize an alternative type of composition of a Board of Police Commissioners for the Town of Riverhead, in addition to the types of composition expressly provided for in Section 150(2) of the Town Law.

## Section 2. Establishment of a Board of Police Commissioners.

(a) The Town Board of the Town of Riverhead at any time by resolution may establish a Board of Police Commissioners for the Town of Riverhead and appoint three members of said Town Board to serve as the members of said Board of Police Commissioners pursuant to this Local Law. Said members of said Board

RESOLUTIONS Continued

of Police Commissioners shall serve at the pleasure of said Town Board. If said Town Board shall establish said Board of Police Commissioners consisting of three members of said Town Board, said Board of Police Commissioners shall have and exercise all the powers relative to police matters conferred upon said Town Board pursuant to Article 10 of the Town Law. Said Town Board may by resolution at any time abolish said Board of Police Commissioners and thereupon said Town Board shall exercise the powers conferred upon it by Article 10 of the Town Law.

(b) Notwithstanding Section 2(a) of this Local Law: they Town Board of the Town of Riverhead at any time by resolution may establish a Board of Police Commissioners for the Town of Riverhead and appoint the members of said Board of Police Commissioners pursuant to and as provided in Section 150(2) of the Town Law; said Town Board at any time by resolution may also designate the Supervisor of the Town of Riverhead pursuant to and as provided in Section 150(2) of the Town Law.

## Section 3. Effective date.

This Local Law shall become effective upon the filing thereof in the Office of the Secretary of State of the State of New York.

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

The resolution was thereupon duly declared adopted.

#304 AUTHORIZES OVERTIME COMPENSATION.

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

RESOLVED, that the following Town Hall employee be paid time and one-half overtime compensation.

JAMES DELUCCA \$20,4517 x 10 = \$204.52

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

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

The resolution was thereupon duly declared adopted.

#305 AUTHORIZES OVERTIME COMPENSATION - BUILDINGS AND GROUNDS.

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

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

RESOLUTIONS Continued

LAWYER JACKSON	\$13.6833 x 36 =	\$492.60
ED POLECKI	11.4258 x 15 =	171.39
PAUL BOKEE	11.4258 x 2 =	22.85
CHARLES BROWN	12.7218 x 31.5=	369.24

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

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

The resolution was thereupon duly declared adopted.

#306 AUTHORIZES SUPERVISOR TO EXECUTE STIPULATION RE: RIVER CENTER ASSOCIATES.

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

RESOLVED, that the Supervisor be and is hereby authorized to forward the Stipulation with regard to the site plan application of Riverhead Center Associates.

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

The resolution was thereupon duly declared adopted.

#307 APPOINTS BINGO INSPECTOR.

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

WHEREAS, a vacancy presently exists in the position of bingo inspector.

NOW, THEREFORE, BE IT

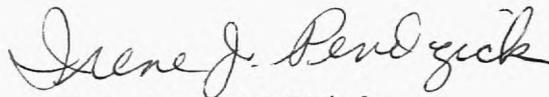
RESOLVED, that Carl Stevens be and is hereby appointed to the position of Bingo Inspector with the Town of Riverhead at the hourly rate of compensation of \$5.25 not to exceed an annual compensation of \$3,000 effective immediately.

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

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The business of the Town Board meeting having been completed, without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:06 p.m.



Irene J. Pendzick  
Town Clerk

IJP:nm