

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, June 4th, 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
 Alex E. Horton, Supt. of Highways

EXECUTIVE SESSION

10:30 A.M. - Stanley Grodski re: Suffolk County Drug Abuse Control Committee

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

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

RESOLVED, That the Minutes of the Town Board Meeting held on May 21st, 1974, be approved as submitted.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Town Justice Leonard, Yes, Councilman Young, 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 June 4, 1974, as follows:

General Town	\$241,321.02
Special Districts	\$ 84.25
Highway Item #1	\$ 50,872.74
Highway Item #3	\$ 3,244.94
Highway Item #4	\$ 8,145.78

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	\$241,321.02
Special Districts	\$ 84.25
Highway Item #1	\$ 50,872.74
Highway Item #3	\$ 3,244.94
Highway Item #4	\$ 8,145.78

RESOLUTION - continued:

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

The resolution was thereupon declared duly adopted.

The Town Board welcomed Miss Block, the Town Clerk, back to work.
Miss Block replied she is happy to be back.

REPORTS

Tax Receiver's, dated: May 28, 1974. Filed.
Fire Inspector's, month of May, 1974. Filed.
Building Inspector's, month of May, 1974. Filed.
Police Department, month of May, 1974. Filed.

HIGHWAY MATTERS

Alex Horton advised the Board that the Highway Department is in need of loam.

PETITIONS

a) Wading River Residents petitioning Town Board to replace basketball hoop at Parking Lot in Wading River.

Supervisor Leonard replied: "I have investigated and have talked to the Chief of Police and the Recreation Department Heads and I have been there myself. I probably have to take the blame for removing it, but it is a Parking Lot and I do not think it should be a play ground. I was there at night and saw children hanging from the basket hoop and others were sitting on the cars and the next morning we had three or four of our waste baskets removed. There was garbage, bottles and cans all over the Parking Lot. I then notified the head of the Recreation Department to remove the hoop, now that we have a Recreation Park in Wading River. This is my own personal view, not that of the Board members. I don't know how the Board feels about it, but I did give permission, after talking with the Police Chief and Recreation Department Heads to remove the hoop."

b) Residents of Hoccobauk Park, Aquebogue requesting lower speed limit on Meeting House Creek Road.

Supervisor Leonard asked the Chief of Police to comment on the above petition.

Chief Grodski: "I have the order that was issued by the Dept. of Transportation and it is dated February 7th, 1969, and filed in the Town Clerk's Office on the 17th day of 1969. There was a survey made and they came up with a forty MPH speed limit for the entire Meetinghouse Creek Road, commencing from the south right-of-way line of the Long Island Railroad all the way to its terminus which is the water. That was based on the widening characteristics and other road-side factors."

PETITIONS - continued:

Chief Grodski continues: "We have determined that the 40 MPH speed limit is reasonable for both Meetinghouse Creek Road at Peconic Bay Boulevard. Therefore, we have taken action to establish these regulations.

This, as I said, was five years ago and the portion that is in question is the straight recess road from the intersection of Peconic Bay Boulevard to its terminus. There is a chance that they would reconsider that, but it has to be petition by resolution by the Town Board on a form that Miss Block has for a survey."

It was recommended that a survey be made. The Town Board advised Miss Block to prepare resolution for the next meeting.

There was a discussion regarding "Caution, Children at Play" signs. Police Chief Grodski reported that such signs are not legal and it would be only a matter of courtesy.

c) Petition of Metrohouse Associates Inc. for a Change of Zone.

Referred to Planning Board for their recommendation and report.

CLAIM

In the Matter of Claim of John S. Ryan and Sarah M. Ryan vs. Town of Riverhead in the amount of \$2500. Damages due to municipal sewerage backup in claimant's basement. Filed.

COMMUNICATIONS

Dept. of Army, N.Y. District Corps of Engineers, dated 5/15/74 re application by Dr. George E. Maroney, Lynbrook, New York for a permit to dredge, construct a bulkhead, place fill, erect floats and remove an existing pier and bulkhead in Peconic Bay, at Aquebogue, New York.

Any criticisms or protests regarding the proposed work should be prepared in writing and mailed prior to June 14, 1974, otherwise it will be presumed there are no objections. Filed.

Copies to Town Board.

N.Y.S. Dept. of Public Service, dated 5/16/74, re Public Hearing Notice regarding "application of LILCO for a certificate of environmental compatibility and public need to construct two (2) 1150 MWe Nuclear Fueled Generating Units at a site in the Towns of Riverhead and Southold, Suffolk County.

Public Hearing will be held at the Suffolk County Center, Riverhead, New York, on Wednesday, October 23, 1974, at 10:00 A.M., to continue on following days, as required.

A copy of the application has been placed in the Riverhead Free Library in addition to local County and Town Offices. Filed.

Copies to Town Board.

COMMUNICATIONS - continued:

Long Island Cablevision Corp., dated 5/16/74, relating to notification of addition of required carriage signals to an existing cable system". Submitting list of communities now carrying WSNL- TV, Channel 67, Patchogue, New York.

Also lists present TV Stations offered to subscribers. Filed.
Copies to Town Board.

Fred Eimers, Wading River, dated 5/17/74, tendering his resignation as a Member of the Board of Assessment Review, effective May 17, 1974. Filed.

Copies to Town Board and Board of Assessors.

Mrs. Celia McKay, dated 5/23/74, requesting a street light on LILCO Pole #534, Middle Road, west of Harrison Avenue, Riverhead, New York. Filed.

Copy to Lighting Committee.

Stanley G. Grodski, Recreation Department Superintendent, dated 5/23/74, requesting the Town Board to petition the State to lower speed limit on Pulaski Street from 40 MPH to 30 MPH from Raynor Avenue to Route 58.

Request is due to increased recreational activity at Stotsky Park thus creating more pedestrian and vehicular traffic. Filed.
Copies to Town Board

Police Chief Grodski, commented: "There was a gap between the area speed zone at Raynor Avenue and the 40 MPH speed limit which starts around Stotsky Park. The State issued an order. 600 feet west of Raynor, it is 30 MPH and that doesn't cover enough. We want to go all the way to 58. It should be that from Raynor Avenue. 600 feet west of Raynor Avenue to County 58."

Gregory R. Manning, Town Justice, dated 5/24/74, requesting flood lights on LILCO Poles #2 & 3 behind the comfort station and Launderette in Grangabel Park. This area is unlighted. Filed.

Town of Southampton, dated 5/23/74, re adoption of amendment to the Southampton Town Zoning Ordinance #26. Filed.
Copies to all Town Agencies.

LILCO, dated 5/24/74, submitting survey recommending installation of a 21,000 LMV flood light, at a monthly cost of \$8.54 be installed on Pole #215, Roanoke Avenue, to better illuminate the Town Parking Field. Filed.

Copy to Lighting Committee.

COMMUNICATIONS - continued:

LILCO, dated 5/24/74, submitting survey recommending installation of two (2) 21,000 LMV street light fixtures on Poles #356 and 358, Route 25, Wading River, New York. Filed.
Copy to Lighting Committee.

Riverhead Fire District, dated 5/28/74, requesting Town Board take action to strictly enforce the parking regulations on Pulaski Street and Hamilton Avenue to aid them in quick response to fire alarms. Filed.

Copies to Town Board.

Police Chief Grodski commented: "In regard to parking regulations on Pulaski Street and Hamilton Avenue the Chief would appreciate it if the signs were re-posted and the corners marked yellow and the restricted zone sptriped - solid line as in the past. There is one next to the Bakery Shop that has been missing for five years. I think it should be extended more than it currently was - maybe thirty feet instead of twenty feet. The State Law says thirty feet from the curb. I will work this out with the Highway Superintendent."

Riverhead Planning Board, dated 5/28/74, re Petition for Change of Zone by Staker-Neilans on Roanoke Avenue stating they recommend approval of change of zoning providing that the subject's property be used only for residential uses and dentistry offices. Filed.

Copies to Town Board.

Town of Southampton, dated 5/29/74, re Notice of Public Hearing on Proposed Amendment to Southampton Town Zoning Ordinance #26. Filed.

Copies to all Town Agencies.

Suffolk County Dept. of Planning, dated 5/29/74, re Amended Building Zone Ordinance #26, stating that in the event they do not receive a reply by June 18, 1974, they will assume there are no objections. Filed.

Copies to all Town Agencies.

State of New York Public Service Commission, dated 5/30/74 re LILCO'S proposed rate increase - Public Hearing Decision: "A request for acceleration in the normal time schedule was filed by North Hempstead and Oyster Bay, as well as staff, have responded. In order to expediate the Commission's consideration of the record made in this proceeding, the time limitations provided in the rules are reduced to June 7, 1974, for the filing of briefs on exceptions and to June 12, 1974, for replies to exceptions." Filed.

Copies to Town Board.

OPEN BID REPORT - Salvage - Jamesport School

NO BIDS RECEIVED.

OPEN BID REPORT - Relocatable Trailer - Recreation Department

After being duly advertised, the following bids were opened by the Deputy Town Clerk at 10:30 A.M., on Monday, June 3rd, 1974:

Ram Construction Inc.
3900 Sunrise Highway
Seaford, New York

Cost of items furnished & work specified: \$19,800.00

Delivery Date: 6 Weeks after
Contract is signed

York Leasing Corp.
Flexible Systems, Inc.
2 Apple Lane
Commack, N.Y. 11725

Cost of items furnished & work specified: \$19,855.00

Delivery Date: 30 Days after
Contract is signed

OPEN BID REPORT - Mining Operations - Town Dump

* NO BIDS RECEIVED.

* An attempt was made to file a bid on the afternoon of June 3rd, 1974, but the Town Clerk did not accept it, due to the time lapse.

UNFINISHED BUSINESS

a) New Town Hall - The Board directed the Town Attorney to investigate the prices on the four parcels of land and report back to the Board, possibly at the next meeting.

b) Britelite Contract - Highway Barn Heating System - The problem is being taken care of between the Contractor and the Architect.

c) Meyer's Park - Supervisor Leonard stated he has assigned Judges Manning and Leonard to meet with Attorney Shepard Scheinberg regarding Meyer's Park. They have met once with Mr. Scheinberg.

Supervisor Leonard recessed the meeting at 10:45 A.M. to hold a Public Hearing.

PUBLIC HEARING - 10:45 A.M. - Barr & Heller

Deputy Town Clerk submitted affidavits of posting and publishing Public Notice on Public Hearing on Amendments to Zone Ordinance #26 - Barr & Heller.
The affidavits were ordered filed.

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

No one wishing to be heard and no communications having been received thereto, Supervisor Leonard declared the Hearing closed at 10:50 A.M.

PUBLIC HEARING - 11:30 A.M. - Acquisition of Land, Hulse Landing Road, Wading River, NY

Deputy Town Clerk submitted affidavits of posting and publishing Public Notice on Public Hearing on Acquisition of Land - Hulse Landing Road, Wading River, N.Y.
The affidavits were ordered filed.

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

Communication from Members and Shareholders in Oakwood-on-the-Sound, Inc. was presented as follows:

"It has come to our attention that condemnation proceedings have been started re: the beach of the Oakwood-on-the-Sound Corporation, Wading River, Township of Riverhead.

There was no notice given to the President or any member of our association and we are shocked and dismayed at this kind of arbitrary treatment. There are numerous reasons why we strenuously object to this proceeding as it is entirely arbitrary and not in the public interest or in the interest of the people who are shareholders in our association. We have been an organization for more than a few years and we all own the beach and have a stake in its private use, as outlined in our ownership. It is highly irregular to arbitrarily take over any part of this property and I cite several reasons, as follows.

Several years ago, when Hulse Beach was open to the public, it was entirely overcrowded because there was no possibility of accommodating the people who wished to use it as the space did not permit. Adding a few hundred feet will only compound the problem as it will attract more people for just a small beach. Wall to wall people hardly serves the public good and is a sanitation threat to all, aggravating not solving the problems initially created by this unwise procedure. May it come to your attention that Wildwood State Park is open to all state residents and has plenty of open space available and is never filled near its extremity bordering on the Oakwood Property. To take part of our beach would lower the value of the property owners. We brought this piece of green earth and we have worked long and hard to buy it. It is with the strongest urgency that we wish to register objections to any take over by the township. There are many other voters who feel the same way and who if given the proper and just notice would echo our feelings both in person and letter."

PUBLIC HEARING - continued:

Communication continues: "We simply do not want such action and will appeal to the very limit of the law." Signed: Daniel R. and William Imwalle, Members on Oakwood-on-the-Sound, Inc. (End)

Jeffrey Silver, Attorney of Luster, Geiser & Silver, Deer Park, New York: "We have been retained by Oakwood-on-the-Sound, Inc. in connection with this matter. You have just heard a letter read to you from one of the members of the Association. I can assure you that the sentiments expressed in that letter are shared by all the members of the Association and I would like to spend a few minutes and give you some of the background involved in our position.

About 3 or 4 years ago Oakwood-on-the-Sound, Inc. was formed and it consists of approximately 101 home sites. There are also approximately 467 feet of beach. These home sites were purchased by these approximately 101 families at a cost of \$20,000 an acre for 23 acres. Prior to this time these families leased these bungalow sites from a Mr. Muller. At this time 3 or 4 years ago they were given an ultimatum by Mr. Muller that either they purchase these home sites themselves or see it sold out from under them to a private developer. At that time they mustered a great-spirited sacrifice and these people are not wealthy people by any means and they, at great financial sacrifice also, were able to purchase this tract of land. The prime reason they purchased it was for this 467 feet of beach. Now we are here today where there is a proposal before the Board to condemn 200 feet of this beach. This would leave them with only approximately 267 feet of beach almost cutting it in half. I may say that the primary value of the land is the beach and this is what we have to fight.

We feel there is no necessity, as expressed in the letter, for this Town to condemn this land. Adjacent to the land is Wildwood State Park. Even at capacity there is plenty of room. Additionally, I may say, for the record if the Town wants 1,200 feet of beach they can take additional 200 feet on the west side of Hulse Landing Road. This would not interfere with this Association. If the 200 feet is taken on the easterly side of Hulse Landing Road, as I say, you will be cutting the beach in half. The Beach, as it is now situated is used for three purposes - it is used for fishing, launching boats and bathing. To cut the beach in half would create an extreme danger to have these three functions practiced in a much smaller area. Also the members of the Association would not be able to launch their boats as they will have no access to the beach. They will have to bring their boats over the Town Park. Also I would like to point out for the information of the Board that at high tide there really isn't that much beach anyway so you may not be getting what you think you will be getting.

Finally, I just would like to say, and this is not intended as a threat at all, but just to put the Board on notice that if you intend to proceed with the condemnation these people will muster the same spirited sacrifice and dedication they gathered together 3 or 4 years ago when they had to buy this land and they are going to see this thing through and they are going to fight it as best they can. Thank you."

The following spoke and presented their views: Henry O'Kane, President of Oakwood-on-the-Sound Association, Mr. Crane and an unidentified lady.

PUBLIC HEARING - continued:

Mr. Silver again appeared before the Board and offered a map of the area to the Board. He explained that all the homes are not on the beach, but all the home owners have access to the beach.

Further discussion ensued.

Supervisor Leonard recessed this Hearing at 11:50 A.M. to hold an 11:45 A.M. scheduled Public Hearing.

PUBLIC HEARING - 11:45 A.M. - Special Permit - Fallacaro

Deputy Town Clerk submitted affidavits of posting and publishing Public Notice on Public Hearing on the Application for Special Permit - Fallacaro, Sound Avenue, Jamesport, New York.

The affidavits were ordered filed.

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

Communication from Southold Town Planning Board was presented as follows:

"In regard to the hearing June 4, 1974 on the petition of Fallacaro to erect residential buildings on property some or all of which lies within the 500 foot strip adjacent to the Southold Town Line, this Board would have no objection so long as these are single family residences and in conformity with County Board of Health and County Planning Commission requirements.

We are, however, concerned that the Town of Riverhead apparently did not establish the 500 geet residential buffer strip adjacent to the Town Line. We understood that this had been required by the County Planning Commission and discussing this case with them find that they have no knowledge that this step was not taken.

We feel for both your Town and the Town of Southold that this matter needs clarification." (End)

Shepard Scheinberg, Attorney for Emanuel W. Fallacaro:"I received a copy of this correspondence. I had a talk with the Building/Zoning Inspector relative to this and I don't think this letter really affects us. Gentlemen, what we are seeking is residential use on this property. The letter points out that when the Zone Ordinance was changed back in 1969 it seems there was a Public Hearing, I think you were there George, over at the County Center at which time the Suffolk County Planning Commission indicated that there should be this 500 foot residential property east of the Southold-Riverhead Border. Nothing was done at that time to implement that suggestion by the Planning Board. Under our present zoning it is Industrial A and Industrial B right up to the Town Line. What we are seeking here is permission from your Board to allow Mr. & Mrs. Fallacaro to place three residential buildings on their Industrial Zoned Property."

Judge Leonard: "Single family homes?"

Mr. Scheinberg: "This is zoned Industrial and we need a Special Permit to put residences in an Industrial Property."

PUBLIC HEARING - continued:

Judge Manning: "They will be mobile homes?"

Mr. Scheinberg: "They will be either mobile or modular, meeting the N.Y.S. Building Code. They will be a minimum of 900 square feet.

We come before you strictly for the residential use. We have to go back to the Zoning Board of Appeals to put mobile or modular homes on it under their regulations. We feel, that since there is already a residence on this property adjoining the three lots, we have gotten permission to sub-divide from the Planning Board, we would not be changing the area in any way to the detriment of any of the other areas. Thank you very much."

Judge Leonard: "One question, have you gone to the Health Department?"

Mr. Scheinberg: "I spoke to the Health Department and Bob Villa. Bob Villa said since there were four lots, this is not a subdivision where you have to go to the one acre area, the half-acre lots are sufficient."

Allen Smith, Town Attorney: "Mr. Scheinberg has given me a letter to that effect in writing."

No one else wishing to be heard and no more communications having been received thereto, Supervisor Leonard declared the Hearing closed and re-opened the Public Hearing on the Land Acquisition - Hulse Landing Road at 11:55 A.M.

Mr. T. Mc Alevy, President and spokesman for the Association, spoke on the situation at the beach, relative to access, parking, cleaning, etc.

Discussion followed with Councilman Young explaining why this condemnation was started.

People present expressed their strong feelings against this condemnation.

John Criscola, Park Street, Wading River, appeared and was in favor of the Town taking this property. He is willing to get a petition from people who want the Town to take over this beach. He spoke about the west side of the road.

The following spoke and a discussion followed with the Town Board Members - Unidentified Ladies, Mr. O'Kane, Mr. Mc Alevy, Lois Markowicz, Frances Vitallo, Mr. Brady.

Supervisor Leonard asked if there was anyway to get together and iron these matters out.

Mrs. Mildred Dorman of Reeves Park spoke about the residents there having beach rights on the west side of Reeves Beach and about the Jersey cars parking on the Town Roads. She requested the Town to have Alex Horton remove the sign "from the drain back" and replace it with a "No Parking" sign.

PUBLIC HEARING - continued:

Mrs. Dorman continues: She spoke on parking and permits issued to non-residents and possible ways for Recreation Department to eliminate this problem.

A discussion followed with Supervisor Leonard and Stanley Grodski.

Further presentations were made by Mr. Brady, Mr. Drain and an Unidentified Lady.

Marie Hoff, representing Wildwood Hills Association read a statement which is on file in the Town Clerk's Office.

Discussion followed with Mr. Drain and Councilman Young.

Town Attorney, Allen Smith: "There should be one man who has a title problem with the map and he might better step forward with his problem and put it on record. Is there a Mr. Auerbach in the room represented by Mr. Kanker?"

Mr. Kanker was not present.

Town Attorney continues: "I will present it to the Board. Mr. Kanker is a representative of the Chicago Title Insurance Company and there is an owner named Auerbach who owns property on the westerly side and the taking line that we are proposing along the base of the cliff, does interdict a piece of property owned by him and does run over a house or a portion of a house. We would probably have to amend the line if it is the Board's contention not to take any approved real property."

Chief Grodski: "By the sound of these people who are going to have another banner year. I strongly urge the Town Board to find out why the L.I. State Park Commission which has acquired the Meyer Estate 12 years ago and has failed to expand its facilities not only for Riverhead Town Residents, Suffolk County and New York State Residents, but has also created our problem."

Further discussion followed by Mrs. Hoff, Mr. O'Kane, Mr. Mc Alevy, Mr. Brady and the Town Board.

Supervisor Leonard: "Before we do anything, we are going to contact the representatives of each Association. In the meantime, maybe you people can get together and iron out your problems."

Councilman Young asked the members to get the group together and call the Town Board in and discuss these problems some evening. The Town board is willing to come to Wading River and try to work something out that is to the satisfaction of everybody.

No one else wishing to be heard and no further communications having been received thereto, Supervisor Leonard declared the Hearing closed at 12:50 A.M.

PERSONAL APPEARANCES

Mrs. V. Sunshine: "I'm here for the people of Jamesport in regard to the school building in Jamesport. They are very, very upset with the notice in the News-Review in regard to the demolishing of the building. Now, what we are asking of you is, have you come up with a feasibility study as to the cost of refurbishing the building, a feasibility study of destroying the building and putting up a portable, and what services a portable one will give us. We have arranged for a meeting on June 20th and I am here to invite all of you, that evening at 8:00 P.M., at the North Fork Bank in Jamesport. At that time we request that you please bring feasibility studies, once again of refurbishing the building, destroying the building and what you intend to do about the portable building.

Secondly, I know that the Town Board has not been too receptive to this whole idea of the Jamesport School, as much as the people of Jamesport. So as citizens of the Town of Riverhead, we kindly ask the services of your Town Attorney in forming a Park District in Jamesport.

We would be very glad to take over that building, the whole responsibility of the building. So those are three things I'm asking you to bring on the 20th. Everyone in Jamesport will be present and you will hear their feelings about the subject and we will hear your feelings. Maybe we will not have a repetition of what has happened this morning."

Mrs. G. Hegner: "We talk about saving landmarks and as far as I'm concerned, Jamesport is a landmark and if you can take care of that school. we don't need a new building or whatever you want to put there. You would have to pay a lot of money for that, why can't you put the money into the school that is already there. It is a landmark."

Mrs. Gevinski: "My feelings are the same as the others. As a person with an Art Degree, I feel that the building should be saved. Many children cannot use the Recreational facilities in Riverhead as there is no means of getting there. Mothers cannot drive and this would be in walking distance. I feel unless you can prove otherwise, it is more feasible to save the old building and refurbish it or whatever is needed."

Mrs. Sunshine directed herself to the Town Attorney regarding establishment of a Park District in Jamesport. (Not audible)

Allen Smith: "If I am directed by the Board to lay aside business that they have established as priority, the work that I am doing and take this matter up I will most certainly do so. You must realize that this Town, at the moment, has a part-time Town Attorney. There are a great many things going on, such as the LILCO facility, and the study of those books, and several other matters that they have established as their priority items. If Jamesport is a priority I would be more than happy to advise the Board and then if they choose to advise you, they may."

PERSONAL APPEARANCES - continued:

Mrs. V. Sunshine: "You talk about spending so much money on everything else, why can't you spend the money on that school. I mean for a Park District."

Further discussion ensued with Mrs. Sunshine, Supervisor Leonard, Allen Smith and Councilman Young.

The Town Board adjourned to meet at 1:30 P.M.

The Town Board reconvened at 2:00 P.M. with all members present.

The Town Attorney was also present.

Allen Smith, Town Attorney: "The one thing that I want to point out to the Board as a matter of record, is the Public Service Commission has acknowledged receipt of our Notice of Intention to become a party to the Proceedings of the LILCO Hearing on the two plants and we are now officially a part of it. They have not given us an answer on the retention of expert witnesses on our own behalf. Who's going to pay for them? We will pursue that and hopefully get some answer on that particular item. The meeting is set for October."

Discussion followed.

Edward Munson, Zoning Inspector, asked a question on the mining and handling of sand and gravel processing, etc. and said it is not permitted in that use district.

Town Attorney: "It is also true that the municipality is not bound by its own Zoning Ordinance, so don't worry about it."

Edward Munson: "That's not what I was told by Audit and Control."

Dr. Granttham suggested that the meeting of June 20th relative to Jamesport School be publicized so all interested parties may attend.

RESOLUTIONS

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 Thomas Sendlewski, Jr. straight overtime for the month of May, 1974 for a total of 22 hours at the rate of \$4.75 per hour in the amount of \$104.50.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

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

WHEREAS, The Superintendent of Highways has employed Edward Howell as Temporary Laborer in the Highway Department effective May 20, 1974,

NOW, THEREFORE, BE IT RESOLVED, That Edward Howell be and is hereby employed by the Town of Riverhead as Temporary Laborer in the Highway Department at the rate of \$3.35 per hour, effective May 20, 1974.

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

The resolution was thereupon declared duly adopted.

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

WHEREAS, The Superintendent of Highways has employed James Murray Slater as Temporary Laborer in the Highway Department, effective May 28, 1974,

NOW, THEREFORE, BE IT RESOLVED, That James Murray Slater be and is hereby employed by the Town of Riverhead as Temporary Laborer in the Highway Department at the rate of \$3.35 per hour, effective May 28, 1974.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Town Justice Leonard, Yes, Councilman Young, 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 Superintendent of Highways be and is hereby authorized to pay time and one-half overtime compensation as follows: Thomas Sendlewski, Jr. - May 17, 18, 25 and 26, 1974 - 9 Hrs. at \$7.13 per hour in the amount of \$64.17, and Stephen Punda - May 17, 1974 - 3 Hrs. at \$7.13 per hour in the amount of \$21.39.

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

RESOLVED, That the resignation of Fred J. Eimers, Member of Board of Assessment Review, be and is hereby accepted, effective May 17, 1974.

RESOLUTION - continued:

The vote, Councilman Menendez, Yes, Town Justice Manning,
Yes, Town Justice Leonard, Yes, Councilman Young, 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 Highway bills submitted on abstracts dated
June 4, 1974, as follows:

General Repairs Item 1 - Mobil Oil Corporation, bills dated
May 10, 16, 22 and 24, 1974 totalling \$744.56; Machinery Item 3 -
Island Ford Tractor Sales, Inc., bill dated May 21, 1974 in the amount
of \$692.00, and Island Ford Tractor Sales, Inc., bills dated May 13 &
14, 1974, totalling \$588.61; Miscellaneous Item 4 - Capitol Highway
Materials, Inc., bills dated May 15 & 23, 1974, totalling \$1,816.60;
be and the same are hereby approved for payment.

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

RESOLVED, That the Long Island Lighting Company be and is
hereby authorized to make a survey for the installation of a street
light fixture in the area of Middle Road west of Harrison Avenue,
Riverhead, on LILCO Pole #534, near the home of Celia McKay.

The vote, Councilman Menendez, Yes, Town Justice Manning,
Yes, Town Justice Leonard, Yes, Councilman Young, 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 installation of two
flood lights on LILCO Poles #'s 2 & 3 behind the comfort station and
the Launderette in Grangabel Park, Riverhead, N.Y.

Supervisor Leonard: "The reason we are asking for these
lights is that Judge Manning and myself went down to the Park and the
County has put back the split-rail fence that was knocked down by
people who use the Park and we have no intention of giving up the Park
use just to satisfy these hangouts there. That is the reason we are
asking for lights to light up the Park."

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

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

RESOLVED, That Receiver of Taxes, Irene J. Pendzick, is hereby authorized to attend an Association of Town's Seminar at Cornell University, Ithaca, New York on June 18th and 19th, and that all expenses incurred are reimbursed and charged to the Receiver of Taxes Expense Account.

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

Town Attorney, Allen Smith stated that Item 4, Page 2, regarding the fare from Riverhead to the Airports is now \$16.50 as opposed to \$15.00.

WHEREAS, The Long Island Airports Limousine Service Corporation, a domestic corporation with its principal offices and place of business at 25 Newton Place, Hauppauge, New York 11787, having heretofore made written application to the Town Board of the Town of Riverhead, pursuant to Section 66 of the Transportation Corporation Law of the State of New York, for the operation by said corporation of an omnibus within the Town, and

WHEREAS, The Town Board of the Town of Riverhead has adopted a resolution requiring consent of the Town Board for the operation of omnibus lines by resolution dated July 12, 1939, and

WHEREAS, Notice of Public Hearing was duly published in the News-Review calling for a Public Hearing on the proposed franchise to be held at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, on the 21st day of May, 1974, and

WHEREAS, Said Public Hearing was duly held and after hearing all parties interested therein, and after due deliberation thereon, and

WHEREAS, The Town Board being of the opinion the public convenience and the best interest of the Town will be served by granting said application,

NOW, THEREFORE, BE IT RESOLVED, That the consent of the Town of Riverhead is hereby given to said Long Island Airports Limousine Service Corporation to operate an omnibus line upon the streets of the Town of Riverhead as follows:

On the Long Island Expressway beginning at exit 68 between William Floyd Parkway and Riverhead;

On the Long Island Expressway between William Floyd Parkway and Edwards Road (Exit 71);

On Edwards Road between the Long Island Expressway and South River Road;

On South River Road between Edwards Road and Route 25;

RESOLUTION - continued:

On Route 25 (West Main Street) between South River Road and Osborne Avenue.

ALTERNATE ROUTE:

On Long Island Expressway between Edwards Road (Exit 71) and Long Island Expressway (Exit 72) (Route 25, West Main Street);

On Route 25, (West Main Street) between Long Island Expressway (Exit 72) and Osborne Avenue.

The consent herein granted to Long Island Airports Limousine Service Corporation is however upon the following terms and conditions, to wit:

- 1) The consent shall be for a period of three years, beginning the 6th day of April, 1974 and shall terminate on the 6th day of April, 1977, without any right or privilege of any kind thereafter existing in said Long Island Airports Limousine Service Corporation, its successors or assigns.
- 2) All monibuses or vehicles operated on said Routes shall comply with all provisions and statutes of this State together with the rules and regulations of the Public Service Commission and/or the Department of Transportation of the State of New York.
- 3) Long Island Airports Limousine Service Corporation and successors or assigns shall pay to the Town of Riverhead on or before the first day of April of each year the sum of TWENTY-FIVE DOLLARS (\$25.00) in consideration of this consent.
- 4) The fare of SIXTEEN DOLLARS AND FIFTY CENTS (\$16.50) to be charged shall comply with the schedules filed with the Public Service Commission and/or the Department of Transportation.
- 5) The schedules maintained shall comply with the schedules filed with the Public Service Commission and/or the Department of Transportation.
- 6) That there shall be full compliance with all the statutes of the State of New York and all rules and regulations of the Public Service Commission and all lawful ordinances of the Town of Riverhead applicable to the operation of said Long Island Airports Limousine Service Corporation.
- 7) This consent shall not be sold, assigned or transferred without the consent of the Town of Riverhead, nor shall any part of the operations on any said Routes be sublet without the consent of the Town.
- 8) The Town of Riverhead shall not be responsible in any way for the condition of the streets, or be required to keep them clear of ice, snow or any other obstacles, nor shall the Town of Riverhead be liable for the damage to any property of the Long Island Airports Limousine Service Corporation, its successors or assigns by reason of any snow or ice or alleged defect in its streets.

RESOLUTION - continued:

Furthermore, the said Corporation, its successors or assigns, shall hold the same Town harmless and indemnifying with respect to any and all claims made by passengers upon any omnibus operator on any such disputes to recover damages for personal injuries or injury to property irrespective of the cause of basis the cause of any such claim and said corporation shall defend the said Town upon any suit brought against it on any such claim.

9) Said Long Island Airports Limousine Service Corporation shall within ten (10) days after the approval of the Resolution by the Supervisor of the Town of Riverhead file with the Town Clerk a written agreement duly executed and acknowledged by it accepting the franchise and consent hereby granted to it and upon the terms and conditions herein set forth specifically coventing and agreeing on its part to comply with the said terms and conditions in all respects.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Town Justice Leonard, Yes, Councilman Young, 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 Board of the Town of Riverhead, Suffolk County, New York has caused all matters and things to be done which are required by the Town Law and other statutes made and provided, and

WHEREAS, The Town Board of the Town of Riverhead finds the following amendment to Ordinance #3 to be in best interests of the people of Riverhead,

NOW, THEREFORE, BE IT RESOLVED, That Section 4, sub-division (a), of Town Ordinance #3 be amended by adding a new sub-division as follows:

On the east and west sides of Horton Avenue from its southerly intersection with Osborne Avenue to its northerly intersection with Sound Avenue.

and it is further

RESOLVED, That the Town Clerk of the Town of Riverhead is hereby directed to publish notice of such amendment in the News-Review and to post such notice as required by the provisions of the Town Law.

The aforesaid amendment to Ordinance #3, of the Town of Riverhead, as Amended, shall take effect ten (10) days after such publication and posting.

Councilman Menendez : "Before I vote, I want it understood that I have great respect for the Police Department and I have great respect for their judgment and the way it is run. I have been up to Horton Avenue on Sundays several times. To me, I think this is a way of copping out. Excuse the phrase. I think it is not a parking problem, it is a police problem, enforcing an Ordinance we already have. Those people up there are racing on Sunday, whether they are parked there or not, they are still racing."

RESOLUTION - continued:

Councilman Menendez continues: " To prohibit parking on both sides you are not penalizing anybody, but the people who live in that area. It is not going to stop the racing. I think this Board should give a little more thought and find a way to alleviate the situation by maybe providing these people with a place to drag race if they must drag race. Therefore, in my own conscience, I have to vote No." The vote, Councilman Menendez, No, Town Justice Manning, No, Town Justice Leonard, Yes, Councilman Young, 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.
RESOLVED, That all bids received on June 3rd, 1974 for relocatable trailers be rejected.

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

RESOLVED, That the Town Clerk and Town Attorney are and hereby are authorized to publish notices of public bid for the demolition of the South Jamesport School, for the purchase of a relocatable trailer and for a franchise for mining at the Town Dump and she is further directed to open and read aloud any bids pursuant to all or any of the aforesaid notices.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Town Justice Leonard, Yes, Councilman Young, 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 Elizabeth Edwards, Deputy Town Clerk, be paid time and one-half overtime compensation:

14 Hours	@ \$7.22 per hour	\$101.08
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FURTHER RESOLVED, That the explanatory report relating to aforesaid overtime submitted be filed in the Office of the Town Clerk.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

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

WHEREAS, Atlantic Helicopter, Inc. has petitioned to the Town Board of the Town of Riverhead for a Special Permit to operate a heliport pursuant to the provisions of Section 209 A (2)(a) of Ordinance #26, and

WHEREAS, The Town Board of the Town of Riverhead has held a Public Hearing on May 21st, 1974 and has heard all persons interested in said application, and

WHEREAS, The Town Board of the Town of Riverhead finds that the Special Permit Use is in the best interest of the people of the Town of Riverhead subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Riverhead does hereby grant a Special Permit for the construction and use of a heliport by Atlantic Helicopter, Inc. on the premises described in its application subject to all state and federal regulations governing the same and further subject to and limited by the following condition, which is, that said Special Permit is granted for agricultural purposes only and does not constitute a grant for haulage, storage or passenger service.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Town Justice Leonard, Yes, Councilman Young, 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 services of Church Crossing Guard, Robert Widener, be and they are hereby terminated, effective May 13, 1974.

It was asked, before the vote on this resolution, whether he was terminated for any reason or at his own request.

The Board was advised that Mr. Widener has a full time position.

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

The resolution was thereupon declared duly adopted.

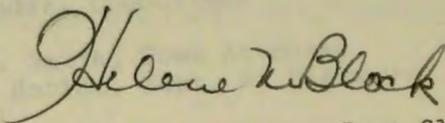
TOWN ATTORNEY, ALLEN SMITH reported: "With reference to the problem, if there ever was a problem, with the Town Dump and whether it has to comply with the Master Plan or any other plan. Mr. Anderson says in his newest volume of Anderson's New York Zoning Law, Section 9.02."

"The applicable rules are simple. A municipality may carry out its governmental functions without regard to zoning restrictions but it is subject to such restrictions when it is engaged in a proprietary function." (End)

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Town Attorney continues: "All of that means that when you are running a Town Dump which is a proper municipal function, you do not have to obey your Zoning Ordinance."

There being no further business on motion and vote, the meeting adjourned at 2:30 P.M. to meet on Tuesday, June 18, 1974, at 7:30 PM.



Helene M. Block, Town Clerk

HMB:mhj