

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, August 6, 1974, at 10:30 A.M.

Present:

John H. Leonard, Supervisor
 Robert G. Leonard, Town Justice
 Gregory R. Manning, Town Justice
 George G. Young, Councilman
 Francis E. Menendez, Councilman

Also present: Allen M. Smith, Town Attorney
 Absent: Alex E. Horton, Supt. of Highways

EXECUTIVE SESSION - 9:30 A.M. - August 2, 1974

LILCO Representatives with Town Board re Nuclear Plant

Supervisor Leonard called the Meeting to Order at 10:30 A.M.

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

BE IT RESOLVED, That the Minutes of the Town Board Meeting held on July 17, 1974, be approved as submitted.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

BE IT RESOLVED, That the Minutes of the Special Town Board Meeting held on July 23, 1974, be approved as submitted.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the bills submitted on Abstracts dated August 6, 1974, as follows:

General Town	\$32,732.54
Special Districts	\$ 8,184.32
Drug Abuse Program	\$ 616.63
Highway Item No. 1	\$11,456.95
Highway Item No. 3	\$ 1,037.84
Highway Item No. 4	\$ 32.50

RESOLUTION

Councilman Menendez offered the following resolution which was
 seconded by Town Justice Manning.
 BE IT RESOLVED, That the following bills be and are hereby
 approved for payment:

General Town	\$32,732.54
Special Districts	\$ 8,184.32
Drug Abuse Program	\$ 616.63
Highway Item No. 1	\$11,456.95
Highway Item No. 3	\$ 1,037.84
Highway Item No. 4	\$ 32.50

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes,
 Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor
 Leonard, Yes.

The resolution was thereupon declared duly adopted.

REPORTS

Fire Inspector's, month of July, 1974. Filed.
 Building Department, month of July, 1974. Filed.
 Police Department, month of July, 1974. Filed.
 Recreation Department, month of June, 1974. Filed.

OPEN BID REPORTSRoad Sweeper - Highway Department

After being duly advertised the following bids for One 1974
 Road Sweeper for the use of the Riverhead Highway Department were opened
 by the Town Clerk on Monday, August 5th, 1974 at 11:00 A.M.:

Municipal Machinery Co., Inc.
 Route 25
 Coram, New York 11727

One 1974 M-B Model: Cruiser II
 Delivery Date: Three (3) weeks after receipt of order.

Delivered Bid Price:	\$25,415.00
Less Trade-In: One 1957 Michigan Tractor Sweeper	3,215.00
Net price delivered for One 1974 Road Sweeper	\$22,200.00

George Malvese & Co., Inc.
 530 Old Country Road
 Hicksville, N.Y. 11800

One 1974 Mobil Sweeper - Model 2-TE-4
 Delivery Date: Approx. 90 days after receipt of order

Delivered Bid Price:	\$27,490.00
Less Trade-In: One 1957 Michigan Tractor Shovel	6,000.00
Net price delivered for One 1974 Road Sweeper	\$21,490.00

OPEN BID REPORTSTennis Courts - Wading River Community Park

East End Asphalt, Inc. Box 225 - Main Road Jamesport, New York 11947	<u>Construction Cost</u> \$12,766.00
Tennis Courts Unlimited 906 Pond View Road Riverhead, New York 11901	\$13,782.00
A. D. Roberts, Co. P.O. Box 541 Westhampton Beach, New York 11978	\$17,150.00
Tennis Court Construction Corp. 1455 New York Avenue Huntington Station, New York 11746	\$19,900.00
Rason Asphalt, Inc. 15 Columbia Street Port Jefferson Station, New York 11776	\$22,108.00

PERSONAL APPEARANCES

Jacob Harding stated that what the Town of Riverhead needs very, very badly is proper quarters for our Town Government. He further elaborated as follows:

1) The Supervisor's Office is a hole-in-the-wall with an ill-fitting door and no private exit. He further stated that everyone knows when the Supervisor goes to the men's room because he has to come out of his "cubby hole" and walk down the hall.

2) The Tax Receiver's Office does a terrific administrative job, but it's only a "lovely furnished cage".

3) The Assessors' Office has no windows, blank walls, and smells of rotting maps.

4) The Town Clerk's Office has a "bunch of lovelies" who get wonderful results in spite of their "horrible place to do business". They need more privacy.

5) The Town Board Meeting Room is a disgrace. It is much too small. If there was ever a fire, people would have to jump through a window, because the doors open inside.

Mr. Harding continued saying: "I come to this result. Our Town Employees have done a tremendous job. From an administrative standpoint, as far as our Bureaucrats are concerned, they've been terrific.

Now I'm going to be a "bad guy". From a legislative standpoint, you, this Board leaves much to be desired. For some reason you seem to be in a panic situation and after all these years, I can't see it."

PERSONAL APPEARANCES - continued:

Jacob Harding continued: "You passed a resolution on July 17th, providing for purchase of property on Route 58, for the purpose of constructing thereon, a Town Hall. You also recited that under Section 90 this action was subject to a permissive referendum. Now, your action made it necessary for objectors to present a petition for referendum. Did you, the Town Board, know that on your own motion, you could have provided for such a referendum. There are only four sections involved here, Section 91, 92, 93 and 94. You never got to 94."

Mr. Harding then read Section 94, which pertains to the permissive referendum.

He further spoke asking the Board why they passed a resolution contrary to the Master Plan, when they know the downtown businessmen are opposed to it and other people as well.

He further asked the Board why they didn't at least provide for the referendum vote themselves.

Mr. Harding continued to admonish the Board for their actions concerning the permissive referendum. He then asked Councilman Menendez if he was familiar with Section 94 when the Board voted to purchase the land on Route 58, and concluded by saying he just felt the Board should do something fair and right and much easier on the taxpayers in the Town of Riverhead.

Vincent Grodski commented briefly and urged the Board to amend or rescind their resolution of July 17th concerning the acquisition of the Route 58 property for the new Town Hall. He further stated that he reiterated Mr. Harding's remarks, but also stressed that they were not taking a stand on this matter, merely urging the Board to take the burden off the people in regard to the petitions for referendum.

Supervisor Leonard stated: "I think it is perfectly clear why the Board decided on this site. We went over it. This has been in the makings, for I don't know how many years, and the Board finally decided to go ahead and do something. I'm surprised now that there is so much opposition to it. I think everybody realizes we need a Town Hall, the Town Board has made their decision and I feel we have made the proper move. No doubt we'll have complaints, but we feel we did what we thought was best for the people and now the people have a chance to express themselves and we stand to be corrected."

Supervisor Leonard then recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 11:00 A.M.

Town Clerk submitted affidavits of publishing and posting Public Notice to Amend Zoning Ordinance #26, from Residential "C" Zoning Use District to Business "C" Zoning Use District in Riverhead on Petition of Neilans and Staker.

The affidavits were ordered filed.

Supervisor Leonard then declared the Hearing open and asked if anyone wished to be heard.

PUBLIC HEARING - continued:

The Town Clerk presented a Petition in Opposition signed by sixty-eight taxpayers of the Town of Riverhead stating as follows:

"We, the undersigned, being all residents of the Town of Riverhead, County of Suffolk and State of New York, do hereby offer this Petition to the Town Board of the Town of Riverhead to be read into and become a part of the minutes of the meeting of the said Town Board to be held on August 6, 1974 at 11:00 A.M. for the purpose of voicing our strenuous opposition to the proposed rezoning of a parcel of property situate at the northeasterly corner of Roanoke Avenue and Southern Parkway in the Town of Riverhead from "Residential C" to "Business C" Zoning Use District by reason of the fact that said proposed rezoning constitutes "spot zoning" in an otherwise residential area, will substantially alter the existing residential character of the neighborhood and will cause traffic and parking congestion. Signed."

Mr. Edgar Hills, Esq., representing the Petitioners, appeared before the Board: "Frankly, I'm surprised at the sixty-eight people who signed a petition in opposition and who state in the preamble that this is to substantially change the character of the neighborhood which is essentially residential. Our petition is predicated on the fact that what we propose doing will be a very distinct asset to the Town of Riverhead. I will present before you today the Architect and the rendering of the Architect and you will see for yourselves visually that what we hope to put on there is a structure that will completely blend in with the neighborhood. It's not an office building that we proposed to erect there. It's a purely residential building and I can't see for the life of me, how anyone could possibly say that the Town of Riverhead, particularly Roanoke Avenue, will be substantially altered."

He went on to say that there are numerous professional buildings along that section of Roanoke Avenue, including Councilman Menendez's own professional dentistry building and they all blend in completely with the neighborhood. He further stated that he wanted the Board to pay particular attention to the recommendation of the Planning Board which stated its approval of the Petitioner's plan, providing the property be used only for residential and dentistry offices.

Mr. Hills went on to say that there was a plan for twenty-six separate parking stalls, more than enough room for dental patients, etc. without causing traffic and parking congestion as suggested in the opposing petition.

Mr. Hills then presented the Architect, Mr. Newman, who in turn presented his rendering of the proposed building and parking facilities. Discussion between Town Board and Architect followed.

Vincent Grodski asked if the change the Petitioner was asking is for an isolated parcel or a large portion to be added to the existing business district.

Mr. Hills answered by saying that it was just an isolated parcel.

PUBLIC HEARING - continued:

Judge Manning asked if the parking area to the north (shown on the Architect's rendering) would in any way cut back south and join up with Southern Parkway.

Mr. Newman, the Architect replied that it wouldn't and went on to explain the parking set-up.

Mr. Gil Lyons, 906 Pond View Road, Riverhead, spoke on the ingress and egress regarding the parking lot saying that there is a double line on Roanoke Avenue where the cars will be coming out and traffic will be congested.

He also spoke on the proposed parking lot itself, saying that it would not blend in well with a residential area.

Mr. Edward Kelley, former resident of area in question, commented on the fact that eight or ten years ago he and his partner were interested in the same piece of property for the same reason, construction of a professional building, and when they appeared before the Town Board in Executive Session, they were told that their petition called for "spot zoning" which is considered the cardinal sin regarding the zoning ordinance.

He also pointed out that there is probably enough vacant land in Riverhead, in the Business "C" Use District that wouldn't necessitate any rush for "spot zoning" in a Residence "C" area.

Mr. Kelley then digressed a bit and stated that since he would not be able to be present later in the meeting, he would just like to say that he noticed on the Agenda, with some regrets, the resignation of "Josh" Stout from the Planning Board. He praised Mr. Stout's capabilities and suggested the Town board appoint someone with equal abilities to take his place. He also suggested Dr. Granttham as a possibility.

Mr. Hills asked Mr. Kelley to stay and commented on Mr. Kelley's previous statement on his petition for the same property eight years ago.

Mr. Kelley replied that when he and his partner found out that their petition for zone change would be considered "spot zoning", they pulled it voluntarily before it was presented to the Town Board.

He further stated that the Board might study the Master Plan, page 49 in particular, regarding this petition and also for the Public Hearing on zoning coming up at 2:00 P.M.

Mr. Hills asked Mr. Kelley if he had seen the Planning Board's recommendation pertaining to this petition and Mr. Kelley answered that he had.

Mr. Hills then replied that the Planning Board's recommendation concerning his Petitioner's request did refer to the Master Plan and they said "Yes" to the proposed zone change.

Dr. Neilans himself then spoke on behalf of his own Petition stating that this property was not chosen to cause trouble or disrupt the residential area. It was chosen because all of their patients will

PUBLIC HEARING - continued:

be children and the site is within walking distance of six schools. Any property closer to the Central Suffolk Hospital would necessitate crossing Route 58 and the traffic circle which would be like asking the children to play Russian Roulette.

No one else wishing to be heard and no further communications having been received thereto, Supervisor Leonard declared the Hearing closed at 11:24 A.M.

PUBLIC HEARING - 11:45 A.M.

The Town Clerk submitted affidavit of publishing and posting Public Notice Calling Public Hearing to Amend Town Ordinance #3 -Traffic. The affidavit was ordered filed.

Supervisor Leonard thereupon declared the Hearing open and asked if anyone wished to be heard.

Police Chief Grodski asked that the changes in the Ordinance be read for the public's information.

The Town Clerk then read the public notice stating the proposed changes to Ordinance #3 - Traffic.

No one else wishing to be heard and no communications having been received thereto, Supervisor Leonard declared the Hearing closed at 11:50 A.M.

UNFINISHED BUSINESS

Supervisor Leonard asked if anyone had a report to make regarding the Jamesport School matter.

Mr. Hooper asked if any action had been taken and the Supervisor replied by saying nothing had been settled yet.

Mr. Hooper then continued and commented on the fact that the cost to renovate the school building would be much more than it's worth and the location was too close to Main Street to be a safe recreational area.

Judge Leonard asked Mr. Hooper what his recommendation was.

Mr. Hooper replied by saying: "I say take it down."

NEW BUSINESS

Police Chief Grodski spoke on a recent state law that had been passed allowing taverns and restaurants to remain open until 4:00 A.M. in Suffolk County, stating he understands that it was the Restaurant Retailers Association that urged its passage.

He urged the Town Board to use its proper authority and urge the Suffolk County ABC Board to either restrict it and go back to 3:00 A.M. or even 2:00 A.M. He further stated that he doesn't think the Town of Riverhead is ready for this new law.

COMMUNICATIONS

Affiero Favretto and George Benolich requesting street lights on Linda Avenue, Aquebogue, on Poles No. 7 and 9. Children leave early in morning for school - road is dark during winter months - feel street lights are essential. Filed. Copies to Town Board.

Robert Pugh, Jr., dated 7/12/74, asking if Town of Riverhead leases bay bottom for propagation of clams - would like to lease 10 acres in either Flanders Bay or Peconic Bay. Filed.

Copies to Town Board and Town Attorney.

Town of Southampton, dated July 18, 1974, related to Public Hearing to amend Zoning Ordinance #26. Filed.

Copies to Town Agencies.

Town Planning Board, dated 7/18/74, report on Westwood Acres at Aquebogue, - Plat - request for reduction in Performance Bond for construction of roads. Recommending that this Board does not approve a reduction in the Bond and outlining reasons therefore. Filed. Copies to Town Agencies.

Town Planning Board, dated 7/19/74, report on Wedgewood Estates at Riverhead. Stating this Board approves the final plat - monies for park and recreational purposes has been deposited with the Supervisor and recommending a performance bond be filed with the Town Clerk. Filed.

Copies to Town Agencies.

Town Planning Board, dated 7/19/74, re: Petition of Riverhead Associates, to amend Zoning Ordinance, recommending the granting of this petition as it considers the parking requirements sufficient to limit the extent of building area or floor areas. Filed.

Copies to Town Agencies.

Town Planning Board, dated 7/19/74 re: Petition of Metrohouse Associates, Inc., recommending the denial of this application and outlining the reasons therefore. Filed.

Copies to Town Agencies.

General Code Publishers Corp., dated July 19, 1974, confirming scheduled meeting with Town Board and T. Brian Clancy re: Codification for Friday, August 9, 1974 at 10:00 A. M. Filed.

Copies to Town Board and Town Attorney.

J. Wilson Stout, dated 7/19/74, tendering resignation as member of Town Planning Board, effective July 19, 1974, due to forthcoming eye surgery which will restrict his activities for several weeks thereafter. Further stating that he has enjoyed serving the Town of Riverhead and the association with the Town Officials over these many years. Filed.

Copies to Town Board and Town Attorney.

COMMUNICATIONS continued:

Emily G. Behan, dated 7/17/74, copy of letter mailed to L. I. Railroad, Jamaica, N. Y., stating that she and her husband were almost killed by a train that went by in front of their car at a high speed, giving no indication that a train was heading out or traveling - no whistle, no light, no gate, and no signs. This was at Kroemer Avenue heading into East Island Auto Parts. Filed.
Copies to Town Board and Town Attorney.

Wm. C. Haugaard, esq., dated 7/24/74, congratulating the Town Board, Town Attorney, Board of Assessors and their staff on the good work done in obtaining a successful review of the town equalization rate, and further suggesting that he believes that reassessment is the necessary next step for the town to take to establish an equitable tax structure, which will thereafter form the basis for real property tax reform and reduction. Filed.

Copies to Town Board and Town Attorney.

Association for the help of Retarded Children, dated 7/22/74, thanking the Town Board for removing the parking meter near their entrance on Court Street. The "Do Not Block the Driveway" sign put up by the Supt. of Highways has been a big help, but when the Courts are again in session, they may need to contract Chief Grodski again. Filed.

Copies to Town Board, Town Attorney, Police Chief and Supt. of Highways.

N. Y. District Corps of Engineers, dated July 12, 1974, re Public Notice #7786 regarding application of Suffolk County Dept. of Public Works to do maintenance dredging in Miamogue Lagoon, Great Peconic Bay, South Jamesport, N. Y. Filed.
Copies to Town Board and Town Attorney.

N. Y. State Dept. of Environmental Conservation, Public Hearing Notice regarding proposed dredging in Meetinghouse Creek, east of Hubbard Avenue, west of and adjacent to Meetinghouse Creek Road in Aquebogue. Public Hearing will be held in Stony Brook on August 27th, 1974 at 10 A. M. Any persons desiring to be heard either in favor or in opposition to said plans must file a notice of appearance in writing and in duplicate with the Tidal Wetlands Permit Administrator, on or before the 21st day of August, 1974. Filed.

Copies to Town Board and Town Attorney.

LILCO, dated 7/23/74, submitting surveys recommending installation of one (1) 7600 LM street light on Pole #16, Linda Avenue opposite Victor Street, in Aquebogue, at an annual operating cost of \$52.20. Filed.

Copy to Lighting Committee.

LILCO, dated 7/23/74, submitting survey recommending installation of two (2) 7600 LM street lights on Poles 534 and 535-1/2, on Middle Road west of Harrison Avenue, Riverhead, at an annual operating cost of \$52.20 each or \$104.40. Filed.

Copy to Lighting Committee.

COMMUNICATIONS continued:

LILCO, dated 7/23/74, submitting survey recommending installation of one 7600 LM street light on Pole #12, on 17th Street west of Hulse Avenue, Wading River, at an annual operating cost of \$52.20. Filed.
Copy to Lighting Committee.

Denis R. Hurley, dated 5/30/74, tendering his resignation as member of Riverhead Narcotics Guidance Council. Filed.
Copies to Town Board and Town Attorney.

Louis Venezia, dated 7/25/74, stating that on Monday, July 22nd, 1974, his wife had a terrible fall on the sidewalk on 2nd Street along the side of the Town Hall Building - that the neglected sidewalk has a dangerous obstruction causing people to trip - his wife incurred cuts, bruises on her arms, face and leg and tore her blouse. Filed. Copies to Town Board, Town Attorney and Supt. of Highways.

Wm. C. Haugaard, Esq., dated 7/27/74, stating in his opinion any expenditure for the proposed Town Hall must be paid for by taxes levied for the year in which the expenditure is made. Also stating that the published resolution subject to permissive referendum does not state the amount to be spend to acquire the site. Mr. Haugaard believes this is necessary and suggests this matter be immediately reviewed by counsel and the Board. Filed.

Copies to Town Board and Town Attorney.

Dept. of Army, N. Y. Dist. Corps of Engineers, dated July 30, 1974, re Public Notice #7805, regarding application of John Jager for construction of bulk-head, dredging and filling at an unnamed canal in Flanders Bay, Town of Southampton. Filed. Copies to Town Board and Town Attorney.

Dr. & Mrs. John R. Shannon, dated August 2nd, 1974, re petitioning the Town Board to request the U. S. Dept. of Agriculture Stabilization and Conservation to survey and evaluate the site at the end of Dolphin Way regarding the proposed construction of a residence on the bluffs of the Sound. Filed.

Copies to Town Board, and Town Attorney.

Gary Pace, Riverhead Town Historian, dated August 5, 1974, inviting Town Board and all other interested persons to attend the first meeting for the "Bicentennial Celebration". Meeting will be held on Monday, August 12th, 1974 at 8 P. M., in the Town Hall. Filed.

Copies to Town Board and Town Attorney.

Allen M. Smith, dated 7/31/74, reply to Mr. Haugaard's letter under date of 7/27/74. Filed. Copies to Town Board.

Town Attorney explained that he had conferred with Mr. Haugaard and had shown him the research he had done prior to the resolution. (Town Hall Site).

COMMUNICATIONS continued:

Albert Barbanel, dated 8/2/74, re a possible ordinance requiring a Cabaret license to be issued to any cafe or bar in Riverhead which features loud music and/or entertainment. Further states that Government should take advantage of the proper and legal means available through licensing to supervise situations which become unruly and damaging. Filed.

Copies to Town Board, Town Attorney and Police Chief.

Fairhaven Property Owner's Association, dated August 5, 1974, re drainage problem on Peconic Bay Boulevard, stating: "At a meeting of our Association held August 3rd, the Secretary was instructed to again write to the Board regarding the drainage problem. Furthermore, after every heavy rain, on the road at the foot of St. Mary's Drive, flooding takes place and crosses the Boulevard to the opposite side and does not run to the west where a drain was installed." Again requesting that action be taken to correct this condition. Copies of previous letters from Mr. Horton and Fairhaven Property Owners' Association were also submitted. Filed. Copies to Town Board, Town Attorney and Superintendent of Highways. The Town Board will take the matter under consideration.

Dennis L. Backus, P. E., Progress report dated 7/22/74, relating to Riverhead Sanitary Landfill Operation:

The following problems were identified and instructions given to Mr. Ed Gadzinski for corrective action:

1. Problem: Landclearing waste piles exposed creating both a sanitary and fire hazard.

Solution: Packer refuse and sand was used to complete the covering process where the trees and stumps were up to grade.

Result: Fire hazard reduced; area beautified; land reclaimed for stockpiling cover material and other use.
2. Problem: Poor access to remaining landclearing waste pit; trees and stumps starting to cover loam in southwest corner.

Solution: A new access road to pit dumping area was cleared and prepared. Loam is being saved (stripped and stockpiled) for future use on landfill roads.

Result: Improved operation, with direct access to deep part of dumping pit; large space available for dumping, valuable loam being saved.
3. Problem: Active refuse disposal area being operated as a dump. Minimal advanced planning, high cliff dumping with inherent poor heavy equipment compaction, excessive wear and tear, large amounts of cover material being used.

Solution: 1. Instructions given to cut bank down and build a ramp eventually gaining access to bottom of excavation.
Status: Work in progress.

2. Once the traffic reaches the bottom of the excavation, the operation will be changed into a model sanitary landfill.

COMMUNICATIONS - continued:

(Dennis L. Backus, P.E. continued:)

3. Result: Immediate - Advanced operational plan devised and put into effect.

Next: Change over to model sanitary landfill operation will result in better compaction, extended landfill life, reduced cover requirements, improved environmental conditions and reduced wear and tear on heavy equipment.

Future Works:

1. Prepare a detailed operational plan for the landfill locating and scheduling areas to be filled.
2. Inspect all heavy equipment, assess condition and forecast necessary repairs.
3. Assist in obtaining a State Grant from the Environmental Bond Issue.
4. Continue field supervision to ensure that the necessary changes are made by site personnel.

I trust that this progress report will meet with your satisfaction. If you have any questions, please contact me at (516) 922-5161. (End) Filed.

Copies to Town Board, Town Attorney and Mr. Gadzinski.

John V.N. Klein, County Executive, dated 7/31/74, inviting the Town Board to ~~attend~~ an informational hearing on Wednesday, August 21st, 1974, at 8:00 P.M. in the County Center Hearing Room in Riverhead with respect to the County's program for the acquisition of development rights to farmland. Also enclosed was a copy of a press release which reflected three other hearings to be held in other locations. Filed.

Copies to Town Board and Town Attorney.

Supervisor Leonard announced that any person interested in the hearing may attend this meeting.

PERSONAL APPEARANCES

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

Richard Larsen, Wading River stated that he was a member of the Riverhead Town Planning Board and asked the Town Board to reconsider its petition to acquire land at the Water District Site. He further stated that he never heard anybody, who had read the Master Plan, say that they didn't believe the new Town Hall should be anywhere, but in the hamlet of Riverhead. He also said that he feels a referendum by the people would be in order at this time.

PERSONAL APPEARANCES - continued:

Donald Wallace, 4 Park Road, Reeves Park, appeared as a spokesman for a large delegation from Reeves Park and stated the following problems they are having at the present time:

- a) Parking on Park Road by out-of-staters, especially people from New Jersey, is getting to be unbearable. Riverhead Police are doing a fine job, but the tickets are torn up and the violators are arrogant and disregard citations and warnings.
- b) Early arriving (5:00 A.M.) fishermen are boisterous, drunk, throw garbage around and use the streets as bathrooms. Some are too drunk to walk to their cars, when they are ready to leave in the afternoon, and have to be carried up the road by their friends.

Judge Manning discussed the problem of residents of Reeves Park having guests visit, who have to park along Park Road and receive tickets for illegal parking.

He commented on the fact that the Town could very easily put into effect a "tow job". Further stating that anybody who is there illegally gets towed and they pay for the tow job.

He then asked Mr. Wallace if the residents would put up with the towing and paying for it.

Mr. Wallace guaranteed that the Town would not get one resident complaint or have any towed away. He further stated that they get between forty and sixty cars on a Sunday at 4:00 A.M. They are harassed by these people and have to put up with abusive language. The residents can't even swim or bring their boats on to their own beach.

Mr. Wallace then continued with his list of problems:

- c) Harassment of residents at their Community Center Yard Sale was uncalled for. Out-of-staters used abusive language right in front of a policeman with an "I don't care" attitude.

- d) Children have been hurt by fish hooks in the water.

- e) Garbage thrown in the water and on the beach is a health hazard. Many residents have been hurt on discarded fish hooks and broken glass, etc.

- f) Young girls are being harassed verbally and called foul names, all slanderous to the "white race".

- g) The residents had to use telephone poles to blockade their private parking area near the Community Center to prevent these people from using the private area for their own convenience.

He further stated that what the residents would like to see is a "safety stripe" painted on the side of the road to ensure a safe place for people to walk and also many "no parking" signs on both sides of the road, if necessary.

Police Chief Grodski replied that towing is not the complete answer, as the people will just stay away from the towing area and start parking on the side streets, thus creating new problems.

PERSONAL APPEARANCES - continued:

Police Chief Grodski continued saying that if the residents want "no parking" signs on Park Road, the Town would have to put them up on every road in the area to prevent new problems.

He further suggested a regular raised sidewalk in place of a painted walk-way.

Further discussion on preventative measures regarding parking ensued.

Mr. Wallace asked if a policeman could be stationed on Park Road beginning at 5:00 A.M.

Police Chief Grodski told him just to call 911 when there was a complaint regarding excessive noise and obscene language. He went on to say that it would be impossible to leave a man there as he would have to do the same thing for every other road leading to the beaches in Riverhead, due to the same problems.

Mr. Wallace commented that he did not see that there would be any problem with parking on side streets, if a "tow away zone" was established on Park Road. He went on to say that if enough people were towed away and enough fees were paid, the people would go back to Jersey and warn any future violators not to come to Reeves Park because of the towing regulation.

Chief Grodski replied that if they could up-date as old ordinance on towing, enacted by the Town Board about eighteen years ago, the Police Department would have complete control over towing procedures, setting of fees and all the book work, which is what made the old ordinance unworkable.

He then suggested that "tow away zone" and "stop" signs be put up immediately.

Mrs. Dorothy O'Haire, 8 Bells Road, Reeves Park, desperately urged the Board to put the "tow away zone" into effect immediately. She then told of constant injuries to their children who hurt themselves on broken glass and fish hooks and have to be taken to the hospital for stitches.

She further stated that the constant foul language and verbal abuse that her two young daughters have to put up with is disgusting and the mothers are frightened. She again stated that something must be done immediately.

Mrs. Ann Tisch, Reeves Park, also spoke on the loud noise at 5:00 A.M. and abusive language.

Mr. William O'Haire, Reeves Park, asked if the license plates could be taken off of the cars instead of having them towed away.

Police Chief Grodski answered that the plates are the property of New York State and the Police Department has no right to remove them unless there is an order or violation of the State Law.

PERSONAL APPEARANCES - continued:

Mr. O'Haire stated that he and the other residents came to the Town Board Meeting to get reasonable answers and he did not think they were getting them.

Supervisor Leonard replied that the Town was going to put the [something] into effect, what more did they want.

Judge Manning then said that the Board will sit down with the Chief of Police and the Town Attorney and hash these problems out and try to arrive at a reasonable and legal solution.

Mr. George Sandberg, representing VIMCO ASSOCIATES appeared before the Board regarding a Rock Concert scheduled to be held at the Riverhead Speed-way on August 11th.

A lengthy discussion involving all the arguments for and against the Rock Concert ensued. A complete transcript of this discussion is on file in the Town Clerk's Office, and may be read by any interested party.

Supervisor Leonard then recessed the Meeting at 12:30 P.M. to meet again at 1:30 P.M.

The Town Board Meeting reconvened at 1:30 P.M. with all Town Board Members and Town Attorney present.

Supervisor Leonard recessed the Meeting to hold a Public Hearing on a Proposed Amendment to Ordinance #7 - Peddler's Ordinance.

PUBLIC HEARING - 1:30 P.M.

Town Clerk submitted affidavit of posting and publishing Public Notice Calling Public Hearing to Amend Town Ordinance #7 - Peddler's Ordinance.

The affidavit was ordered filed.

Supervisor Leonard thereupon declared the Hearing open and asked if anyone wished to be heard.

Audrey Speidell, Wading River spoke in favor of having this amendment to Ordinance #7 passed.

Chief Grodski asked for the exact wording of the proposed amendment and Councilman Young read it aloud in its entirety.

Bill Hemmenlotter, Riverhead spoke in opposition to the fifteen minute time limit stating that he has had peddler's licenses in past years, for selling flowers and in fifteen minutes, he couldn't even set out his wares, much less sell anything. He further stated that he thinks the short time limit is unreasonable and asked if there was any particular reason for putting it in the amendment.

PUBLIC HEARING - continued:

Councilman Young replied that if a person was going to take advantage of the tax-free aspect of being a peddler, the Board felt he should not be stationary.

Mr. Hemmenlotter then asked if the license fee would take care of the tax end of it.

Councilman Young replied that any license fee can't in any way make up for the cost of owning and maintaining a permanent business establishment.

Joseph Passantino, Sound Avenue, Riverhead also spoke in opposition to the fifteen minute time limit in regard to his hot dog wagon. He stated by the time he gets the hot dogs heated in order to sell them, the fifteen minutes is up and he has to move.

A discussion pertaining to selling on County and State Roads followed.

Mrs. Speidell commented that she felt badly about the people who sell hot dogs and are not parked in front of anybody's business. Her only complaint was about the ice cream trucks parking directly in front of her snack-bar and taking away her business.

Councilman Young announced that the fifteen minute time limit would be taken out of the proposed amendment.

Police Chief Grodski asked if a peddler would be in violation of the Zoning Ordinance, if he pulled off the road, say on Sound Avenue, and parked on farmland to sell his wares.

Mr. Munson, Zoning Inspector, replied that the peddler would be in violation because any structure, whether it be on a foundation or wheels needs a permit according to the Zoning Use.

Police Chief Grodski then asked if a peddler would be in violation if he pulled into a gasoline station and sold his hot dogs there, with permission of the station owner.

Mr. Munson again answered the Chief by saying the peddler would be in violation if the gas station was there by a special permit which only allows the operation of a gas station and no other business.

He went on to say that the County Health Department sometimes works against our Zone Ordinance. In some cases where the gas station operator gives permission, to the peddler, to use the station rest rooms, the Health Department says it is all right for the hot dog stand to stay.

Police Chief Grodski spoke of Ordinance #1, which prohibits the sale of any merchandise on a sidewalk or Town Highway, therefore making the peddler go on private property to sell.

Discussion followed.

PUBLIC HEARING - continued:

Mary Passantino, Sound Avenue, Riverhead appeared stating when her father-in-law had gotten a violation, several months ago, for the fifteen minute time limit, she had gone to the Town Hall to get a copy of the Ordinance and in her opinion was treated "nastily" and given the run-around.

She further stated that if the Board can't find any way that is fair to both the peddler and the Town, they shouldn't sell licenses at all.

Chief Grodski stated that the Ordinance was not designed for hot dog stands alone, it was to include door-to-door solicitation, with periodics and such.

Supervisor Leonard recessed the Hearing to hold another Public Hearing scheduled at 2:00 P.M.

PUBLIC HEARING - 2:00 P.M.

Town Clerk submitted affidavit of publishing and posting Public Notice Calling Public Hearing to Amend Zoning Ordinance No. 26 - relating to Multiple Residences.

The affidavit was ordered filed.

Supervisor Leonard thereupon declared the Hearing open and asked if anyone wished to be heard.

Town Attorney announced that this Hearing deals with Multiple Residences, District I and this is the third hearing on it.

Mr. Munson asked about a map of the district in question because he was a little confused about the use of the words Old River Road and Forge Road due to previous changes having been made in the names of the roads and also the fact that Forge Road continues over the dam into Brookhaven Township.

Town Attorney stated that the most we can ask of Alden Young is to take his linen copy of the zoning map and superimpose the hamlet area by definition thereof for clarification purposes.

No one else wishing to be heard and no communications having been received thereto, Supervisor Leonard declared the Hearing closed at 2:15 P.M. and reconvened the Public Hearing on Ordinance #7 - Peddler's Ordinance.

Chief Grodski asked for the Board's interpretation of what the Officer should do if the peddler stays in one spot for longer than is specified in the Ordinance.

Supervisor Leonard replied that it should be obvious to the Police Officer that if a peddler is in violation of the Ordinance, he should be moved as stated in the Ordinance.

PUBLIC HEARING - continued:

No one else wishing to be heard and no communications having been received thereto, Supervisor Leonard declared the Hearing closed at 2:20 P.M. and reconvened the Meeting.

PERSONAL APPEARANCES

Dr. Granttham spoke on the recent appointments of Special Counsel for hearings coming up and commended the Board for their choice.

Dr. Granttham further spoke on letting the public know what is going on with the proposed Nuclear Plants by LILCO and asked why the Hearing on this subject is being held in Hauppauge when it involves the Riverhead area.

Dr. Granttham also spoke on the fact that the Town has gone through two summers without a traffic light at Northville Turnpike and Route 58 and asked why the Town of Riverhead has not tried to move on this issue.

Supervisor Leonard replied that he has been contacted by the County Agencies that everything is ready to put in and now permission has to be gotten from LILCO and the New York Telephone Company to use their poles to interconnect the lights.

Councilman Menendez commented that trying to get any action out of the County on any program is the biggest problem of this Town Board. The County drags its feet.

Paul Meyer talked about Dr. Smith's statement from a previous meeting regarding the pollution of the Sound and asked if it was polluted.

Supervisor Leonard stated that he had answered Dr. Smith that particular meeting and although the Health Department did say it was polluted, the Town was never notified personally of that fact and the Health Department did not close the beach at Iron Pier.

Mr. Meyer also spoke on the articles in the newspaper regarding the expenditures of the Town Dump and the acquisition of land for the new Town Hall.

Supervisor Leonard replied that the Town's books are all in his office and anyone is welcome to come in and get the true facts for themselves. He further stated that every penny he spends is accounted for and if anyone ever finds that he can't account for some expenditure he has made, the State will take over.

Mr. Meyer said that he was not speaking of the article naming the Supervisor specifically, just that people should get all the facts before they make accusations, especially in the newspaper.

Mr. Hooper spoke about having worked for the Highway Department and the Town Dump and complained about the excessive cost of running the dump.

PERSONAL APPEARANCES - continued:

Mr. Hooper further stated the Town doesn't need all that expensive equipment at the Town Dump, it doesn't need any equipment at all. The Dump should be put out on bid and given to the person who can run it cheaply. He further suggested that the job be given back to Mr. Horton.

Supervisor Leonard replied that he was not going to get into any argument over anybody in his Town Government or Mr. Horton.

He further stated that times have changed and the costs of running departments efficiently have gone up.

He went on to say that Mr. Hooper would do better to bring his complaints to the Town Board personally instead of printing misinformation in the newspapers.

Mr. Munson stated that the New York State Housing and Building Codes Bureau has informed him of a change in the "One and Two Family Dwelling Code" in regard to the danger of using inferior plywood to re-finish the insides of houses. He stated that there have been many injuries and even deaths due to this matter.

He went on to say that the plywood is low rated and has a high volume flame spreading surface.

He further stated that he was urged to inform all local agencies, newspapers and the radio stations as to this danger, which he has done.

RESOLUTIONS

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

RESOLVED, That the job description prepared by the Supervisor and forwarded to the Suffolk County Department of Personnel and approved by them as the job classification of Account Clerk be and the same is hereby approved and be it further

RESOLVED, That the Town Board of the Town of Riverhead hereby creates the position of Account Clerk, as described, and be it further

RESOLVED, That the action of the Supervisor in requesting the Civil Service list to fill said position on the basis of residency within the Town of Riverhead be approved.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

BE IT RESOLVED, That the resignation of Denis R. Hurley, as member of the Riverhead Narcotics Guidance Council, effective May 30, 1974, be and is hereby accepted with regrets.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS continued:

Town Justice Leonard offered the following resolution which was unanimously seconded and duly adopted.

CERTIFICATE OF RECOGNITION
IS PRESENTED
JOSEPH P. CELIC, SR.
IN RECOGNITION OF CIVIC SERVICES TO THE TOWN OF RIVERHEAD

WHEREAS, Mr. Celic holds and enjoys a place of high esteem in the minds and hearts of the people of the Town of Riverhead for giving generously of his time and efforts, unselfishly in many civic deliberations, and

WHEREAS, Mr. Celic has lived his life in a dignified, faithful, impartial and business-like manner, and will reach the age of 70 years on August 10th, 1974,

THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Riverhead extends to Mr. Celic its best wishes for good health, success and prosperity for many years to come.

This Certificate is bestowed to Mr. Celic in recognition of the honor and esteem accorded him and is presented as a remembrance by the Town of Riverhead.
(End).

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

RESOLVED, That highway bills submitted on abstract dated August 6, 1974, as follows: General Repairs Item 1-Mobil Oil Corporation, bills dated July 10 and 19, 1974, totalling \$672.32, be and are hereby approved for payment.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids on Black Top requirements for use of the Town of Riverhead Highway Department for the period from August 21, 1974 to August 21, 1975, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A. M., on Monday, August 19, 1974, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, August 19, 1974 at 11:00 A. M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Black Top."

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS continued:

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

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay regular overtime to Thomas Sendlewski, Jr., C. E. O., for the month of July, 1974, for 21 hours at the rate of \$4.75 per hour for a total of \$99.75.

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

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

BE IT RESOLVED, That the bid for the construction of Tennis Courts, at Wading River, New York, for use of the Recreation Department, be and is hereby awarded to East End Asphalt, Inc., Box 225, Main Road, Jamesport, N. Y. 11947, at the cost of \$12,766.00.

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

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

WHEREAS, the Town Planning Board of Riverhead by a Resolution dated March 19, 1974, set forth the prerequisites to the approval of the proposed subdivision known as "WEDGEWOOD ESTATES AT RIVERHEAD, SECTION I", and

WHEREAS, One of the prerequisites to the approval of the proposed subdivision is the filing of a Performance Bond in the amount of \$105,000.00 with the Riverhead Town Board guaranteeing the faithful completion of the construction of highways within the proposed subdivision in accordance with the construction specifications in the "Rules and Regulations for the Dedication of a Public Highway in the Town of Riverhead, Suffolk County, N. Y", and in accordance with the conditions set forth in the aforementioned resolution of the Town Planning Board dated March 19, 1974, and

WHEREAS, G-M ASSOCIATES as Principal, SRM ASSOCIATES, GRANREAL CORP. and MARK S. KROHN as Co-Principals, and REPUBLIC INSURANCE COMPANY as Surety, have filed a Performance Bond in the amount of \$105,000.00 guaranteeing to the Riverhead Town Board faithful performance in the completion of the roads to be constructed in the proposed subdivision known as "WEDGEWOOD ESTATES AT RIVERHEAD, SECTION I", which Bond sets forth completion of the roads in a period not exceeding two (2) years, all being pursuant to Section 277 of the Town Law, Section III, Paragraph F of the Rules and Regulations of the Planning Board for the Subdivision and Platting of Land,

NOW, THEREFORE, BE IT RESOLVED, That the Surety Bond in the amount of \$105,000.00, naming G.-M ASSOCIATES as Principal, SRM ASSOCIATES, GRANREAL CORP. and MARK S. KROHN as Co-Principals, REPUBLIC INSURANCE CO., as Surety, and the RIVERHEAD TOWN BOARD as Obligee, for the faithful performance of all conditions set forth in the Resolution of the Town of Riverhead Planning Board, dated the 19th day of March, 1974, with reference to the proposed subdivision to be known as "WEDGEWOOD ESTATES AT RIVERHEAD, SECTION I", in Riverhead,

RESOLUTION continued:

New York, is satisfactory to the Town Board as to form, sufficiency, manner of execution and surety, for the completion of such improvements as are not constructed.

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

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

RESOLVED, That the Town Clerk is authorized and directed to advertise in the News-Review, the official newspaper of the Town of Riverhead, for bids on the purchase of one (1) new Relocatable Building for the use of the Town of Riverhead Recreation Department, and

FURTHER RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, August 19, 1974 at 11:00 A. M., at the Riverhead Town Hall, 220 Roanoke Avenue, Riverhead, New York, all bids bearing the designation "Bid on the Purchase of One (1) New Relocatable Building-Recreation Department".

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

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

WHEREAS, a public hearing was held on the 17th day of July, 1974, at 8:00 o'clock in the evening, to consider all persons wishing to be heard on the application of Case Suffolk Supply for a special permit pursuant to Zoning Ordinance No. 26, and

WHEREAS, after due deliberation and consideration of the application, the Town Board of the Town of Riverhead finds that the granting of such special permit to be in the best interest of the Town of Riverhead,

NOW, THEREFORE, BE IT RESOLVED that the application of Case Suffolk Supply Corp., for a special permit of the Town Board pursuant to Zoning Ordinance No. 26, to operate a wholesale business in a new structure of approximately 40,000 square feet on certain premises now owned by Aaron H. Berman on the northerly side of Route 25 (West Main Street), bounded on the north by the Long Island Rail Road, on the east by lot No. 74 of Myrus Park, on the south by Route 25, and on the west by certain premises now leased by Case Suffolk Supply Corp., be granted subject to the application filed with the Town Board, the directions of the Building Inspector, and further directions of this Board, if necessary.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS continued:

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

RESOLVED, That Edward Gadzinski be appointed Working Foreman in the Sanitation Department at the rate of \$5.00 per hour, effective August 1, 1974. The vote, Councilman Menendez, Yes, Town Justice Manning, No, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

RESOLVED, That the firm, PAUL, WEISS, RIFKIND, WHARTON & GARRISON, ESQS., be and they hereby are retained as special counsel to the Town of Riverhead with reference to the LILCO application for a generating facility at Jamesport, New York and that they be paid a reasonable fee for their services in accordance with their letter of July 17th, 1974.

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

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

RESOLVED, That the Chief of Police be and is hereby authorized to purchase one (1) John Deere Car Washing Machine for the use of the Riverhead Town Police Department, and such cost not to exceed \$250.00, and to be charged to account #3120.2, Police Department.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

WHEREAS, a public hearing was held on the 6th day of Aug., 1974, to hear all those persons interested in amendments to Town Ordinance No. 7 (Peddler's Ordinance), and

WHEREAS, the Town Board, after consideration of the proposed amendments, finds that they are in the best interest of the Town of Riverhead,

NOW, THEREFORE, BE IT RESOLVED that Town Ordinance No. 7 of the Town of Riverhead, be amended as follows:

- 8 (a) No licensed hawker, peddler or solicitor shall permit any cart, wagon or vehicle owned or operated or controlled by him to stand stationary or remain stationary, nor shall he sell or offer for sale therefrom or from any pack or container, any goods, wares or merchandise of any kind, within the lines of any street, highway or sidewalk in the Town of Riverhead within three hundred (300) feet of any schoolhouse or schoolgrounds or within one thousand five hundred (1500) feet of any public market or store engaged in the business of selling the

RESOLUTION continued:

same goods, wares and merchandise offered by the licensee, or in front of any premises if the owner or any lessee thereof objects thereto.

- (b). No peddler or solicitor shall have any exclusive right to any location in any street or on any public property nor shall any peddler or solicitor be permitted to occupy any stationary location in any street or on any public property. No person may peddle or solicit in any congested place or area when or where such activity may impede or inconvenience the public, or add to the congestion of such place or area. For the purpose of this section, the judgment of any peace officer or police officer, exercised in good faith, shall be deemed conclusive as to the existence of congestion and as to whether the public is impeded or inconvenienced.

and be it further

RESOLVED, that the Town Clerk publish and post notice hereof as provided for by law.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

WHEREAS, The Town of Riverhead and William Nohejl (I. M. S. F. Inc.) entered into a five (5) year lease, dated October 21, 1969, expiring September 30, 1974, covering drainage privileges in Wading River, and

NOW, THEREFORE, BE IT RESOLVED, That the Town of Riverhead renew the said lease at an annual rental of \$50.00, and on the same terms and conditions as contained in said lease.

RESOLVED, That for the purposes of drainage pursuant to Section 64, Par. 11-a of the Town Law, the Town Board lease, in behalf of the Town, the parcel of land hereinafter described in the "Lease Agreement", set forth below in accordance with the term thereof:

FURTHER RESOLVED, That the Supervisor be authorized and directed to enter into said Lease in the name of the Town and pay the consideration for the same, and

FURTHER RESOLVED, That the Town Clerk, within 10 days hereafter, shall post and publish a Notice which shall set forth the date of the adoption of this resolution and contain an abstract of such, act or resolution concisely stating as herein the purpose thereof, and that the said resolution is subject to permissive referendum.

The "Lease Agreement" is set forth as follows:

LEASE AGREEMENT

This Agreement between I. M. S. F., Inc., a domestic corporation, of Route 25A, Wading River, New York, as Owner, and
Town of Riverhead, a Municipal Corporation of the State of New York, Town Hall, 220 Roanoke Avenue, Riverhead, New York, as Lessee.

RESOLUTION continued:

WITNESSETH: The Owner hereby leased to the Lessee the following premises:

ALL certain piece or parcel of land described as follows:
 BEGINNING at a point on the westerly line of Wading River-Manorville Road, which point is 505 feet southerly measured along the westerly line of Wading River-Manorville Road from a point formed by the intersection of the southerly line of land of W. Hoffman with the westerly line of the Wading River-Manorville Road, and running thence from said point of beginning S. 6 degrees 00 minutes E. along the westerly line of the Wading River-Manorville Road 250 feet; thence S. 84 degrees 00 minutes W. along other land of the Lessor 100 feet; thence N. 6 degrees 00 minutes W. still along other land of the Lessor 250 feet, thence N. 84 degrees 00 minutes E. still along the land of the Lessor 100 feet to the point or place of beginning.

For the term of five (5) years, to commence from the first day of October, 1974, and to end on the 30th day of September, 1979. To be used and occupied for the purpose of draining off water from the Wading River-Manorville Road, a Town Highway, and for no other purposes upon the following terms and covenants:

1. That the Lessee shall pay the annual rent of \$50.00, payable in advance on the first day of October in each year during said term.
2. That the Lessee shall have the right to make a proper drain entrance to said premises from Wading River-Manorville Road, and shall have the right to excavate and construct a recharge basin on said premises and to construct a protective fence around said basin.
3. That the Lessee shall hold the Owner harmless from any and all liability arising out of the use of the premises by the Lessee.
4. That the Lessee shall take good care of the premises and shall at the end or other termination of this lease deliver up the demised premises in good condition, damages by the elements excepted.
5. That the Owner shall retain the right to enter upon premises and use the same for any purpose which does not interfere with the use thereof by the Lessee.

The Covenants and Agreements contained herein shall be binding upon the parties hereto and upon their respective successors, heirs, executors and assigns. This Agreement is subject to permissive referendum.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS continued:

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

RESOLVED, That Francis J. Yakaboski, be and is hereby retained as Special Counsel to prosecute an action in Supreme Court, Suffolk County, to enjoin the promotion and use of premises known as Riverhead Raceway for uses and purposes for a rock festival or other similar event and that he be paid reasonable compensation therefore.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, a public hearing was held on the 6th day of August, 1974, to hear all those persons interested in amendments to Town Ordinance No. 3, and

WHEREAS, the Town Board, after consideration of the proposed amendments, finds that they are in the best interest of the Town of Riverhead:

NOW, THEREFORE, BE IT RESOLVED that Town Ordinance No. 3 of the Town of Riverhead be amend as follows:

That Section 3, subdivision (b), with respect to yield intersections and yield signs, and specifically the intersection of Roanoke Avenue and Sound Avenue, delete the following underlined words:

Intersection of-	with Yield Sign on-	entrance from-
Sound Avenue	<u>Roanoke Avenue</u>	<u>South</u>

That Section 3, subdivision (a), with respect to stop intersections and stop signs, and specifically at the intersection of Roanoke Avenue and Sound Avenue, add the following underlined words:

Intersection of-	with Stop Sign on-	entrance from-
Sound Avenue	<u>Roanoke Avenue</u>	<u>North & South</u>

By adding a new Section to Section 4, subdivision a, prohibiting parking on Sweezy Avenue as follows:

"The parking of all vehicles is hereby prohibited on the west side of Sweezy Avenue between a point where Sweezy Avenue intersects with the northerly right-a-way of the Long Island Railroad to a point 325 feet north of its intersection with the northerly right-a-way line of Pulaski Street."

and be it further

RESOLVED, that the Town Clerk publish and post notice hereof as provided for by law.

RESOLUTION continued:

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

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, the Town Board of the Town of Riverhead, on the 4th day of June, 1974, the 2nd day of July, 1974, and the 6th day of August, 1974, held a public hearing after due notice thereof in connection with certain proposed amendments to Zoning Ordinance No. 26 of the Town of Riverhead, and

WHEREAS, the Town Board of the Town of Riverhead has considered the several reports and recommendations of the Planning Board and planning consultants concerning proposed changes to Zoning Ordinance No. 26, and

WHEREAS, the Town Board of the Town of Riverhead has considered such proposed amendments and the statements made at the public hearing concerning their adoption, and

WHEREAS, after due deliberation, the Town Board, as legislative body of the Town of Riverhead, feels that it would be in the public interest to amend Zoning Ordinance No. 26 in conformity with the proposed Master Plan,

NOW, THEREFORE, be it

RESOLVED, that Zoning Ordinance No. 26 of the Town of Riverhead is amended to read as shown on Exhibit A, and the Town Clerk be and she hereby is authorized and directed to publish and post notice hereof as provided by law.

FIRST: That Article II be amended to add the following sections:

SECTION 211-MULTIPLE RESIDENCES -DISTRICT I

In order to partially implement the housing inventory objectives of the Comprehensive Plan dated 1973 for the Riverhead Hamlet area, as defined in sub-section "4" below, and while observing the objective with reference to this hamlet's overall population capacity, the Town Board may approve, pursuant to sub-section "3" below, condominium housing developments within the Residence "C" District situate in the defined Riverhead Hamlet through the application of Sections 276 and 278 and Section 281 of Article 16 of the Town Law, provided that the following minimum requirements are met:

(a) The proposed condominium site area shall be at least five acres and shall be within and served by the Riverhead Sewer and Water Districts.

(b) The dwelling unit densities permitted shall be based on the number of bedrooms per dwelling unit, which number shall be incorporated as a filed restriction in all deeds and titles related to the condominium site, as follows:

3 bedroom dwelling units	2.3 per acre
2 bedroom dwelling units	3.5 per acre
1 bedroom dwelling units	7.0 per acre

Studies, dens or similar potential bedrooms shall be counted as bedrooms, and that the overall dwelling unit density for the entire condominium site shall not exceed five dwelling units per acre.

RESOLUTION continued:

(c) The application for a proposed condominium will be combined with an application for a cluster development pursuant to the provisions of Article VII of this Ordinance and both will be considered under this provision.

(d) The Planning Board and/or the Town Board, under these provisions and the procedures set forth in the Subdivision Regulations of the Town of Riverhead, may require the following additional data and information as a basis for approving such condominium subdivisions:

- 1) A complete site plan showing the location of all landscaping and other improvements including dwelling units and first floor elevations, and the design of all buildings and structures;
- 2) The text of all filed restrictions on the use of the land and buildings, including the condominium agreement as will be submitted to the New York State Attorney General;
- 3) Any other information deemed by either Board in its discretion to be necessary to reasonable determination of the application;
- 4) Expert testimony by independent engineers or architects to be paid for by the applicant.

(e) Any application made pursuant to the provisions of this section shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall be referred to the Planning Board which will transmit its recommendations to the Town Board within sixty (60) days of referral.

(f) After receipt of the recommendations of the Planning Board, the Town Board shall hold a public hearing upon public notice as required by Section 265 of the Town Law, and the applicant shall pay all expenses of said hearing.

(2a) The Town Board shall determine that:

- 1) The use will not prevent or substantially impair either the reasonable and orderly use, or the reasonable and orderly development of other properties in the neighborhood.
- 2) The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town.
- 3) The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use.
- 4) Such use will be in harmony with and promote the general purposes and intent of this Ordinance.

(b) The Planning Board and Town Board may consider among other matters or factors which the Board may deem material, whether:

- 1) The site is particularly suitable for the location of such use in the community.

RESOLUTION continued:

- 2) The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.
- 3) The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.
- 4) Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public safety in relation to the general character of the neighborhood and other existing or permitted uses within it, and to avoid traffic congestion; and further that vehicular entrances and exits shall be clearly visible from the street and not be within 75 feet of the intersection of street lines at a street intersection except under unusual circumstances.
- 5) All proposed curb cuts have been approved by the street & highway agency which has jurisdiction.
- 6) Adequate provisions have been made for emergency conditions.
- 7) There are off-street parking and truck loading spaces at least in the number required by the provisions of this Ordinance, but in any case, an adequate number for the anticipated number of occupants, both employees and patrons or visitors; and further, that the layout of the spaces and drive-ways are convenient and conducive to safe operation.
- 8) Adequate buffer yards, landscaping, walls, fences and screening are provided where necessary to protect adjacent properties and land uses.
- 9) Where necessary, special setback, yard, height, and building area coverage requirements, or easements, right-of-way or restrictive covenants shall be established.
- 10) Where appropriate, a public or semi-public plaza or recreational or other public areas will be located on the property.
- 11) Adequate provisions will be made for the collection and disposal of stormwater runoff from the site and of sanitary sewage, refuse or other waste whether liquid, solid, gaseous or of other character.
- 12) Existing municipal services and facilities are adequate to provide for the needs of the proposed use.
- 13) The use will tend to generate or accumulate dirt or refuse, or tend to create any type of environmental pollution including vibration, noise, light, electrical discharges, odors, smoke, or irritants, particularly where they are discernible on adjacent properties or boundary streets.

RESOLUTION continued:

- 14) The construction, installation or operation of the proposed use is such that there is a need for regulating the hours, days or similar aspects of its activity.
- 15) The proposed use recognizes and provides for the further special conditions and safeguards required for particular uses as may be determined by the Town or Planning Boards.
- (6) The "Riverhead Hamlet" shall be bounded and described as follows:
- a) On the South by the southerly boundary of the Town of Riverhead.
 - b) On the West by a line along the center line of Forge Road and thence along a straight line drawn from the intersection of the center line of Forge Road and the center line of Old River Road to the intersection of the center line of River Road and the center line of State Route 25 and thence along the center line of State Route 25 to a point where the same intersects the center line of the Long Island Expressway;
 - c) On the North by a line running from the intersection of the center line of State Route 25 with the center line of the Long Island Expressway easterly along the center line of the Long Island Expressway to its most easterly point and thence along a straight line from said point to a point where the center line of Middle Road intersects the center line of Mill Road and thence easterly from said point on a straight line to a point on the center line of Roanoke Avenue said point being 300 feet from the intersection of the northerly side of Nadel Court with the easterly side of Roanoke Avenue; and thence continuing said straight line to a point where the same intersects the center line of Doctor's Path at a point and from said point along the center line of Doctor's Path southerly to the center line of Northville Turnpike at a point and from said point along the center line of Northville Turnpike easterly to the center line of County Road 105 and a point.
 - d) On the East by the center line of County Road 105.
The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, No.
The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was unanimously seconded and duly adopted.

RESOLVED, That the resignation of J. Wilson Stout, Member of Town of Riverhead Planning Board, effective July 19th, 1974, be and is hereby accepted with regrets. (End).

Councilman Young made the following comment: "I feel this resignation is a little bit abrupt. Here is a man who has worked for thirty years for the Town of Riverhead and his career suddenly comes to an end and we thank him with a one sentence resolution dismissing him from the Town. For 24 years he was an Assessor,

COMMENT - continued:

He served on the New York State Association of Assessors as President and at one time he even went to Albany and fought a case on the equalization rate and won a point or two for us. He certainly served his town well and he spent his whole life doing this. There is only one other person who has given as much to the Town and that is our present Town Clerk, Helene Block and I don't think I can say the words that really should be said to honor this man the way he should be honored. It gives me a great deal of honor to be the one to accept his resignation."

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

BE IT RESOLVED, That Maurie Semel be and is hereby appointed as a member of the Riverhead Town Planning Board to fill the vacancy caused by the resignation of J. Wilson Stout, appointment is effective August 5th, 1974, expiring December 31, 1975 and to be paid at the rate of \$1,000.00 per annum.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

BE IT RESOLVED, That the Long Island Lighting Company install the following street lighting:

1. Pole #12 on 17th Street, west of Hulse Avenue, Wading River, (Hans Blaeser)
2. Pole #16 on Linda Avenue, opposite Victor Street, Aquebogue, (Emily Whitney)
3. Pole #'s 2 534 and 535½ on Middle Road, west of Harrison Avenue, Riverhead (Celia McKay)

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

BE IT RESOLVED, That the Long Island Lighting Company be and is hereby authorized to make a survey for the installation of street lights on Linda Avenue on Pole #'s 7 and 9 in the area of the homes of Alfliero Favretto and George Benolich.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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RESOLUTIONS - continued:

Town Justice Manning referred to the resolution hiring Counsel for Rock Festival and asked: "Is this going to be worded sufficiently so we can stop them in the future when we say 'rock festival and other similar events'?"

Town Attorney, Allen Smith responded by saying: "If we say Country and Western music and Circus and then he brings in nude dancers, I'd rather say 'similar events' which covers a lot of territory."

There being no further business on motion and vote, the meeting adjourned at 3:10 P.M., to meet on Tuesday, August 20, 1974, at 7:30 P.M.

Helene M. Block

Helene M. Block, Town Clerk

HMB:mhj