

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, October 16, 1979 at 7:30 P.M.

Present: Allen M. Smith, Supervisor  
George G. Young, Councilman  
Francis E. Menendez, Councilman  
John Lombardi, Councilman  
Antone J. Regula, Councilman

Also present: Henry S. Saxtein, Town Attorney

Absent: Alex E. Horton, Supt. of Highways

Supervisor Smith called the meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

Supervisor Smith: "Although I can't recall whether it is specifically provided for in the Town Law, I would imagine that somewhere under the general powers of the Town Supervisor is the Chief Executive of the Town, there runs with it the ability to designate certain people as honorary officer of the Town. So, Miss Block, I designate you as honorary Town Clerk of the Town of Riverhead for life. We've never done that before. And that chair is always welcome to you should you wish to come back at any time."

Miss Helene M. Block: "Thank you very much."

Supervisor Smith: "You don't usually get to see Sally Stark this hour of the night so any time you want to come be with us, you're more than welcome to."

There is also a reminder that this Sunday is the, I believe, it's the third annual telethon of the Timothy Hill Children's Ranch. We've experienced this past weekend the unfortunate loss of some of the homes at the orphanage at Little Flower. I'm sure that Father Fagan will be asking all of us for help to re-build homes that he lost this past weekend.

Similarly Reverend Hill is attempting to establish a similar home for children on Middle Road in the Town of Riverhead and he looks for your support in fulfilling a dream his young son has before he was killed and if you want to hear the proclamation that we've all signed, we hope that you turn on the TV

Supervisor Smith continues:  
on Sunday, Channel 6 and watch the Telethon and we'll read the Proclamation in full at that particular time."

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

RESOLVED, That the Minutes of the Town Board Meetings held on September 18, 1979 and October 2, 1979, be approved as submitted.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#### BILLS

Bills submitted on abstract dated October 16, 1979 as follows:

General Town	\$56,856.50
Parking Meter	\$ 1,317.76
Ambulance	\$ 140.19
Special Districts	\$ 807.57
Highway Item #1	\$16,530.47
Highway Item #3	\$ 3,071.91
Highway Item #4	\$ 2,408.61

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

RESOLVED, That subject to complete audit, the following bills be approved for payment:

General Town	\$56,856.50
Parking Meter	\$ 1,317.76
Ambulance	\$ 140.19
Special Districts	\$ 807.57
Highway Item #1	\$16,530.47
Highway Item #3	\$ 3,071.91
Highway Item #4	\$ 2,408.61

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

OPEN BID REPORT - STORM DRAINAGE FACILITIES AT HORTON AVENUE

After being duly advertised the bids for storm drainage facilities at Horton Avenue were opened by the Town Clerk on Thursday, October 4, 1979 at 11:00 A.M.

GIFFORD CONSTRUCTION CO.  
P.O. Box 607  
Melville, New York 11749

TOTAL BID: \$248,990

ALT. TOTAL BID: \$270,515

BID BOND Filed.

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MUIRFIELD CONTRACTING INC.  
16 Heath Place  
Garden City, New York 11530

TOTAL BID: \$535,932

ALT. TOTAL BID: \$567,432

BID BOND Filed.

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JMS ENTERPRISES  
35 Pembroke  
Stony Brook, New York 11790

TOTAL BID: \$381,620

ALT. TOTAL BID: \$399,470

BID BOND Filed.

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PRATT & PRATT  
P.O. Box 374  
608 Union Avenue  
Holtsville, New York 11742

TOTAL BID: \$357,427

ALT. TOTAL BID: \$377,377

BID BOND Filed.

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OPEN BID REPORT - STORM DRAINAGE FACILITIES AT HORTON  
AVENUE - continued

LIZZA INDUSTRIES  
15 Remsen Avenue  
Roslyn, New York 11576

TOTAL BID: \$355,010  
ALT. TOTAL BID: \$371,810

BID BOND

Filed.

OPEN BID REPORT - MAINTENANCE OF STREET, PARKING FIELDS  
AND AREA LIGHTING

After being duly advertised the bids for the Maintenance of Street, Parking Fields and Area Lighting were opened by the Town Clerk on Thursday, October 4, 1979 at 11:00 A.M.

PALLEN INDUSTRIES INC.  
117 Oak Drive  
Syosset, New York 11791

TOTAL BID: \$148,488  
ALT. BID "A": \$155,280  
ALT. BID "B": \$244,380  
ALT. BID "C": \$212,396  
ALT. BID "D": \$301,496

BID BOND

Filed.

BUDIN CONTRACTING CORP.  
403 Oakwood Road  
Huntington, New York 11743

TOTAL BID: \$187,200  
ALT. BID "A": \$189,120  
ALT. BID "B": \$318,720

OPEN BID REPORT - MAINTENANCE OF STREET, PARKING FIELDS  
AND AREA LIGHTING - continued

ALT. BID "C": \$260,820

ALT. BID "D": \$390,420

BID BOND

Filed.

OPEN BID REPORT - STORM DRAINAGE FACILITIES AT MANOR  
LANE (NORTH)

After being duly advertised the bids for the Storm Drainage Facilities at Manor Lane (North) were opened by the Town Clerk, on Thursday, October 11, 1979.

JMS ENTERPRISES  
35 Pembroke Avenue  
Stony Brook, New York 11790

TOTAL BID: \$69,470

ALT. TOTAL BID: \$68,812

Filed.

MID ISLAND EXCAVATING  
844 Round Swamp Road  
Old Bethpage, New York 11804

TOTAL BID: \$79,000

ALT. TOTAL BID: \$79,000

Filed.

PECONIC EXCAVATORS  
P.O. Box 632  
Aquebogue, New York 11931

TOTAL BID: \$57,358.20

ALT. TOTAL BID: \$57,636.50

Filed.

OPEN BID REPORT - STORM DRAINAGE FACILITIES AT MANOR LANE  
(NORTH) - continued

RIVERHEAD CEMENT BLOCK  
P.O. Box 707  
Riverhead, New York 11901

TOTAL BID: \$51,710.00

ALT. TOTAL BID: \$52,701.50

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Filed.

ALL-ISLAND DRAINAGE CORP.

TOTAL BID: \$83,870

ALT. TOTAL BID: \$85,270

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Filed.

MUIRFIELD CONTRUCTION INC.  
16 Heath Place  
Garden City, New York 11530

TOTAL BID: \$83,000

ALT. TOTAL BID: \$84,050

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Filed.

SCHLEGEL CONSTRUCTION  
Box 370, Woodville Road  
Shoreham, New York 11949

TOTAL BID: \$58,925

ALT. TOTAL BID: \$59,435

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Filed.

BRECK CONTRACTING CORP.  
35-A Weeks Avenue  
Manorville, New York 11949

TOTAL BID: \$66,272

ALT. TOTAL BID: \$65,052

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Filed.

OPEN BID REPORT - STORM DRAINAGE FACILITIES AT MANOR  
LANE (NORTH) - continued

GIFFORD CONSTRUCTION CORP.  
1835 Walt Whitman Road  
Melville, New York

TOTAL BID: \$62,734.50  
ALT. TOTAL BID: \$62,871.50

Filed.

OPEN BID REPORT - INSTALLATION OF BURGLAR AND FIRE  
ALARMS IN THE TOWN OF RIVERHEAD

After being duly advertised the bids for the Installation of Burglar and Fire Alarms in the Town of Riverhead were opened by the Town Clerk on Thursday, October 11, 1979 at 11:00 A.M.

CONTRACT NO. 1

ADT COMPANY  
Mineola, New York

TOTAL BID: \$25,652  
ALT. TOTAL BID: \$25,652

Filed.

RADIO SURVEILANCE  
Box 306  
Watermill, New York

TOTAL BID: \$30,000  
ALT. TOTAL BID: \$29,700

Filed.

CONTRACT NO. 2

ADT COMPANY  
Mineola, New York

TOTAL BID: \$28,801  
ALT. TOTAL BID: \$28,381

Filed.

OPEN BID REPORT - INSTALLATION OF BURGLAR AND FIRE  
ALARMS IN THE TOWN OF RIVERHEAD -  
continued

CONTRACT NO. 2 - continued

RADIO SURVEILANCE  
Box 306  
Watermill, New York

TOTAL BID:	\$30,000
ALT. TOTAL BID:	<u>\$29,700</u>

Filed.

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CONTRACT NO. 3

ADT COMPANY  
Mineola, New York

TOTAL BID:	\$28,516
ALT. TOTAL BID:	<u>\$28,096</u>

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RADIO SURVEILANCE  
Box 306  
Watermill, New York

TOTAL BID:	\$30,000
ALT. TOTAL BID:	<u>\$29,700</u>

Filed.

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OPEN BID REPORT - WELL & WATER SYSTEM - RIVERHEAD  
SANITARY LANDFILL BUILDING COMPLEX

NO BIDS WERE RECIEVED.

Filed.

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OPEN BID REPORT - COMMUNITY DEVELOPMENT - COLONIAL  
ARMS AUCTION - (RASPBERRY HILTON)

After being duly advertised, the bid for Colonial Arms Auction was opened by the Town Clerk on Monday, October 15, 1979 at 11:15 A.M.

McNULTY, DiPIETRO, NESCI & HAEFELI  
130 Ostrander Avenue  
P.O. Box 757  
Riverhead, New York 11901

McNulty, DiPietro, Nesci & Haefeli, a law partnership of 130 Ostrander Avenue, Riverhead, New York, composed of John R. McNulty, Arthur DiPietro, Pat Frank Nesci and Richard T. Haefeli, desiring to interpose a bid for the purchase of the vacant parcel of land situate at the southwest corner of the intersection of Riverside Drive and East Main Street, Riverhead, New York, (being the location of the former Colonial Arms (Raspberry Hilton) apartment house known as 633 East Main Street) does hereby bid the sum of:

TWENTY FIVE THOUSAND SIX HUNDRED THIRTY THREE - (\$25,633.00) DOLLARS

in accordance with the terms and conditions of sale and proposed contract of sale annexed hereto and subject to the aforesaid terms of same.

The undersigned intend to utilize the subject premises for the construction and maintenance of a professional legal services center, including but not limited to owner-occupied law offices, judicial chambers, governmental agencies and other related facilities.

THESE TWO ABOVE PARAGRAPHS WERE TYPED IN BY THE ABOVE BIDDER. (See specifications on file)

Filed.

REPORTS

Police Department report for the month of September, 1979.

Filed.

Supervisor Smith: "With reference to the first four, the reports of the consulting engineers of dump and receive relative to the analysis of the bids.

Supervisor Smith continues:

With reference to the open bid report of Colonial Arms in that it is substantially below the appraisal that was used in the condemnation proceeding, we are going to refer the bid as made to one of the appraisors who worked on it for us for a report."

APPLICATIONS & PETITIONS

PETITION: 17 Residents of Little Bay Road, Wading River requesting re - installation of the street lights. Filed.

SPECIAL PERMIT: Application of Erdogan Ergener for overlay zoning for PB District at 952 Roanoke Avenue. Filed. Referred to the Planning Board for recommendation and report.

SITE PLAN: Carl Austin for retail store, East Main Street, Riverhead. Filed.

Supervisor Smith: "With reference to the application of Mr. Austin, we will have a resolution later on this evening. We have public hearings that are going to come up at 8:00, 8:15, and 8:30."

COMMUNICATIONS

Jerem O'Sullivan, 10/15/79 - Thanking Supervisor Smith for prompt reply to letter of 10/03/79. Filed.

Joan Hanken, 10/08/79 - requesting information about cablevision and whether it is available in her area of Meadow Drive, Calverton. Filed.

Jerem O'Sullivan, 10/03/79 - requesting serious attention be given to the congregation of individuals "post-dusk" at the municipal parking facility in Wading River. Filed.

Suffolk County Dept. of Planning, 10/04/79 - notice of adoption of Southampton zone ordinance, if no objection by October 24th, it will be assumed there are none. Filed.

Roe Agency, Inc. - announcement and information regarding "reciprocal insurance exchange" for municipalities. Filed.

COMMUNICATIONS - continued  
Southampton Town - notice of adoption of Southampton  
zone ordinance amendment. Filed.

Southampton Town - notice of adoption of Local Law  
#4-79. Filed.

N.Y.S. Commission on Cable Television - reporting  
comments of companies and amending Sec. 590.60 to 590.68 of  
the rules and regulations of N.Y.S. Commission on Cablevision. Filed.

Landmark's Preservation Commission, 10/15/79 - requesting  
designation for 4 structures: Fenimore Meyer House, Pump House  
(Grangebel Park), Jamesport Church and the Dimn House (Jamesport  
Manor Inn). Filed.

Supervisor Smith: "With reference to the letter of Mrs.  
Hanken, one or both of us have to get in touch with Cablevision  
for an analysis as is provided in the agreement. It's called the  
line extension formula and what we need is an analysis of the  
potential customers and the amount of cable to be laid to get  
there. The others don't require immediate action."

UNFINISHED BUSINESS

Serota & Sons - Site plan application for walk-in  
refrigerator.

John Bushong - Special Permit application for two family  
residence.

Dr. Aldo Iacono - special permit application for PB  
District on Roanoke Avenue.

Dr. John Franzone - Special Permit application for  
PB District, Route 25 & Linda Avenue.

Riverhead Automotive Delivery - Special Permit application  
for garage on West Main Street.

William, Kenneth & Sharon Lohr - Special Permit application  
for residence in Industrial "A" Zone.

Greyhound Lines, Inc. - Petition for local consent to  
operate omnibus line in community.

Supervisor Smith: "With reference to Serota and Sons, Mr. Wiwczar that was the one that we were going to try to work out the difficulties between Mr. Serota and the Fire Department at the time that we dealt with the site plan. Can you sort of make a note to follow on that please, either with the Chief of the Wading River Fire Department or one of the Commissioners and let's see if we can use this as a lever to get cooperation there.

The applications of Bushong, Iacono and Franzone are all the subjects of resolutions later on in the evening.

Riverhead Automotive Deliveries, we're waiting for action of the County.

Mr. and Mrs. Lohr, I've spoken to their attorney this evening Mr. Saxtein, and they do want a resolution on that tonight if we can do it. I think the consensus of the Board is to push that one forward. Don't let me forget it please.

Greyhound Lines Inc., there's been correspondence passing between the Town Attorney and the Greyhound Corp. Under the Charter of the County of Suffolk, it is our opinion that the County is the one that they should be hounding for the consent. It's written that way in the County Charter. Mr. Saxtein has put this in writing and hopefully that will resolve itself. Part of the confusion can be demonstrated by the fact that Greyhound in their letters of request to us have asked us to approve omnibus Routes in the Town of Southampton. So it's a problem of getting their act straightened out.

This brings us to that portion of our agenda where we will listen to anyone wishing to address the Town Board. I would ask that if you are here with reference to the hearings that are scheduled for 8:00, 8:15, or 8:30, that you please hold your comments until that particular time. If you are here on any other matter, it is your opportunity now to be heard. Yes Sir in the front row."

#### PERSONAL APPEARANCES

William Hippner, Stephen Drive, Wading River; "I requested service from Cablevision and I was turned down. The reason given was it was unfeasible. I was looking for advice and help from this Board in obtaining the Cablevision Service."

Supervisor Smith: "When we last dealt with Cablevision, this problem was prevalent, not only in your area, but in some others. What we have written into the franchise as it currently exists with the Long Island Cablevision Corp. which exists here in the Town of Riverhead is called the "line extension formula". What I do, having received your request and Mrs. Pendzick has your address, is request of Long Island Cablevision an extension survey. They will survey your neighbors or yourself, they will

PERSONAL APPEARANCES - continuedSupervisor Smith continues:

find out how many potential customers there are and the cost of the plan necessary to provide service. There is a break even point in that. If there is no break even point, what is done, there is an establishment of a "reserve fund" which is discussed with you in your potential, and other people that are involved. What you would do would be an advance towards the installation of the capital plant necessary to bring the service to you and as such time additional customers were to take advantage of the service that you and the others invested in, you will be rebated the cost of your investment on a formula. I know that isn't dreadfully articulate, but with your address we can obtain this survey and we will be in touch with you."

William Hippner: "I have a couple of other questions. Will the cable company do all the work in there?"

Supervisor Smith: "Yes Sir, they will. However, when they were dealing strictly with private property in other instances, they have provided, for instance, the mobile homes park owners to cable and the owner of the park has installed it underground. I don't know if that's your situation specifically."

William Hippner: "No it's not."

Supervisor Smith: "So if you're in the public right-of-way, they would be the ones handling it."

William Hippner: "Supervisor Smith, one other item. My home is located about one hundred and fifty yards from the Brookhaven Town line and the Suffolk Cable County comes about four poles away from my home. Could it be worked out possibly where the two companies would trade off rights?"

Supervisor Smith: "That's quite possible?" That probably will come out of their line extension survey as I call it."

William Hippner: "Thank you very much!"

Supervisor Smith: "Yes Sir. Bill?"

PERSONAL APPEARANCES - continued

Bill Nohejl, Wading River; "I too am concerned about the parking area in Wading River. What was your answer to the gentleman?"

Supervisor Smith: "About a year ago, you may recall there may be some discussion about my being up there and there being additional patrols last summer. I suggested to the Wading River Civic Association and to the Wading River Chamber of Commerce that we install as part of the improvement of the parking lot bollards similar to the ones that are out in front of the Town Hall here and that any hour whatever hour it might be say 10:00 o'clock in the evening that the particular sector car 604 most of the time have a set of keys and he closed the parking area, Bill, whomever might be in that area at that hour to leave and then close it physically with a chain and whatever warning devices that are necessary.

Last year, that particular suggestion was discussed by the Civic Association and by the Chamber. As my letter indicated to this gentleman I can't recall which wrote back to me or whether both wrote back to me and said that they wanted the increase of police patrolling, but they did not believe that the physical closing of the lot was in order. I have wrote to them again. I have suggested that a great deal of the problem is coming from the vans and what not that hang out most immediately up behind or closest to Mr. Wiwczar's house. It is very difficult for the Chief with a black and white car or blue and white car to get into that parking lot and get close enough to people who are either drinking or smoking and or cavorting. You know with any success because of where they park the car and where they cause their disturbance, so I have again renewed that particular suggestion. The other one that was discussed by the Town Board this morning was the actual erecting of chain line fence along the property line between the Greenbrier and the parking lot and between the little road that goes back to Ray's house and the parking lot."

Bill Nohejl: "I know of your letter to the Civic Association because I belong and I'm not spokesman for them, but I have the feeling it's not feasible to close it off. Now is there an ordinance of the Town after ten o'clock or so loitering on public property?"

Supervisor Smith: "You can't enforce a loitering ordinance any longer."

Bill Nohejl: "You can't."

PERSONAL APPEARANCES - continued

Supervisor Smith: "No, the Supreme Court of the United States in its infinite wisdom has declared the loitering statutes of the several states to be unconstitutional. We can, however, close the public parking lots."

Bill Nohejl: "But supposing — I understand close the parking . . ."

Supervisor Smith: "If what you're saying is put up a sign that says no parking after ten. Yes we can . . ."

Bill Nohejl: "No not no parking, no loitering because . . ."

Supervisor Smith: "No we can't use the word loitering Bill."

Bill Nohejl: "You can't?"

Supervisor Smith: "That's 1940."

Bill Nohejl: "Well it's still effective today."

Supervisor Smith: "Bill all I can tell you it is not constitutional. A loitering statute is not constitutional and the current fad of defense lawyers is not to necessarily defend such cases, but is to tag the individual police officers with civil rights actions, these are lawsuits. The problem with a civil rights action, the claim of it is that the police officer acts outside of his authority. If a police officer were ever connected of that particular civil rights violation, the Town would not stand behind him. He can't as a matter of law and it makes the enforcement of such laws when known to be unconstitutional very difficult."

Bill Nohejl: "I understand that you've gotten a letter requesting the lights somewhat similar to downtown. I have been against it because I feel as though those types of lights would bring the light down closer to the ground and not protrude into the parking field as much as it should. I encourage, if there's some way the shield from the neighborhood, the lights into their homes, I would suggest lighting it up more so, so it would be . . ."

PERSONAL APPEARANCES - continued

Supervisor Smith: "That is a legitimate suggestion. We are now going through with the general lighting with buying lexan bulbs. What's happened in those areas where the young people wish to congregate and wish to congregate in the dark, such as the Iron Pier Beach, they are shooting them out. We go from glass, to a tougher glass, to lexan and it appears all we're doing is selling shot gun shells. Whatever we use, they go the next step up so it's very difficult."

Bill Nohejl: "Would a suggestion like, you know it's going on there, the gatherings. If there were raids made at certain times you know from all different directions then just sort of discourage it."

Supervisor Smith: "Well they have been hassled. They have been hassled. As you know, the program we established last year in Wading River this summer continued where on spot weekends we have as many as four or five vehicles marked and unmarked in that particular area and we raise hell and things calm down for three or four weeks and things become unglued. You have some very talented youngsters in Wading River."

Bill Nohejl: "Very much so."

Supervisor Smith: "They catch on very quick. They'll the Police Department and say there's an accident at the intersection down by Lewins Farm. So we've got four cars in the area and three break off and go up there and start looking for an accident."

Bill Nohejl: "We have good ones there. So much on that. I was amazed to see that the bid coming in so high for the maintenance of the street lights in the area parking."

Supervisor Smith: "Again we will wait for the engineering . . ."

Bill Nohejl: "Is that for a one year basis?"

Supervisor Smith: "Yes Sir."

Bill Nohejl: "Just like I said before it's easy to buy the car, but after you have to run it. It's terrible and I hope that — on the Raspberry Hilton, you've had it for sale

PERSONAL APPEARANCES - continuedBill Nohejl continues

I noticed the sign there. Were the offers any higher than the bid you've received there. Did you receive any offers?"

Supervisor Smith: "Yes, we received one offer who did not bid and he was lower than the bidders."

Bill Nohejl: "I mean prior to this bid."

Supervisor Smith: "Nothing concrete. The only written one we had was about two of three weeks ago which made us think now was the time to put it out for bid and see where it came in. There was interest in the property shown, real interest and it's my opinion that when somebody puts something in writing then he's sincere."

Bill Nohejl: "This is a little bit discouraging, it's about one third of what it cost the Town. . ."

Supervisor Smith: "Yes I understand that. "

Bill Nohejl: "I sure in hell hope it doesn't go for that."

Supervisor Smith: "We can still sit on it. We sat on it for a year."

Bill Nohejl: "I think it's wise."

Supervisor Smith: "Well the other theory if you've got a professional business that wants to go in there, you've got to build a new building, pay some taxes, maybe that consideration too. That's why we're going to refer it to an appraiser. Anyone still wishing to address the Town Board on any new matter?"

Betty Edwards: "I wish to bring to the Town Board's attention to a very unjust situation that's going on. I can generalize, but I'm not going to because when I am offended, I'm very personal about. So I'm going to speak about me just as a

PERSONAL APPEARANCES - continued  
Betty Edwards continues:

landlord.

I believe in government. I'm a very law abiding citizen. I go out of my way to be law abiding. I have had to take certain oaths as a broker because I'm a real estate broker and make certain promises to the government and I don't get a salary and I have to do that. And there are certain agencies which are involved in the things I do because of their jobs and they are —

there are employees of these agencies, they're civil servants and they speak to tenants about me. I've had two very very serious things come back to me and I can prove them and I was able to disprove them to the tenants and in one case it wasn't a tenant, but it was a personal friend of mine and an employee of one of the agencies of a government in the Town of Riverhead tried to make them think that I was stealing money, which, of course, was — the party knows me so well they came to me and told me and they were willing to go to court if I wanted to start action.

The other one tried to tell a tenant of mine that I'm a terrible landlord, that the things I tell them about the repairs that I had done were not so, and I have a bank who sent an appraiser over before and after. I can prove it with a bank the work that I had done. I think this has to stop. I don't think any civil servant who is being paid through my tax dollar has the right to take a salary in his pocket and use the time that he is supposed to be doing a specific job to downgrade Betty Edwards. I really don't think that anyone in this Town is paid to be doing that. And I want the Town Board to be aware of what's going on.

What I'm going to do about it next, I'm not sure, I hope that through what I have said today, I may have not chosen my words very well, but I'm very upset about this situation. I hope that through my making you aware of this condition that it stops. I had to take an oath. I'm repeating myself, but it's to show a point. To be a broker I had to make certain promises to government for no salary. For these men that are doing this are earning a salary and their salary is coming from tax dollars. I am a contributing tax payer in Riverhead. I almost was not going to pay my taxes. But I made a decision this week to give Riverhead another try. But I want this situation remedied. I think before anyone goes into anyone's home and represents the Town of Riverhead in any capacity, I mean any capacity, they have to be made aware of certain limitations. They should not be allowed to go into a person's home and say what you were told that this floor has been done twice. This is the original floor. I'm with such and such department and I know if this floor has ever been done. Do you know how much money Betty Edwards is making on this deal. These things are not what these men are paid to do and I think they're unjust and that's it. That's the beginning and end of it, I hope. I hope it's the end of it. It is the end of it if

PERSONAL APPEARANCES - continued  
the Town Board does something about it. Thank you for listening."

Supervisor Smith: "Mrs. Edwards are you suggesting that we shouldn't have the Building Inspector or Health Inspector inspect your dwellings any more?"

Betty Edwards: "Am I suggesting that they should inspect it?"

Supervisor Smith: "Not inspect it ma'am."

Betty Edwards: "Pardon me, not inspect it."

Supervisor Smith: "Yes ma'am."

Betty Edwards: "Absolutely no. I am not suggesting that. I realize that the Town of Riverhead is on a very big spree of upgrading Riverhead. And as a citizen of Riverhead, I'm delighted. I love to see Riverhead upgraded. This is one of the reasons I stayed in Riverhead because I have I (tape was turned over) — are empty statements that cannot be backed up. Now I pulled out my checkbooks and I showed one of my tenants, I said this is when I bought this property. This is the man I paid to do this floor and on this day is when the bank came and investigated it. She said you don't have to prove it to me, I believed in you in the beginning, I just want you to know what was being said about you. And the other case had gone to court and I just proved that. I mean . . ."

Supervisor Smith: "Mrs. Edwards did you make a statement before Judge Leonard or Judge Manning, for instance, with reference to the violation at East Main Street that there was not human sewerage being dumped in the back yard in that house."

Betty Edwards: "I don't know what you're referring to."

Supervisor Smith: "I mean a sewer pipe with human excrement look, open in the back yard of that house."

Betty Edwards: "Oh no, there is no sewerage problem

PERSONAL APPEARANCES - continued

Betty Edwards continues:  
on Main Street. Never has been."

Supervisor Smith: "Never has been and then . . ."

Betty Edwards: "There is a sewerage problem Sir on Ostrander Avenue and I have been here to meeting, because I did not get a sewer on Ostrander Avenue and there is no drainage. It is three feet above Merritts Pond and I have a house that I am paying taxes on which I cannot use."

Supervisor Smith: "Mrs. Edwards then — no I'm talking about East Main Street for the beginning."

Betty Edwards: "There is no sewerage problem. There never has been."

Supervisor Smith: "There never was and you never made that statement to Judge Leonard and the Building Inspector never went down there and took a photograph of actual human feces floating in the back yard."

Betty Edwards: "Not to my knowledge."

Supervisor Smith: "Mr. DeLucca, may I have the picture."

Betty Edwards: "Well you know there's another thing that the Building Department did. They took a picture of a little paper bag on East Main Street, and they said to me, are you going to deny that this refuse is on your property. You know."

Supervisor Smith: "Mrs. Edwards. . ."

Betty Edwards: "There are sewers on East Main Street. There was Peter Pettithird who is a contractor, was working on my property this was on the back of East Main Street and he had opened up the sewer. He was working on it — that condition was remedied as soon as it was brought to my attention. Oh is this the one with the paper bag. No. Let them take pictures now."

PERSONAL APPEARANCES - continued

Supervisor Smith: "But then you . . ."

Betty Edwards: ". . . very talented lady, but I cannot correct a condition before it happens. That happened and it was corrected."

Supervisor Smith: "What did you come to court for that particular day and why would it have been a topic of discussion with the Justice of the Peace if that weren't a violation that you were being asked to fix?"

Betty Edwards: "I was not sure of what all the violations because I had an injury in the intra in which I was not able to move around for about nine months. So things happened to the property on East Main Street due to the tenants such as they cut out doorways, they removed radiators, they broke windows, all sorts of things. Every single thing has been remedied. There is not one thing that has not been remedied plus. If that sewer thing was opened for a couple of days or a week even while the contractor was repairing it, I don't see what was so terrible."

Supervisor Smith: "You don't see any problem with human feces?"

Betty Edwards: "No."

Supervisor Smith: "I think you can see them floating in the water . . ."

Betty Edwards: "Oh yes. I can see a problem, but remember that that's in a section which is not gone near and the house was empty and it's been corrected. I boarded up that house and I was not going to rent again. I was not even going to bother with any of my projects in Riverhead. But I made a decision and my decision is that I am going to bother and I want justice. I do not want to be bowed to. I do not want red carpet rolled in front of my feet, but I want justice. I believe I'm still in America."

Supervisor Smith: "Yes Ma'am. And only as one member of the Town Board I would say that I don't want people living with human feces in the back yard."

PERSONAL APPEARANCES - continued

Betty Edwards: "Right, right that's why the house was empty until I could correct all the conditions. I'll make the decision to ever rent it again. And I want to know why you choose to bring up something that was irrelevant to why I was here and did not broach why I am here. You did not even touch on why I am here. But you brought in some outside issue. I'd like to know why?"

Supervisor Wmth: "Well I think ma'am, the difficulties that you had with the Building Department . . ."

Betty Edwards: "Was because of that one issue of an open sewer for a little while."

Supervisor Smith: "No I can pick it up from there and go on if you'd like me to . . ."

Betty Edwards: "Also I want to state . . ."

Supervisor Smith: "We have the other files out."

Betty Edwards: "I was not specifying the Building Department."

Supervisor Smith: "Oh all right."

Betty Edwards: "I said certain agencies representing certain branches of government in the Town of Riverhead. That was all I said."

Supervisor Smith: "We have the Health Department Reports on the other buildings if you'd like me to begin with them."

Betty Edwards: "Spare me sir. There are no violations."

Supervisor Smith: "Well do you think it . . ."

PERSONAL APPEARANCES - continued

Betty Edwards: "As far as I am concerned, and if a little bit of paint is flaked on a piece of trim, when every single house in Riverhead is considered violated for that very same reason, I will consider the violation just. However, it's all been painted. I have gone around . . ."

Supervisor Smith: "How about on the Ostrander Avenue house the collars for the heaters where the exhaust go out through the wall?"

Betty Edwards: "What exhaust? I don't know what you're talking about?"

Supervisor Smith: "Well when you run a heater pipe out of a wall and the wall happens to be wood, you have to put a collar on it and if you don't you burn the house up when the cold season starts."

Betty Edwards: "Ostrander Avenue has oil hot air."

Supervisor Smith: "There's no heater pipe?"

Betty Edwards: "I don't know what you're talking about?"

Supervisor Smith: "Or collar? Let me have the report."

Betty Edwards: "But Ostrander Avenue is being bordered up because there are no sewers."

Supervisor Smith: "But again ma'am I mean you have us believe that there are no problems. And . . ."

Betty Edwards: "No you brought up issues that I was not going into. I should have come with a lawyer Sir, but I thought I was at a very open and just Board Meeting. But had I known that I was going to be attached by a lawyer, Sir, whether it's you, or the President or God, I would have had a lawyer with me."

Supervisor Smith: "All right ma'am."

PERSONAL APPEARANCES - continued

Betty Edwards: "I am not a lawyer. I brought up an issue. The issue is, I don't believe anyone working for the Town of Riverhead in any capacity has the right to go to a tenant of mine and say that I am lying or stealing. Because that is open to court prosecution. That is defamation or character and I have witnesses and they will all stand behind me."

Supervisor Smith: "All right that is your . . ."

Betty Edwards: "And I shouldn't have had to say that. It should have been enough for me to state my case and expect justice. But after what has happened just now Sir, I don't think that I can expect that."

Supervisor Smith: "All right. Thank you ma'am."

Betty Edwards: "Have a good evening."

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice that a public hearing will be held at Town Hall on October 16, 1979 at 8:00 P.M. to hear all interested persons concerning an amendment to section 108-3 of the Town Code.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Mr. Saxtein would you please brief the people on what is proposed and why?"

Henry Saxtein: "A few years ago, a section of the Town Code which defined lot was amended to state in essence that when one person owns two adjoining lots the lots would be merged into one ownership so that if the owner wanted to sell one lot he couldn't without subdividing. There has been questions arising whether or not this merger doctrine of ownership would apply to

PUBLIC HEARING - continuedHenry Saxtein continues:

lots on file, major subdivision maps and approved minor subdivision maps, the difference being that major subdivision maps are filed with the County of Suffolk and whereas minor subdivision maps are just approved by the Town Planning Board. And the efforts here were to clarify the distinction basically saying that if a person owns two or more adjoining lots in an area where a major subdivision map has been filed or a minor subdivision map has been approved, that the merger doctrine will not apply."

Supervisor Smith: "Thank you Sir. Is there anyone here this evening who chooses to address the Town Board on this particular topic?"

Bill Nohejl, Wading River; "I have a similar — I recently broke up a piece of property into four different lots. I sold one off with the house and I have three adjoining each other. Now with that they are separated by the Town Planning Board. Tax wise are they considered each a lot or is it going to be taxed as one parcel?"

Supervisor Smith: "I don't know Bill. Do we have an assessor here tonight. I believe they're probably assessed if it is a filed subdivision as separate lots."

Bill Nohejl: "But what is the idea of the three I couldn't quite follow Henry on that?"

Supervisor Smith: "This is what is called a "Doctrine of Merger". Although I haven't done my home work as much as I should tonight on the "doctrine of merger" my recollection is that with the very small lots such as you have in that subdivision that's never been developed to the south of Grumman, Calverton. The idea was where there were paper lots and they were twenty feet wide and people were amalgamating them such that they had eighty feet or they had one hundred and twenty feet of whatever. The idea was to get away from the little biddy lots and where the greater lots came into existence to stick with the greater lot. If I can pick on Wildwood Acres or Hills for a moment, those are probably twenty foot lots down in there and let's say somebody had a side yard where they had twenty feet. If you didn't have a "doctrine of merger" and you just let people build on a file subdivision, then in theory, you could have somebody try to put a house on a twenty foot lot which would be super difficult. Hence, the "doctrine of merger" arose in the history of zoning such that when lots came into common ownership and they

PUBLIC HEARING - continued

Supervisor Smith continues:

were substandard lots that they were all plugged in together."

Bill Nohejl: "To make one big one."

Supervisor Smith: "Right. The confusion exists because of you, very specific, for instance, yourself. I'll use you as an example, although we've written the doctrine of merger into this ordinance it's been in the ordinance for some time. There's no question of whether or not it was ever intended to apply to Bill Nohejl. The consensus of the Joint Board is it was never intended to apply to Bill Nohejl, right. And so what we're doing is to clarify that particular issue is to say where there is a filed subdivision that has been properly approved and properly plated, filed with the County Clerk, etc., and it says that Bill Nohejl has four lots, each an acre and one forty-seven acres, that's okay. And because he owns the ones along side of each other, doesn't mean that it's back as one big parcel of fifty acres. Again that's what we're trying to say tonight."

Bill Nohejl: "Okay. I wanted a clarification on that."

Supervisor Smith: "Anyone else on the definition of lot?"

Viola Lomonica, Wading River; "I have property now on 15th Street. I own 50 x 150. Now in the back street it's adjacent to my back property. I have 73 x 100. Would that be considered one whole parcel?"

Supervisor Smith: "Today, yes, if it's in common name."

Viola Lomonica: "It's not in effect now. In other words I can still change that."

Supervisor Smith: "I'm talking about it the way it is today."

Viola Lomonica: "But I have two separate deeds."

PUBLIC HEARING - continued

Supervisor Smith: "Dear, if we pass this, maybe it will help you. We still don't know what you're building on a twenty foot lot."

Viola Lomonica: "I don't have twenty feet. I have seventy-three feet."

Henry Sundquist: "I have lots up in Oak Hills."

Supervisor Smith: "Mr. Sundquist, Mrs. Pendzick would appreciate if you give your name and address."

Henry Sundquist: "Oak Hills, Calverton. Now I think I'm in the clear on this, but I think it's a hell of a thing to do. Now I have a piece and I bought a piece of property in 1959 . . ."

Supervisor Smith: "I think you've got it backwards."

Councilman Young: "We're helping you. We're making it easier for you to subdivide not making it more difficult. We're doing. . ."

Henry Sundquist: "Well all right. Now I'm not saying you're doing this to me because I think I protected myself, but I bought property on lots 17 and 18 and they measure oh about 13,500 square feet."

Supervisor Smith: "Yes Sir."

Henry Sundquist: "We subsequently, now I did this twenty years ago and maybe ten or fifteen years ago we purchased lots in the back which are 21,000 square feet. Now what you're saying is my 13,500 square feet that I've had a house on for twenty years, you will merge with the lots in back if they're in common name."

Supervisor Smith: "That's the law today. We're changing it going the other way."

Henry Scndquist: "What does it mean actually?"

PUBLIC HEARING - continued

Councilman Young: "It means you've got two lots instead of one lot. Today you can't build on it, tomorrow you can after we — you got two separate lots."

Supervisor Smith: "You got it."

Henry Sundquist: "I thought you were just being confiscatory that you were going to make me merge my 13,500 square feet with 21,000 square feet."

Supervisor Smith: "Do this for me. We've got other hearings. Take a moment, go out in the hall with the Town Attorney, explain your specific problem to him . . ."

Henry Sundquist: "Mr. — what is your name?"

Irene J. Pendzick: "DeLucca."

Henry Sundquist: "He explained it to me and I turned around immediately and I had a lot next door and made my lot 20,000."

Supervisor Smith: "Do this. Talk to the Town Attorney. I'll keep the hearing open and if you want to add anything else. Henry before we confuse this thing any further, go with the man, find out what his specific problem is . . ."

Henry Saxtein: "Let me add something that may clarify this. In the wording of this it says that the joining lots will not merge if they conform to the Zoning District use schedule in effect at the time the lots are to be conveyed."

Supervisor Smith: "All right, so talk to the man. I see a variance granted for Wildwood Hills and that area regularly Henry."

Supervisor Smith recessed the public hearing to hold another public hearing.

PUBLIC HEARING - 8:15 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice that a public hearing will be held at Town Hall on October 16, 1979 at 8:15 P.M. to hear all interested persons in regard to Local Law No. 3-1979 entitled: "Local Law in relation to a Veteran's Exemption from Taxation on Real Property with respect to the ration of exemption."

The affidavits were ordered to be placed on file.

Supervisor Smith: "If you think you were confused by the last one, a Veteran today, any home owner today, generally through out the state of New York is assessed at what is called fractional assessed valuation, which means that the figure that you see on your tax bill is not a figure that you can sell your house to, but some fraction you can sell your house for, but some fraction thereof. Whether it is a ten percent figure or what. Against that fractional valuation, the state of New York has given an exemption, a Veteran's Exemption, giving certain credits for those men and women who have served in the Armed Forces against that assessed valuation. Now the proportion that that particular exemption bears to fractional valuation would be wiped out by the court mandated full valuation assessment. The State Legislature is empowered Town Board such as this Town Board or other taxing authorities to allow the same proportional exemption to exist when it goes to full value. So if a veteran were to have — this is where it gets tough. If he gets a twenty percent break on his actual taxes paid today, when and if the full value assessment comes into being, he would get again twenty percent break in the same tax dollars paid. That is the purpose of the hearing and that is why we call this law forward. Is there anybody here that would like to testify either for or against the granting of this exemption."

Bill Nohejl, Wading River; "I just want a clarification. One thousand down, he gets twenty percent of the one thousand dollars? Under the new assessment if twenty down or thirty down he gets twenty percent of that or . . ."

Supervisor Smith: "Yes Sir. It may double or triple. But your proportion would remain the same. Twenty percent would remain the same. The problem with it is unlike the aged exemption, the aged exemption under New York State Statute speaks in terms of tax dollars. It is an exemption to a tax dollar paid. Your problem with a Veterans exemption it talks in terms of a Veterans Exemption as applying to assessed value. And it only grants you so many dollars of assessed value. So if as the assessing went up under full value assessing and we didn't pass this law, the Veteran would be hurt. Yes Sir?"

PUBLIC HEARING - continued

Unidentified Speaker from Audience: "What's the difference between the aged assessment — the tax dollar assessment and the twenty percent . . ."

Supervisor Smith: "This is going to begin to sound like a college lecture. It would depend upon whether you're claiming — each guy will probably have a different figure. Jim yours is probably different than somebody else's. It would depend whether you got a severance bonus, whether you got the New York State severance bonus, whether or not you apply insurance premiums. The one whether you say that you used part of your educational benefits for the construction of purchase for this particular house. The purpose of the amendment is such that dollar for dollar tax dollar, forget about assessment, you end up in the same place that you were in when you started. Without this amendment, Veterans are the one group in the court mandated full value assessing that take a beating because the exemption talks in terms of assessed valuation not in terms of tax dollars. I, assume, my friend, that you are in support of this amendment, for the record, Mr. Sauer nods his head that he is in support of the amendment. I see three, four, five hands. Six or seven people or more in support.

Is there anyone in the room who opposes the implementation of this particular local law?"

Bill Nohejl: "I'm still not clear."

Supervisor Smith: "All right, we'll try it again Bill."

Bill Nohejl: "I've always had this problem from school on up. Now if a man was to pay one thousand dollars in taxes now and he received a twenty percent reduction?"

Supervisor Smith: "Yes. He gets a two hundred dollar break."

Bill Nohejl: "Now on his total tax bill regardless — now if it's full assessment and his total tax bill is say one thousand five hundred . . ."

Supervisor Smith: "It shouldn't be . . ."

Bill Nohejl: "If he has a home?"

PUBLIC HEARING - continued

Supervisor Smith: "It should be the same."

Bill Nohejl: "It should be the same?"

Supervisor Smith: "Sure."

Councilman Young; "If we're assessing correctly, today at ten percent and we put it to one hundred percent, your tax won't change."

Supervisor Smith: "You still pay the same one thousand dollars and you still get the two hundred off. If fractionally everybody in the Town of Riverhead is assessed at ten percent fractional valuation and the court says everybody goes to full value, everybody's assessment, the fractional value would be multiplied times ten. Your tax bill remains the same. Exactly the same."

Councilman Young: "You don't pay any more taxes."

Supervisor Smith: "One of the things that — Again, we're going to sound like we're in law school — one of the things that the Hellerstein case said, the case that mandated this whole mess was it was unfair to the home owner and the businessman to assess him at fractionally because he can't tell whether he's getting the shaft or not. Almost anybody can figure out that his house is worth forty thousand dollars give or take a couple of thousand. That it's worth fifty thousand dollars give or take a couple of thousand, that it's worth sixty thousand mes ames. And that this whole fractional valuation thing was dreamed up on a OUIJA to keep people confused like you seem to be at the moment."

Bill Nohejl: "I am."

Supervisor Smith: "And if we all were at full value you could tell whether you're getting the shaft because a guy would say look, I just bought the house. You know the Assessors says it's worth \$75,000, I paid \$50,000. But when you've got this fractional business, you don't necessarily know unless you're going to hire a lawyer."

PUBLIC HEARING - continued

Marie Hoff, Wading River; "If I understand correctly, the way you described this to us, Mr. Smith, that it's being approached on a percentage basis, then the individual who has credit coming to him from Veterans money will end up in relatively the same position regardless of whether the house is assessed at fractional or full valuation. And on that basis, I appreciate what you've done and I approve it."

Henry Sundquist: "Henry Saxtein clarified the whole thing for me and I'm clear — now when are you going to raise it to an acre?"

Supervisor Smith: "You want to get further confused. The Health Department won't give you a permit to put in a well unless you've got an acre. Let's go back to Veterans for a moment and then I'll try to close the other hearing. Anything else on Veterans?"

Unidentified Gentleman from the Audience: "What is the next move? Obviously this meeting has said go ahead. What is the next move?"

Supervisor Smith: "The gentleman asked, for the record, what will next occur at the next Town Board Meeting. There will be a vote. Either the proposed local law passes or it does not pass. If it passes, I believe, on this kind of thing there's a notice put in the paper. If we do not get challenged within thirty days it is the law of the Town of Riverhead on the veterans.

You see the problem that you're causing for Mrs. Pendzick is that it doesn't get on the record.

The second question being asked, should they come back next meeting? You are more than welcome Mr. Sauer to come back, next meeting, if you choose."

Henry Sundquist: "Can I ask why you didn't put the notice in the News-Review you put in on the 4th and you don't put it in on the 7th. The meeting which is the 11th and the meeting is the 16th. Now why don't you put it in twice? Two weeks away is the meeting. It looks like "dirty pool". It makes you look suspicious. Can't you fix it?"

Supervisor Smith: "The Town Law of the State of New York requires that a notice for the particular type of hearing be in the paper ten days or more in advance of the public hearing. I don't know what our publication bills for the last few weeks have been . . ."

PUBLIC HEARING - continued

Henry Sundquist: "I don't care what the state of New York says. You could do this for us."

Supervisor Smith: "You would like us to spend the money to publish it twice?"

Henry Sundquist: "You're going to spend it anyhow."

Supervisor Smith: "Yes Sir. Anything else on Veterans exemption?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:30 P.M.

Supervisor Smith: "Anyone else wish to address the Town Board with reference to lots?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:31 P.M.

PUBLIC HEARING - 8:30 P.M.

The Town Clerk submitted of publishing and posting of a public notice for a public hearing to be held at Town Hall on October 16, 1979 to hear all interested persons wishing to propose or suggest uses of funds to which the Town may become entitled, commonly known as "General Revenue Sharing Funds."

The affidavits were ordered to be placed on file.

Supervisor Smith: "I've previously stated with reference to this particular federal fund and with others and I have analyzed the type of hearing that we have here to a double-barrel shotgun. The first barrel was fired some weeks ago when in we generally throw open to the public a request for suggestions in the formulation of a proposed budget for general federal revenue sharing. People can suggest anything from a Country Fair Site through ice skating rink, and do.

And then the second hearing we publish what we intend to use it for and we give people an opportunity to say whether

PUBLIC HEARING - continuedSupervisor Smith continues:

or not they agree or they disagree, the proposed budget as we have prepared it. What we have proposed as we have done in the past two years is to pay \$186,000 of the police salaries of the Town of Riverhead from this fund. As we have said before, the consequence of this is to reduce the tax burden for those salaries. We additionally have proposed \$30,000 for ambulance facilities. These can be applied toward the purchase of a new ambulance or the purchase of additional equipment for the EMT's and or specifically to the development of an ambulance garage and parking facilities opposite the Jamesport Fire House.

It was suggested at the last hearing that a Country Fair Site or a Country Fair, is that how you expressed it, Riverhead Fair Site be developed. The thought that we propose here is the expansion of the Stotsky Park Facilities such that major events such as the Polish Town Fair or the Riverhead Country Fair could be accommodated at that location in whole or in part.

We have in the past several years devoted monies out of this fund for the improvement of roads such as those in Timber Park propose to do in Reeves Park, and in other places within the Town of Riverhead. The sum is \$40,000. That adds up to \$286,000 which we believe to be our entitlement for the year 1980. I now throw the hearing open. We will listen to anyone who would choose to support the proposed budget as published and or to recommend the changes therein."

Dick Benedict, Fanning Blvd.; "I believe a few weeks back, I put in there that I would like to have some of this so-called private roads taken over with this money and brought into the Town so that they could be maintained at least as secondary roads instead of me coming back every year and trying to get some maintenance money out of this revenue sharing, and I see it's listed as maintenance again. Now would it be possible to have some of these roads that are already paved and that you people have the deeds for and that we went through the petitions and everything brought into the Town with this money once and for all is maintained as secondary roads."

Supervisor Smith: "That's what we've been doing with this fund."

Dick Benedict: "But we're still considered private roads as far as Mr. Horton is concerned, as of two weeks ago."

Supervisor Smith: "Dick I can't answer that for you. What he feels or thinks is totally beyond my control. I can't recall the last time I worked on Fanning Blvd. my recollection

PUBLIC HEARING - continuedSupervisor Smith continues:

of Fanning Blvd. as far as the legal department in the Town of Riverhead goes is a public highway. Right Henry?"

Henry Saxtein: "I'm not familiar with that."

Supervisor Smith: "My recollection off the top of my head, that one was straightened out a long time ago."

Dick Benedict: "That's what I thought. But everytime I talk to Mr. Horton he says no Sir, the \$40,000 is used up. I still got the sand he put on there four months ago. I ask him to remove it and he says well it's too cold. It's too warm. I'm working on Ostrander. And he tells me it's a private road yet."

Supervisor Smith: "The fund is here for the purposes of taking over roads whether it's Fanning Blvd., or Wildwood or whatever."

Dick Benedict: "What I'm saying is we went through the rigmarole of the petitions, lawyers, the deed, the paving, everything. I would like to get it as a secondary road at lease in the Town of Riverhead. Thank you."

Supervisor Smith: "Yes Sir. Yes ma'am."

Jule Grattan, Phillips Lane, Aquebogue; "I'm in full agreement with this gentleman that just spoke, that the Town should do something, you have the money right now. You say you have the \$40,000, I believe that they should do something about the private roads that we do have, that do exist in Riverhead. It's got to be done sooner or later and you may just as well work on it now and help the individual that started a project like that, like myself without knowing what use we're getting into and thinking we were doing a favor for other people and then find that you are holding the bag. Now the people that live on the private road pay the same amount of taxes as anyone else in the Town of Riverhead. Therefore, they're not asking for anything special. It should be thought about and please try to do something. Thank you."

PUBLIC HEARING - continuedSupervisor Smith: "Yes ma'am. Yes Bill?"

Bill Nohejl, Wading River; "The amounts that would put in for the Riverhead Fair grounds would be so minimal if you got \$200,000. I'd like to have it withdrawn because it's nothing. I thought maybe something could be worked out like you have for the water front where you've got \$150,000 coming in three different times. That would be something worthwhile. I withdraw to these people. I think it's much needed, being that it's such a small amount for what I requested."

Supervisor Smith: "All right. Okay Bill, we'll consider it. Jim?"

Jim Raffle, Aquebogue; "I'm just going to read this letter here. This puts it all together. I'm here to ask about the use of some federal funds.

About two years Councilman Lombardi and Regula started working with a group in Riverhead to see what could be done in bettering the conditions for all people of Riverhead and to obtain some rights and privileges in the use of our own creeks and bays. We are basically interested in the clams in our waters.

First of all let me say that I'm representing the Riverhead Bay Conservation Association.

However, we feel, that through the combined efforts of our group, the Town Board and the residents of Riverhead, we can promote research and institute programs for our fishing and shell fishing industry. Also to aid those people who make a living from our local waters. We all know that the clamming industry on Long Island brings millions of dollars into our economy each year. We feel it is time that we the residents of Riverhead got our share.

The organization formed through the efforts of Councilman Lombardi and Regula is called the Riverhead Bay Conservation Association. We are about two hundred strong in taking in new members all the time. It is made up of professional clammers and also those who enjoy getting a mess of clams for their family. We are here this evening to ask that \$4,000 of federal funds be set aside for our transplant and reseeding programs next summer.

The first phase of this program started this September with the assistance of the County and State Conservation Agencies. They have been helpful and also feel that Riverhead residents deserve what our neighbors in Southold, Southampton and East Hampton enjoy, the rights and privileges to control the creeks and bay bottoms surrounding their Towns. This \$4,000 would be used to compensate those volunteers who will dig about eight hundred bushels of clams from polluted waters and place them in certified areas. The first phase was handled by about twenty volunteers with no compensation and it benefits all the residents

PUBLIC HEARING - continuedJim Raffle continues:

of this Town. We would like you to approve this request. And if there are people here that would like to know more about our goals, they can contact me Jim Raffle or contact Councilman Regula or Lombardi. And any of those interested to join our organization, it's the Riverhead Bay Conservation Association and our annual dues are \$3.00 a year."

Supervisor Smith: "Thank you Jim. One specific question. Tony asked us today to approve a purchase order for \$1,500 for cooperative effort with Southampton and the consensus of those of us present was to that. Is that inclusive or exclusive of the \$4,000."

Jim Raffle: "Exclusive."

Supervisor Smith: "So the \$4,000 is new money for the year 1980?"

Jim Raffle: "Right. This is a special program to be set up and work up the river at \$1,500."

Supervisor Smith: "Yes Sir."

Jim Raffle: "But this program that I just spoke about would be for Riverhead Town residents only and you know we would do this for everyone's benefit."

Supervisor Smith: "We've agreed to cut out the \$1,500 all ready and I just wanted to know if it was inclusive or exclusive."

Anyone else with reference to the public hearing on federal revenue sharing."

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:45 P.M.

Supervisor Smith recessed the meeting for five minutes after which the meeting resumed.

RESOLUTIONS

Supervisor Smith: "Resolutions #492 to 502 are overtime and recall time for Police Officers and other employees, the special districts, etc., in the Town of Riverhead. Does anybody have a burning desire to hear any or all of these read?"

#492 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS FROM  
7-1-79 to 9-30-79

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

BE IT RESOLVED, that the following Police Officers be paid overtime from July 1, 1979 to and including September 30, 1979, as per P.B.A. Contract.

1. Troyan, Peter	7-21-79	8 hrs.	\$115.22	
	7-22-79	8 hrs.	\$115.22	
				TOTAL \$230.44

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#493 AUTHORIZES OVERTIME PAY FOR CIVILIAN EMPLOYEE

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

BE IT RESOLVED, That the following civilian employee be paid overtime pay from July 1, 1979 to and including September 30, 1979:

1. Sargent, C.	7-04-79	8 hrs.	\$ 44.16	
	7-01 thru 7-03-79	20 hrs.	\$110.40	
	8-01 thru 8-31-79	19 hrs.	\$106.13	
	9-03-79	8 hrs.	\$ 47.49	
				TOTAL \$308.18

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#494 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS FROM  
FEDERAL REVENUE SHARING

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

BE IT RESOLVED, that the following Police Officers be paid for Overtime from July 1, 1979 to and including September

RESOLUTIONS - continued

30, 1979, to be paid from Federal Revenue Sharing.

1. Cheshire, D.	7-29-79	3 hrs.		\$41.02
2. Woods, K.	8-27-79	1 hr.	\$14.40	
	9-07-79	.5 hrs.	<u>7.20</u>	<u>\$21.60</u>
			TOTAL	\$62.62

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#495 AUTHORIZES RECALL/COURT PAY FOR POLICE OFFICERS FROM FEDERAL REVENUE SHARING

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

BE IT RESOLVED, That the following Police Officers be paid for recall/court pay from July 1, 1979 to and including September 30, 1979, to be paid from Federal Revenue Sharing.

1. Cheshire, D.	9-10-79	4 hrs.	\$ 54.69
2. VonVoigt, R.	8-25-79	8 hrs.	\$115.22
3. Woods, K.	8-22-79	4 hrs.	\$ 57.61
4. Swiatocha, J.	8-20-79	4.33 hrs.	<u>\$ 59.20</u>
		TOTAL	\$286.72

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#496 AUTHORIZES OVERTIME PAY FOR LIEUTENANTS AND SERGEANTS

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

BE IT RESOLVED, That the following Lieutenants and Sergeants be paid for Overtime from July 1, 1979 to and including September 30, 1979 as per P.B.A. Contract:

1. Grattan, L.	7-20-79	6 hrs.	\$108.16
2. Becht, J.	8-19-79	8 hrs.	133.42
3. Grossman, A.	7-22-79	4 hrs.	64.14
4. Mazzo, L.	7-21-79	6 hrs.	<u>101.03</u>
		TOTAL	\$406.75

RESOLUTIONS - continued

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#497 AUTHORIZES COURT/RECALL PAY FOR SERGEANTS

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

BE IT RESOLVED, That the following Sergeants be paid for Court/Recall pay from July 1, 1979 to and including September 30, 1979, as per P.B.A. Contract.

1.	Becht, J.	8-13-79	4 hrs.	\$ 66.71
2.	Grossman, A.	8-20-79	4 hrs.	64.14
3.	Mazzo, L.	9-10-79	4 hrs.	67.35
4.	Seaman, J.	8-18-79	5 hrs.	<u>83.38</u>
			TOTAL	\$281.58

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#498 AUTHORIZES STANDBY PAY FOR DETECTIVES

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

BE IT RESOLVED, That the following authorizes standby for Detectives as per PBA Contract for the period of July 1, 1979 to and including September 30, 1979. (Less recall days.)

1.	Boden, J.	26 hours	\$274.56
2.	Summerville, A.	27 hours	288.20
3.	Underwood, R.	21 hours	<u>243.96</u>
		TOTAL	\$806.72

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#499 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS FROM  
7-01-79 to 9-30-79

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

BE IT RESOLVED, That the following Police Officers be

## RESOLUTIONS - continued

paid overtime from July 1, 1979 to and including September 30, 1979, as per P.B.A. Contract.

1.	Alexander, F.	7-03-79	1 hr.		\$ 14.97
2.	Densieski, A.	7-20-79	2.5 hrs.	\$36.01	
		7-28-79	3 hrs.	43.21	
		8-22-79	.33hrs.	<u>4.75</u>	83.97
3.	Dunleavy, J.	8-13-79	1.25hrs.		18.72
4.	Foote, F.	7-10-79	5 hrs.	72.02	
		8-10-79	3 hrs.	<u>43.21</u>	115.23
5.	Kurpetski, J.	7-28-79	.42hrs.	6.29	
		8-01-79	1.75hrs.	<u>26.21</u>	32.50
6.	Miller, D.	7-24-79	2.33hrs.	33.56	
		9-08-79	4 hrs.	57.61	
		9-23-79	1 hr.	14.40	
		9-26-79	2 hrs.	<u>28.81</u>	134.36
7.	Rodgers, F.	7-26-79	8 hrs.		115.22
8.	Romaniello, F.	7-21-79	6 hrs.	86.42	
		8-26-79	1 hr.	14.40	
		9-14-79	1 hr.	<u>14.40</u>	115.21
9.	Troyan	7-07-79	3 hrs.	43.21	
		8-22-79	.5 hrs.	<u>7.20</u>	50.40
10.	Zaleski, J.	7-06-79	3.17hrs.	45.66	
		9-29-79	.55hrs.	<u>7.92</u>	53.57
					<u>53.57</u>
				TOTAL	\$734.15

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#500

AUTHORIZES COURT/RECALL PAY FOR DETECTIVES

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

BE IT RESOLVED, That the following Detectives be paid cour/recall pay from July 1, 1979 to and including September 30, 1979 as per P.B.A. Contract:

RESOLUTIONS - continued

1. Boden, H.	7-18-79	\$63.36	
	7-23-79	63.36	
	7-26-79	63.36	
	8-28-79	63.36	
	8-29-79	63.36	
	9-15-79	63.36	
	9-17-79	63.36	
	9-20-79	63.36	
	9-30-79	63.36	\$570.24
2. Summerville, A.	7-03-79	64.04	
	7-07-79	64.04	
	7-16-79	64.04	
	8-11-79	64.04	
	8-17-79	64.04	
	8-20-79	64.04	
	9-04-79	64.04	\$472.30
3. Underwood, R.	8-21-79	67.99	
	9-09-79	67.99	<u>\$139.42</u>
TOTAL			\$1,181.96

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#501 AUTHORIZES COURT/RECALL PAY FOR POLICE OFFICERS  
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid for Court/Recall pay from July 1, 1979 to and including September 30, 1979, and also the date of June 25, 1979, as per P.B.A. Contract:

1. Densieski, A.	8-17-79	4 hrs.	\$ 57.61	
	8-25-79	8 hrs.	<u>115.22</u>	\$172.83
2. Dorfer, T.	8-19-79	8 hrs.		115.22
3. Dunleavy, J.	7-21-79	6 hrs.		89.87
4. Foote, F.	8-06-79	4 hrs.		57.61
5. Gianni, V.	6-25-79	4 hrs.	57.61	
	8-20-79	5.08hrs.	73.16	
	8-29-79	4 hrs.	57.61	
	8-30-79	4 hrs.	<u>57.61</u>	245.99

RESOLUTIONS - continued

6.	Green, D.	7-30-79	\$ 57.61	
		8-27-79	<u>75.61</u>	\$133.22
7.	Griffing, L.	7-20-79	89.87	
		8-27-79	<u>78.63</u>	168.50
8.	McDonald, O.	7-22-79		86.41
9.	Mickoliger, L.	8-20-79		57.61
0.	Miller D.	8-18-79		100.82
11.	Michalski, V.	7-07-79		115.22
12.	Quinn, R.	8-18-79	105.86	
		9-04-79	<u>60.49</u>	166.35
13.	Romaniello, F.	8-13-79	57.61	
		8-18-79	<u>115.22</u>	172.83
14.	Troyan, P.	7-01-79	115.22	
		7-02-79	115.22	
		8-18-79	<u>100.82</u>	<u>331.26</u>
			TOTAL	\$2,013.74

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#503 AUTHORIZES PUBLIC AUCTION OF ABANDONED VEHICLES

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

RESOLVED, the Riverhead Town Impound Area is overcrowded with unclaimed or abandoned vehicles, pursuant to Vehicle and Traffic Law, Section 1224, and rules and regulations, pursuant thereto,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Public Auction for the sale of said vehicles, and conspicuously post said Notice in at least three (3) public places in Riverhead, at least six (6) days before said sale on October 27, 1979 at 9:30 A.M. at the Town Impound Area, Route 58, Riverhead, New York.

RIVERHEAD POLICE DEPARTMENT AUCTION

Abandoned Vehicles to be sold at Public Auction on October 27, 1979, pursuant to Section 1224 of the Vehicle and Traffic Law

RESOLUTIONS - continued  
of the State of New York.

AV-111	1966	Buick	Tan/Gold	444396H171418
AV-112	1969	Buick	Green	4356991138165
AV-114	1970	Pontiac	Green	262390E115449
AV-115	1970	Toyota	Gray	RT78116711
AV-117	1969	Buick	Green	454679Y111936
AV-118	1968	Pontiac	Green	237378B126135
AV-119	1967	Ford	Maroon	8T01T100139
AV-120	1967	Buick	White	434177B121602
AV-121	1969	Chevrolet	Green	135699G310820
AV-122	1970	Chevrolet	Gray	164470T127728
AV-123	1964	Ford	Blue	4H19U226827
AV-124	1973	Capri	Green	GAECMS92393
AV-125	1960	Chevrolet	Red/White	4G125P117307
AV-126	1969	Volkswagon	Red	229032476

ALSO TO BE AUCTIONED

AV-116	1972	American Motors	Green	A2A157E287690	Owned By Rhd.
AV-117	1977	Chevrolet Pick-up	Brown	VIN CKR34B128473	Town

Auction will be held on Saturday, October 27, 1979 at 9:30 A.M. at the Town Impound Area, Route 58, Riverhead, N.Y. Vehicles will be open to inspection on Friday, October 26, 1979 from 10:00 A.M. to 3:00 P.M. All items sold as is. All sales cash only. Vehicles must be removed from the sales premises no later than 3:30 P.M. on the date of the auction.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

## RESOLUTIONS - continued

#504 WAIVES SURETY BOND FOR EXCAVATION PERMIT

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

WHEREAS, David G. Young has obtained excavation permit #61 for the premises located at Manor Lane, Jamesport, and  
WHEREAS, the receipt of a surety bond is required to be filed with the Town Clerk,

NOW, THEREFORE, BE IT RESOLVED, that the requirement of said surety bond for permit #61 is hereby waived.

Before the vote, Supervisor Smith stated: "So as I understand it, this is not to me a mining operation. This is strictly for digging sand for a particular project which will end shortly."

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Abstain, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#505 INCREASES FEE OF COPIES OF ZONING CODE, CHAPTER 108

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

WHEREAS, the fee for copies of the Riverhead Zoning Code, Chapter 108, has been \$2.00 since the adoption of the code, and

WHEREAS, the amendments have lengthened the code to be approximately 100 pages long, and

WHEREAS, at this time, the cost to the Town to duplicate copies is approximately .05¢ per page,

NOW, THEREFORE, be it

RESOLVED, that a fee of \$5.00 be established for a copy of the Riverhead Town Zoning Code, Chapter 108, effective October 17, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith: "Ladies and gentlemen, resolutions #506, 507 and 508 are authorization for the Town Clerk to publish notices with reference to special permit applications for a doctor to establish a bus on Roanoke Avenue, a doctor to establish a business on Route 25 between Broad and Linda Lane in Aquebogue, and a man to establish a two-family residence. They will appear in the paper and they will be subject to a public hearing next meeting. Is anybody interested in hearing them read in full?"

RESOLUTIONS - continued#506 AUTHORIZING PUBLISHING AND POSTING OF PUBLIC NOTICE -  
DR. IACONO

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

RESOLVED, that the Town Clerk be and she hereby is authorized to publish and post the following Public Notice.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on Wednesday, November 7, 1979 at 8:15 o'clock P.M., to hear all persons concerning the application of Dr. Aldo Iacono for:

(1) A change of zone from Residential C District to Business PB District pursuant to section 108-112 of the Town Code of the Town of Riverhead, and

(2) A special permit to construct and maintain a professional office of a medical doctor pursuant to sections 108-112(A)(1)(c) and 108-3 of the Town Code.

The proposed medical doctor's office is to be located on a lot presently occupied by a single family residence on the northeast corner of Ackerley Street and Roanoke Avenue in the Town of Riverhead, County of Suffolk and State of New York.

Any person wishing information on this application may examine it at the Office of the Town Clerk during normal business hours.

Any person wishing to address the Town Board with reference to this matter should appear at the above stated time and place and they will be heard.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#507 AUTHORIZING PUBLISHING AND POSTING OF THE FOLLOWING  
PUBLIC NOTICE - DR. JOHN FRANZONE

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

RESOLVED, that the Town Clerk be and she hereby is authorized to publish and post the following public notice.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on Wednesday, November 7, 1979 at 8:00 o'clock P.M. to hear all persons concerning the special permit of Dr.

RESOLUTIONS - continued

John Franzone to construct and maintain a professional office of a medical doctor pursuant to sections 108-112 (1)(c) and 108-3 of the Town Code.

The proposed medical doctor's office is to be located on a vacant lot on the southeast corner of the intersection of Main Road (Route 25) and Linda Avenue in the Hamlet of Aquebogue, Town of Riverhead, New York.

The property is currently zoned Business PB District.

Any person wishing information on this application may examine it at the office of the Town Clerk during normal business hours. Any person wishing to address the Town Board should appear at the above stated time and place and they will be heard.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#508 AUTHORIZES PUBLISHING AND POSTING OF PUBLIC NOTICE -  
JOHN BUSHONG

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

RESOLVED, that the Town Clerk be and she hereby is authorized to publish and post the following public notice.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on Wednesday, November 7, 1979 at 8:30 o'clock P.M., to hear all persons concerning the application of John Bushong for a special permit pursuant to section 108-21(B)(3) of the Town Code to maintain a two-family residence in an area zoned Agriculture A.

The proposed residence is to be located on a lot presently occupied by a single-family residence on the north side of Main Road (Route 25) approximately 2,166 feet east of Church Lane in the Hamlet of Aquebogue, Town of Riverhead, Suffolk County, New York.

Any person wishing information on this application may examine it at the Office of the Town Clerk during normal business hours. Any person wishing to address the Town Board with reference to this matter should appear at the above stated time and place and they will be heard.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#509 RESOLUTION ADOPTING LOCAL LAW #2 - 1979

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

WHEREAS, the Town Board of the Town of Riverhead had duly published and posted a copy of Local Law #2-1979, a law authorizing the Town of Riverhead to convert unclaimed abandoned vehicles to its own use, and

WHEREAS, a public hearing was held on local law #3-1979 on the 2nd of October, 1979 at 8:00 o'clock P.M. before the Town Board of the Town of Riverhead where all interested persons were heard,

NOW, THEREFORE, be it

RESOLVED, that Local Law #2-1979 be enacted by the Town Board of the Town of Riverhead as follows:

Pursuant to the provisions of section 1224 (6) (a) of the Vehicle and Traffic Law and the rules and regulations of the Commissioner of Motor Vehicles, the Town of Riverhead is hereby authorized to convert up to one percent of its unclaimed abandoned vehicles or two such vehicles, whichever is greater, to its own use in any calendar year. This shall be in addition to any vehicles whose title is vested immediately in the Town of Riverhead pursuant to section 1224(2) of the Vehicle and Traffic Law.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Before the following resolutions were offered, Supervisor Smith stated: "With reference to resolutions #510 and 511 they are very much alike. What these notices do is specify that the Town of Riverhead is about to buy certain properties for certain purposes. All three, four of these are for the purposes of drainage. They will appear in the paper, the imput of the notices is that if anyone wishes to object to the purchase of the property on Elton Street to St. John's Church. The purchase of property from Platon on Northville Turnpike between Union and East Avenues or the property of Jennings between Union Avenue and East Avenue or the property of Diem and Janis at the intersection of Hamilton and Osborn have to bring a petition and object to these purposes. Is there anyone that wishes to hear either the resolutions or notices read that will appear in the paper?"

#510 AUTHORIZING PUBLISHING AND POSTING OF THE FOLLOWING NOTICE

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

WHEREAS, a contract of sale has been negotiated between the Town of Riverhead and St. John's R.C. Church at Riverhead,

RESOLUTIONS - continued

New York,

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk be and she hereby is authorized to publish and post the following notice, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Riverhead is authorized to execute said contract and to close title on the property upon the passage of the requisite period of time.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to sections 64 (11) (a) and 90, et seq., of the Town Law, the Town Board of the Town of Riverhead by resolution adopted October 16, 1979 authorized the execution of a contract of sale between the St. John's R.C. Church at Riverhead, New York and the Town of Riverhead for the purchase of approximately 3.24 acres of land on the north side of Elton Avenue in the Town of Riverhead, New York, at a purchase price of \$25,000 to be used for drainage purposes. It is proposed that the cost of acquisition of this parcel of property be paid from drainage bonds funds of the Town of Riverhead.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#511 AUTHORIZES PUBLISHING AND POSTING OF THE FOLLOWING PUBLIC NOTICE

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

WHEREAS, Contracts of sale have been negotiated with reference to the Town of Riverhead as set forth in the following public notice,

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk be and she hereby is authorized to publish and post the following notice, and be it

FURTHER RESOLVED, that the Supervisor is authorized to execute contracts of sale, and upon the passage of the requisite period of time, to close on these parcels of property.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to section 64(11) (A) of the Town Law, the Town Board of the Town of Riverhead, by resolution adopted October 16, 1979, authorized the execution of contracts of sale which are subject to a permissive referendum upon petition, as provided by section 90, et seq. of the Town Law. The aforesaid resolution authorized the following contracts:

RESOLUTIONS - continued

(1) An agreement between the Town of Riverhead and Alice Platon for the purchase of a lot and dwelling located on the southeast corner of the intersection of Maple Avenue and Northville Turnpike in the Town of Riverhead, New York. The purchase price is \$19,000.

(2) An agreement between the Town of Riverhead and Hubert and Emma Jennings for the purchase of two lots and one dwelling located on the west side of Union Avenue approximately 150 feet south of Northville Turnpike in the Town of Riverhead, New York. The purchase price is \$25,000.

(3) An agreement between Lucille Diem and Rowena Janis and the Town of Riverhead for the purchase of a lot consisting of vacant land located at the southeast corner of the intersection of Sweezy Avenue and Osborn Avenue in the Town of Riverhead. The purchase price is \$10,918.

The premises are to be acquired by the Town of Riverhead from drainage bonds funds.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#512 AMENDMENT OF SPECIAL PERMIT - FRANK SCHLEGEL

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

WHEREAS, a special permit application to construct a warehouse and storage yard as a non-nuisance industry on the north side of Route 25 between the intersection of Route 25 and 25A and Timber Drive in the Hamlet of Calverton, Town of Riverhead, New York, pursuant to section 108-48(B)(2) of the Town Code was filed by Frank Schlegel on June 5, 1979, and granted by the Town Board of the Town of Riverhead on October 2, 1979, and

WHEREAS, the initial special permit application requested that the special permit allow for the periodic maintenance and light repairs on the construction equipment stored at the premises,

NOW, THEREFORE, be it

RESOLVED, that the special permit granted to Frank Schlegel by the Town Board on October 2, 1979 be amended to permit periodic maintenance and light repairs on construction equipment within the warehouse on the premises of the warehouse and storage yard.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

## RESOLUTIONS - continued

#513 AUTHORIZES CONDEMNATION PROCEEDINGS

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

WHEREAS, the Town Board of the Town of Riverhead has recognized that there is a drainage problem on the south side of Sound Avenue approximately 800 feet west of Phillips Lane in the Town of Riverhead where there presently exists a small and inadequate drainage basin, and

WHEREAS, negotiations to purchase additional property on this area at an arm's length basis have been unsuccessful, NOW, THEREFORE, be it

RESOLVED, that the Town Attorney be and he hereby is authorized to commence condemnation proceedings to acquire approximately three acres of land south of Sound Avenue approximately 800 feet west of Phillips Lane in the Town of Riverhead for drainage purposes, and be it

FURTHER RESOLVED, that John Breslin be retained to appraise the property to be acquired for drainage and that he be paid a reasonable fee upon submission of a bill and audit to the Town Board.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#514 TERMINATES CONSTABLE

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

BE IT RESOLVED, That the appointment of Frank Mackie as Town Constable be terminated as of October 16, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#515 AWARDS BID FOR TEN (10) REMINGTON SHOTGUNS

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

WHEREAS, the Town of Riverhead duly advertised for bids for Ten (10) Model 870 Remington Shotguns for the Riverhead Police Department,

WHEREAS, These bids were opened on Monday, September 17, 1979 at 11:00 o'clock, A.M., and

WHEREAS, Charles Greenblatt, Inc., of 120 Main Street, Hempstead, New York offered a bid of \$1,283.00,

NOW, THEREFORE, be it

RESOLVED, that the bid for Ten (10) Model 870 Remington Shotguns for the Police Department be awarded to Charles Greenblatt, Inc., at a contract price of \$1,283.00, pursuant to plans and specifications on file with the Town Clerk.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

## RESOLUTIONS - continued

#516 AUTHORIZES TRANSFER OF FUNDS FOR EMERGENCY SERVICE  
MAINTENANCE BY HIGHWAY SUPERINTENDENT

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

WHEREAS, at a meeting of this Town Board, held on October 2, 1979, the Town Board authorized the Superintendent of Highways to do light maintenance on certain roads for emergency purposes, and

WHEREAS, the Highway Superintendent has advised that the cost of said work will be Two thousand and 00/100 (\$2,000.00) Dollars,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be, and he hereby is, authorized and directed that, upon completion of the work, to transfer Two thousand and 00/100 (\$2,000.00) Dollars of the General Town Account to Highway Item No. 1.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#517 APPROVES SITE PLAN OF CARL AUSTIN (C.L.A. ENTERPRISES,  
INC.)

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

WHEREAS, Carl Austin (C.L.A. Enterprises, Inc.) has submitted his building plans for a retail store at 36 East Main Street, Riverhead, New York, and

WHEREAS, Raymond Wiwczar has forwarded a site plan drawn by Claude R. Cuvier, A.R.A., dated October 8, 1979, Project No. 9707, to the Town Board pursuant to section 108-38 of the Town Code,

NOW, THEREFORE, be it

RESOLVED, that the site plan of Carl Austin (C.L.A. Enterprises, Inc.) to construct a retail store at 36 East Main Street, Riverhead, New York is approved in accordance with the site plan submitted as designed by Claude R. Cuvier, A.R.A., Project No. 7907, dated October 8, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Before the following resolution was offered, Supervisor Smith stated: "We have an application that was mentioned earlier in the evening by the younger Mr. Lohr and his wife. They wish to build a house on a rather large piece of industrial property, a one-family residence in an industrial zone is a permitted use only by special permit of the Town Board. The special permit

RESOLUTIONS - continuedSuperviosr Smith continues:

provisions of the code of the Town of Riverhead provide that where in the judgment of the Town Board, a public hearing would serve not useful purpose and the result is rather clear cut that we can waive the requirements for a hearing. It is a collective judgment of the Town Board that is applies in where these people intend to build a one-family house on a larger than three acre parcel in an area that is essentially rural where other residences exist."

#518 APPROVES SPECIAL PERMIT OF WILLIAM, KENNETH AND SHARON LOHR

Councilman Lombardi offered the following resolution which was seconded by Coujncilman Regula.

WHEREAS, William, Kenneth and Sharon Lohr have applied to the Town Board to construct a single-family residence in an area zoned Industrial A, located north of Suffolk Cement Corp. in the hamlet of Calverton, Town of Riverhead, New York, pursuant to the provisions of Section 108-45(B)(9) of the Town Code, and

WHEREAS, an application for a special permit is being considered by the Planning Board simultaneously with an application for a minor subdivision, and

WHEREAS, It is anticipated that the Planning Board will give their approval for the subdivision and for the speical permit aplication, and

WHEREAS, the Town Board may waive any requirements of a special permit pursuant to subsection (C) of Section 108-3 special permit of the Town Code.

The Town Board makes the following findings:

- 1) The applicant's property is presently on land zoned for Industrial A purposes.
- 2) The proposed residence use of the applicants will not conflict with the current zoning and/or existing uses.
- 3) The proposed use will be in harmony and promote the general purposes and intent of Chapter 108 of the Code.
- 4) The size of the parcel and the location of the proposed structure are such that ample buffer areas will be provided to any future industrial devekopment of the area.

NOW, THEREFORE, be it

RESOLUTIONS - continued

RESOLVED, that the Town Board does hereby waive the requirements for a public hearing pursuant to Section 108-3 of the Town Code, and

BE IT FURTHER RESOLVED, that the Town Board hereby grants a special permit to William, Kenneth and Sharon Lohr to construct a single-family residence in an area zoned Industrial A located north of Suffolk Cement Corp. In the hamlet of Calverton, Town of Riverhead, New York, in accordance with the plans and specifications on file with the Town Clerk and the Building Department of the Town of Riverhead, provided that the Riverhead Planning Board gives favorable approval to the application for the minor subdivision and to the construction of a one-family residence on such premises.

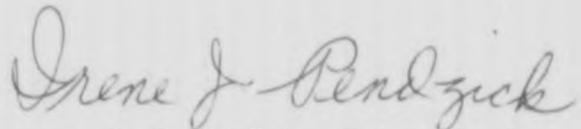
The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith recessed the minutes for five minutes after which the meeting resumed.

Supervisor Smith: "It's been a long evening. The World Series is on and unless anybody has a burning desire to speak, we will bid you all good night."

There being no further business on motion and vote, the meeting adjourned at 9:25 P.M.



Irene J. Pendzick, Town Clerk

IJP/vlv