

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, October 2, 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.

BILLS

Bills submitted on abstract dated October 2, 1979 as follows:

General Town	\$24,055.09
Special Districts	\$10,098.06
Community Development	\$ 4,472.19
Capital Projects	\$ 5,074.31
Highway Item #1	\$29,300.37
Highway Item #3	\$ 516.76
Highway Item #4	\$ 1,618.99

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	\$24,055.09
Special Districts	\$10,098.06
Community Development	\$ 4,472.19
Capital Projects	\$ 5,074.31
Highway Item #1	\$29,300.37
Highway Item #3	\$ 516.76
Highway Item #4	\$ 1,618.99

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

The resolution was thereupon declared duly adopted.

REPORTS

Building Department - month of September, 1979. Filed.

Supervisor's Office - financial report for the month of August, 1979. Filed.

Recreation Department - for the month of August, 1979. Filed.

OPEN BID REPORT - DEMOLITION OF 500 DOCTORS PATH

After being duly advertised, the bids for the Demolition of 500 Doctors Path were opened by the Deputy Town Clerk on Friday, September 21, 1979 at 11:00 A.M. as follows:

R.W. MASHMANN TRUCKING CO., INC.
19 Mills Road
Stony Brook, New York 11790

BASE BID TO INCLUDE:

WORDS: Three Thousand Six Hundred Dollars

NUMERALS: \$3,600.00

We propose to complete the work, ready for final acceptance within 30 calendar days after notice of award.

CERTIFIED CHECK

FILED.

PECONIC EXCAVATORS, INC.
P.O. Box 63
Aquebogue, New York 11931

BASE BID TO INCLUDE:

WORDS: Three Thousand Nine Hundred Dollars

NUMERALS: \$3,900.00

We propose to complete the work, ready for final acceptance within 60 calendar days after notice of award.

CERTIFIED CHECK

FILED.

RIVERHEAD CEMENT BLOCK CO., INC.
Roanoke Avenue
P.O. Box 707
Riverhead, New York 11901

BASE BID TO INCLUDE:

OPEN BID REPORT - STORM DRAINAGE FACILITIES AT DOCTORS
PATH - continued

STETLER BROTHERS
 Brentwood, New York

TOTAL BID - CORRUGATED STEEL PIPE: \$342,610.00

ALT TOTAL BID - REINFORCED CONCRETE PIPE: \$358,390.00

BID BOND FILED.

POSCILLICO INC.
 Farmingdale, New York

TOTAL BID - CORRUGATED STEEL PIPE: \$555,625.00

ALT. TOTAL BID - REINFORCED CONCRETE PIPE: \$576,795.00

BID BOND FILED.

PRATT & PRATT
 Holtsville, New York

TOTAL BID - CORRUGATED STEEL PIPE: \$391,245.00

ALT. TOTAL BID - REINFORCED CONCRETE PIPE: \$405,495.00

BID BOND FILED.

JMS ENTERPRISES, INC.
 Stony Brook, New York

TOTAL BID - CORRUGATED STEEL PIPE: \$399,361.00

ALT. TOTAL BID - REINFORCED CONCRETE PIPE: \$413,541.00

BID BOND FILED.

Supervisor Smith: "Mrs. Pendzick, it is probably appropriate that I, under reports, deal with the 1980 budget. I ask you ladies and gentlemen to bear with me. The budget message is somewhat long. It is, however, if not a requirement of law, probably expected at this particular time of year. There are copies of this budget message available from the Town Clerk, although they may not be available today, it will probably

OPEN BID REPORT - DEMOLITION OF 500 DOCTORS PATH - continuedWORDS: Five thousand four hundred DollarsNUMERALS: \$5,400.00

We propose to complete the work, ready for final acceptance within 30 calendar days after notice of award.

CERTIFIED CHECKFILED.

CARL ZALAK, INC.
973 Ferndale Blvd.
Central Islip, New York 11722

BASE BID TO INCLUDE:

WORDS: Nine Thousand Five Hundred DollarsNUMERALS: \$9,500.00

We propose to complete the work, ready for final acceptance with 20 calendar days after notice of award.

CERTIFIED CHECKFILEDOPEN BID REPORT - STORM DRAINAGE FACILITIES AT DOCTORS PATH

HENDRICKSON BROTHERS
Valley Stream, New York

TOTAL BID - CORRUGATED STEEL PIPE: \$432,105.00ALT TOTAL BID - REINFORCED CONCRETE PIPE: \$440,465.00BID BONDFILED.

LIZZA INDUSTRIES
Roslyn, New York

TOTAL BID - CORRUGATED STEEL PIPE: \$405,797.50ALT TOTAL BID - REINFORCED CONCRETE PIPE: \$421,500.00BID BONDFILED.

Supervisor Smith continues:

be available tomorrow. It reads as follows:

'The 1980 Riverhead Town Budget has been prepared against several inescapable factors. The most inescapable of these factors is the current rate of inflation. As each homeowner knows, the rate is now in excess of 10% per year. This double-digit inflation rate impacts the Town Budget as it impacts each householder's budget. It is difficult for me to predict for the year 1980 exactly how much gasoline will cost the Police Department with the around-the-clock operation of a fleet of police cars. The homeowner can make a decision not to drive his car quite so much in the year 1980. This, however, is not an option that is open to the Town Board with reference to police cars. As a consequence, we have established a target tax increase for the 1980 budget well below the current rate of inflation. The target is less than 5% for the tax year 1980.

In preparing the 1970 Budget, I've been mindful of the fact that as the homeowner's budget tightens, more demands are put upon the Town for public services. For example, as food becomes more expensive for senior citizens, more will be asking to participate in our nutrition program. Similarly, as the cost of gasoline and the operation of cars go up, there will be demands for expansion of the Dial-A-Ride system. The Town Board already knows that some hundreds of students of the Suffolk Community College would use the Town Dial-A-Ride system to get to and from the Community College, if such a service were available. Although the Board believes that such a system would be energy-efficient and cost-saving to the general public, provision is not made in the 1980 Budget for such a worthwhile endeavor.

Another inescapable factor for the 1980 Budget is the fact that, again, the Riverhead Town tax base remains essentially static. This is not occasioned by reason of the fact that there is no growth in the Town of Riverhead. In fact, just the contrary is true. Our tax base problems again are occasioned by the granting of tax-exempt property exemptions by the State and County governments. We further have the on-going problem of the system of binding arbitration for police salaries. It is almost impossible for any Town Board faced with this system of binding arbitration to meaningfully stand before the public and say that they can keep the cost of government from escalating. This Town Board has spoken out in the past against the system of contract negotiations and will continue to do so in the future. Unfortunately, I have no other choice but to include such raises as are granted by the arbitrator in the 1980 Budget.

Another factor which is considered in the preparation of the 1980 Budget was that which we call, mandated services. Although I do not detail in this budget message of these services, I call to the readers specific attention one mandated item which is not included in this Town Budget. Within the last several weeks, the Town Board has received a notice from the New York State Department of Environmental Conservation a letter which, if given its full import, would require the lining of the Town

Supervisor Smith continues: (Budget Message)

Dump with a plastic liner. We are advised by our consulting engineers that the liner would cost approximately \$200,000.00 to install. The decision by the DEC to require such a liner was made without any consultation by the DEC with this jurisdiction. I may add that they are similarly opposing these requirements in the other east end towns, for instance, Southampton Supervisor and I talked this afternoon. They're talking in Southampton a cost of approximately a million and a half dollars, in that jurisdiction. The Town Board, with the advice of its engineers, considers such a liner a waste of taxpayer money. If, in the year 1980, the DEC pursues this matter, the cost thereof will have to be bonded and/or other programs that are currently funded in the 1980 Budget will have to be cut to pay for this expense.

In the preparation of this Budget, I have observed several rules taken from the private sector and generally accepted accounting principles. With the use of our current encumbering system, the 1980 Budget has been prepared as close as can be possible with the attention to existing costs and surpluses. This is possible because of the staff of the Accounting Department and the equipment available to them at this time. A reader of this Budget will further note that it does not include appropriations for capital improvement, which will benefit taxpayers beyond the year 1980. Where an improvement, such as a new ambulance barn or new parking lot will benefit the user in the year 1985 or in the year 1990, it is my recommendation that expenses be bonded and paid for by the user and taxpayer who will benefit from these facilities in future years.

Another factor in the 1980 Riverhead Town Budget is the surplus account charged from the year 1979 to the year 1980. The consequence of this appropriation is the saving of taxpayer dollars in the year 1980 by reason of certain actions taken in the year 1979. One of the most important of these has been the investment of all surplus Town funds during the year 1979 in interest-bearing Certificates of Deposit. This procedure, again, has only been possible by reason of the professional accounting staff and the machinery that is available to them. I'll give you a caveat. Mr. Dick, a banker, he'll probably tell me what rate was today. But with the in-house computer, we can tell at the end of the business today, how much we will need for the next thirty days. We can then call Mr. Dick up in the bank and say that we have a hundred thousand or two hundred thousand or three hundred thousand that we would like to put into an interest bearing account. Our last rates were around eleven. What was it today Bob?"

Bob Dick: "Eleven thirty."

Supervisor Smith: "Eleven thirty. So every hundred

Supervisor Smith continues:

thousand dollars that we can pull out on the end, a close business of day and invest for thirty days as you can see on an analyzed basis generates a great deal of income.

Further, positions that were in the 1979 Town Budget were not filled by the Town Board for various reasons, including the Board's knowledge of the burden their actions would have on the tax base. Many of these functions, however, have been performed by CETA employees and the Town Board will continue in future years to maximize the use of CETA employees where appropriate. Lastly, and possibly most importantly, the anticipated surplus in the 1979 Budget has been occasioned by the Town of Riverhead's active pursuit of Federal funding. Many hundreds of thousands of dollars of Riverhead taxpayer expense have been saved by reason of using Federal funds to obtain the same result. For years, the taxpayers of the Town of Riverhead had been sending their Federal income tax dollars to Washington, and never getting a return on the same. Now, the taxpayer gets some of that money back, which can be seen in improved Town facilities from Jamesport to Wading River. In 1978, the Town of Riverhead sought and obtained \$2,990,800.00 Federal dollars, an amount almost equal to the entire General Town tax bill for that year.

It would be difficult, if not impossible, for this budget message to analyze each and every appropriation contained in the 1980 Budget. This difficulty is occasioned by reason of the numbers of budgets that are involved herein. For instance, in the year 1979, certain police expenses were covered in the Federal revenue sharing accounts. In the 1980 Budget, we do not show equipment purchases for the Police Department in the Federal revenue sharing budget. If, therefore, you were to compare the 1979 general town budget with the proposed 1980 Town budget for the police account, you would see a large rise in the equipment account. This might be taken to be a tremendous increase. It is not, in fact, a large increase. It is a change in the method that we pay for these items. Further difficulty will be had in analyzing this budget by reason of the increase in the surplus account for the year 1980. Allocations of surplus amongst various and sundry appropriations is difficult and confusing. The long and short of all of this is to say that the reader cannot attribute the projected rise in Town taxes to any one appropriation.

Although a detailed analysis of the Budget is difficult, as set forth above, a few items warrant special mention in the budget message. A change in State law, some years ago, provided for unemployment insurance for municipal employees. At that particular time, the Town Board was given the option of self-insuring or purchasing insurance for this purpose. The Town Board chose to remain self-insured. The cost per year of such insurance would have been \$44,000.00 plus, per year. In the year 1978, our total cost in this item was less than \$100,000. In the year 1979, we anticipate that it will be less than \$500.00. Similar projections are found in the 1980 budget. Special note

Supervisor Smith continues:

should also be taken with reference to the salaries of police officers of the Town for the year 1980. Again, we are paying for the salaries of the most junior officers of the Police Department from Federal revenue sharing account. This use of Federal revenue sharing funds obviously reduces the tax bill of the taxpayer in the Town. At such time as this particular funding source is abolished or changed by Congress, there will be a proportionate increase in real property taxes. However, for the year 1980, this will not occur. Further special note should be made of the financial condition of both the Water and Sewer Districts, which are controlled by the Riverhead Town Board. Both are in excellent shape.

There is an additional item which warrants mention in this budget. It relates to the Riverhead Sewer District and the areas known as Peninsula Path and Ostrander Avenue, immediately to the north of Elton. These two areas are not currently served by the Riverhead Sewer District, although both are surrounded by Sewer District serviced areas. The Town Board has made efforts to serve these two areas through first, Economic Development Agency funding and secondly, through ordinary bonded indebtedness. Neither of these approaches has proved satisfactory. The Town Board is currently pursuing the servicing of these two areas as part of the general Federal grant to improve the Riverhead Sewer system. Two alternate solutions to the problems faced by these areas should be considered by the Town Board in the year 1980. The first solution should be a petition by the Town Board to have a special act of the State Legislature passed to permit the bonding of the improvements for these two areas on a general sewer district-wide tax base. The second approach should be the consideration by the Town Board of a change in the financing structure for the Riverhead Sewer District from the current method, known as a benefit-derived basis. In any or all of the above events, the 1980 projected Sewer District budget should be adequate to cover these contingencies should the same occur.

To summarize the proposed 1980 Budget, I have analyzed this budget in terms of its cost per month, on the average one-family residence in the Town of Riverhead. According to the latest statistics available from the State Board of Equalization and Assessment, the average one-family house in the Town of Riverhead is assessed within a dollar of \$3,500.00. Considering those items of a tax bill which are charged from one end of the Town to the other (general town, highway, and street lighting), the projected 1980 rate per hundred of assessed valuation will be \$8.919. This rate for those items increased over last year's rate by .0092. If this budget holds in its current form, the average one-family house will pay approximately \$312 next year for these items. We can, therefore, say that the cost per month for the services of our Police Department, Ambulance, Sanitation Department, Dog Catchers, Town Courts, Town Hall employees, etc. is \$26.00 per month."

APPLICATIONS

Special Permit - William, Kenneth & Sharon Lohr (1 fam. res. in Industrial "A" zone, Calverton). Filed.
Referred to the Planning Board recommendation and report.

Supervisor Smith: "Henry or Pete, do we send those to the Planning Board, one family houses and industrial . . ."

Henry S. Saxtein: "We did applications requesting those that be waived. But there's a provision under the special permit that permits waiver of certain requirements of the special permit for single-family homes."

Site Plan - Riverhead Building Supply (warehouse, E. Main Street). Filed.

COMMUNICATIONS

Southampton Town - Notice of Adoption re: amendment to zone ordinance. Filed.

Dept. of Audit & Control, 9/20/79 - advising that Local Law #1-79 received and filed. Filed.

Senator Ken LaValle, 9/18/79 - acknowledging receipt re: Wading River Historic Corridor. Filed.

Suffolk County Department of Planning, 9/19/79, re: amended Brookhaven zone ordinance, Sec. 85-1; if no objection received by 10/9/79, it will be assumed there are none. Filed.

Brookhaven Town, 9/17/79 - copy of local law #15-79, effective 9/24/79. Filed.

Brookhaven Town, 9/18/79 - copy of code amendment to Chapter 85, effective 9/24/79. Filed.

Corps of Engineers - Public notice of meeting re: reformulation study of Fire Island Inlet. Filed.

Department of Transportation, NYS, 9/14/79 - will conduct investigation of speed limits on Hulse Landing Road. Filed.

COMMUNICATIONS - continued

Planning Board, 9/24/79 - recommends special permit of Dr. Aldo Iacono be approved. Filed.

Planning Board, 9/24/79 - recommends special permit of John Bushong be approved. Filed.

Planning Board, 9/24/79 - recommends special permit of Riverhead Building Supply be approved. Filed.

Suffolk County Department of Planning, 9/17/79 - no comment re: application of Dr. Bala Pillai. Filed.

Suffolk County Department of Planning, 9/24/79 - comment that adequate drainage be provided re: application of Frank Schlegel. Filed.

Suffolk County Department of Planning, 9/24/79 - re: amended zone ordinance of Brookhaven, Local Law #15-79; if no objection received by 10/10/79, it will be assumed there are none. Filed.

H2M Corp., 8/14/79 - certifying work completed to date re: Townwide Street Lighting. Filed.

H2M Corp., 10/1/79 - recommending award of bid re: Doctors Path drainage. Filed.

Alex Horton, Supt. of Highways, 10/2/79 - recommending patching for winter months of Clover Place, Aquebogue & Summit Drive, Baiting Hollow. Filed.

Marine Technical Service, 10/2/79 - requesting waiver required by excavation ordinance. Filed.

Environmental Review Board, 8/26/79 - advising that application of Broad Cove, Inc., technically does not need E.Q.R.B. or Conservation Advisory Council approval for an extension of a permit. Filed.

UNFINISHED BUSINESS

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

Riverhead Building Supply - special permit application for 80 x 100 storage building.

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

Frank Schlegel - Special permit application for storage building, Route 25, Calverton.

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

Dr. Bala Pillai - Special permit application for PB District, Roanoke Avenue.

John Bushong - Special permit application for two family residence.

Riverhead Automotive Delivery - Special permit application for garage (West Main Street)

PERSONAL APPEARANCES

Supervisor Smith: "We have a public hearing scheduled for 8:00. If there is some one who chooses to address the Town Board on a matter other than the public hearing in the next four minutes before I call that public hearing to order, we would be interested in hearing from you now? Yes Mr. Garsten."

Irwin Garsten: "I appeared before the Board at which time we spoke or I spoke about the Eastern Suffolk School of Music. The School is beginning its new year at the same pace that we finished our last year, that is our enrollment is really up and at the same time, we are planning out budget and we are planning the activities for the coming year.

We would like to ask the Town Board to consider participating with the Eastern Suffolk School of Music on a program of concerts the following July and August. We tried to encumber the cost ourself this past year, and as you might know, we have a very tight budget and we're very poor, as far as funds are concerned. We have planned concerts if we can get some, particularly from the Town on July 11, 25, August 8th, and August 22nd. These would be Friday night concerts to be held right after business hours at the park. We have lined up an evening of Jazz. The Atlantic Wind Symphony, the American Concert Band

PERSONAL APPEARANCES - continuedIrwin Garsten continues:

which appeared this summer and possibly a black jazz or inter-racial group. We have been in contact with the high school and if it rains, we have that as a back up, so that we can use the high school. All these orchestras have come here with some backing as far as the cost is concerned.

The musician performance trust fund of local 802 on functions such as this usually participates in approximately 50% of the cost of what it normally would be. The Eastern Suffolk School of Music would use the man power of getting it organized publicizing it to the Town and generally putting it over. This past year, we went around to Main Street and tried to get as much participation as we could from the merchants, but it was rather hard to be perfectly honest. Every time to have your hand out for a few dollars at a time. In any event, it's a great function for the Town. We feel it's terrific for the business community and we would like for the Board to consider working with us to help put these concerts over this coming summer. Now that's July and August of next year and we're talking about approximately \$1,000 per concert."

Supervisor Smith: "We think we're going to call our budgetary hearing for Tuesday, the 30th and maybe it would be appropriate that somebody from the school be hear then too."

Irwin Garsten: "Thank you very much."

Supervisor Smith: "Thank you."

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 a public notice that a public hearing will be held on Tuesday, October 2, 1979 at 8:00 P.M. to hear all interested persons wishing to be heard with regard to the proposed local law No. 2-79, a law authorizing the Town to convert unclaimed, abandoned vehicles to its own use.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Mr. Saxtein, do you want to outline this for us please?"

PUBLIC HEARING - continued

Henry Saxtein: "This is a local law pursuant to Section 17-24, vehicle and traffic law which permits a Town which has picked up an abandoned vehicle to convert either two vehicles of 1% of the vehicles picked up per year whichever is greater to their own use after duly giving notice to any owner or lienholders of the vehicle."

Supervisor Smith: "Is anybody interested in addressing the Town Board on this particular item? We will declare the hearing closed and we will make our decision based upon our knowledge on this particular subject."

No one wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:02 P.M.

Supervisor Smith recessed the meeting after which the meeting resumed.

PERSONAL APPEARANCES

Supervisor Smith: "Ladies and gentlemen, we're back with the agenda, having ironed out some difficulties. Is there anyone now who would like to apeak to the Town Board about any matter? We are now at that portion of the agenda where we will listen to anyone choosing to be heard. Yes Bill."

Bill Nohejl, Wading River; "I was just discussing with the gentleman in the back there this Doctors Path drainage. Is that — any of it federal funds? Or is that all going to be paid . . ."

Supervisor Smith: "We've acquired the lands with federal funding."

Bill Nohejl: "You've acquired the land?"

Supervisor Smith: "Yes Sir."

Bill Nohejl: "But like this awarding — awarding of the drainage bid . . ."

PERSONAL APPEARANCES - continuedSupervisor Smith: "That's us."

Bill Nohejl: "That's us. Say, for instance, if it's about \$400,000 by the time that's amortized what's the current rate of amortization if you were to float bonds for it now?"

Supervisor Smith: "I think that if I was going to go out one long term probably at the moment, we'd market them at twenty years."

Bill Nohejl: "At what percent?"

Supervisor Smith: "Mr. Dick left me under six . . ."

Bill Nohejl: "Under six. Would I be correct in assuming that if it's \$400,000 it would be close to a million by the time we amortize it."

Supervisor Smith: "I can't tell you that off the top of my head. It would be a sizeable piece of change, yes."

Bill Nohejl: "It would be somewhat similar to someone buying a house on twenty or thirty years."

Supervisor Smith: "It would except the interest rate is different and the period of time that you pay it off is so much shorter."

Bill Nohejl: "Okay, thank you."

Supervisor Smith: "Yes sir. Anyone else?"

No one else wished to be heard at this time.

RESOLUTIONS

Supervisor Smith: "Resolutions #467 and 468 the application of Mr. Downs and Mr. Grodski have not at this point been referred to the Suffolk County Department of Civil

RESOLUTIONS - continuedSupervisor Smith continues:

Service and there's no sense of appointing somebody to a position and then having Civil Service say the gentleman is not qualified. That is pre-requisite and it will have to be done before we can act on those two resolutions."

#469 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: USES OF GENERAL REVENUE SHARING FUNDS

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

RESOLVED, that the Town Clerk be, and she hereby is, authorized to publish and post the following Notice of Public Hearing relative to Federal Revenue Sharing Funds.

NOTICE OF PUBLIC HEARING
GENERAL REVENUE SHARING FUNDS

PLEASE TAKE NOTICE that, pursuant to the provisions of the Town Law and Public Law 94-488 (commonly known as "General Revenue Sharing" or "State and Local Fiscal Assistance"), the Town Board of the Town of Riverhead will hold a public hearing at its regular meeting to be held on the 16th day of October, 1979 at 8:30 P.M. o'clock, at the Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all those persons wishing to propose or suggest uses of funds to which the Town of Riverhead may become entitled in the fiscal year of 1980.

PLEASE TAKE FURTHER NOTICE that, in prior fiscal years, said funds have been used for drainage, police services, construction of municipal buildings, and for other municipal purposes. All persons wishing to address the Town Board should appear at the above-stated time and place. The proposed budget is as follows:

PROPOSED BUDGET

<u>PUBLIC SAFETY:</u>	
Police	\$186,000.00
Ambulance	30,000.00
<u>RECREATION:</u>	
Stotsky Park	30,000.00
<u>HOUSING & COMMUNITY DEVELOPMENT:</u>	
Roads	40,000.00
<u>TOTAL REVENUE SHARING:</u>	\$286,000.00

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#470 HYDRANT RENTAL CONTRACT WITH FIRE DISTRICT

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

RESOLVED, That the Town Board, Acting as the Governing Body of the Riverhead Water District, enter into a Hydrant Rental Contract with the Riverhead Fire District for a term of one (1) year commencing on the 1st day of January, 1970, and ending December 31, 1980, for the rental of 434 HYDRANTS at an annual rental of \$40.00 per hydrant or at a total cost of \$17,360.00, payable one-half of said sum on or before May 1, 1980, and the balance of said sum on or before November 1st, 1980.

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

The resolution was thereupon declared duly adopted.

#471 CHANGE NOVEMBER 6, 1979 MEETING DATE

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

RESOLVED, that since the first regularly scheduled meeting for November falls on Tuesday, November 6, 1979, and WHEREAS, November 6, 1979 is Election Day,

HEREBY, BE IT RESOLVED, that the regularly scheduled meeting for November 6, 1979 be, and is hereby changed to be held on Wednesday, November 7, 1979, and

FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish and post a Notice of Change of Meeting Date, as follows:

PUBLIC NOTICE
TOWN BOARD MEETING DATE

WHEREAS, November 6, 1979 is Election Day; that the regularly scheduled meeting of the Town Board of the Town of Riverhead is hereby changed to be held on Wednesday, November 7, 1979 at 7:30 P.M.

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

The resolution was thereupon declared duly adopted.

#472 APPROVES PRELIMINARY BUDGET AND CALLS PUBLIC HEARING THEREON

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

RESOLVED, That this Town Board does hereby prepare and approve as the Preliminary Budget of this Town for the fiscal year beginning on the 1st day of January, 1970, the itemized statement of estimated revenues and expenditures,

RESOLUTIONS - continued

MADE A PART OF THIS RESOLUTION, AND BE IT

FURTHER RESOLVED, that such preliminary budget shall be filed in the Office of the Town Clerk where it shall be available for inspection by any interested person at all reasonable hours, and be it

FURTHER RESOVLED, that this Board shall meet at 7:30 P.M., on the 30th day of October, 1979, for the purpose of holding a public hearing upon such preliminary budget, and be it

FURTHER RESOLVED, that the Town Clerk give notice of such public hearing in the manner provided in Section 108 of the Town Law, and that such notice be published and posted in substantially the following form:

NOTICE OF HEARING UPON PRELIMINARY BUDGET

NOTICE is hereby given that the Preliminary Budget of the Town of Riverhead, for the fiscal year beginning January 1st, 1980, has been completed and filed in the office of the Town Clerk, at Town Hall, 200 Howell Avenue, Riverhead, New York where it is available for inspection by any interested person at all reasonable hours.

FURTHER NOTICE Is hereby given that the Town Board of the Town of Riverhead will meet and review said Preliminary Budget and hold a public hearing thereon, at the Town Hall, at 7:30 P.M. on the 30th day of October, 1979, and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled, or for or against any item or items therein contained.

PURSUANT TO SECTION L08 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:

Supervisor	\$28,000.00
4 Councilmen (each)	10,855.00
Town Clerk	20,000.00
Superintendent of Highways	20,000.00

BE IT FURTHER RESOLVED, that such notice shall be published twice in the NEWS-REVIEW, the official newspaper of the Town of Riverhead, the first publication to be on the 11th day of October, 1979, and the second publication on any day subsequent thereto and before the day of such sharing.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#473

TRANSFER OF FUNDS

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

RESOLVED, that the Supervisor be and hereby is, authorized to transfer the following General Town Accounts:

FROM: A3620.200 - Safety Inspection Off. Equip.---\$500.00

TO: A3620.420 - Safety Inspection Contr. ---\$500.00

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

The resolution was thereupon declared duly adopted.

#474

APPOINTS 30-DAY TEMPORARY EMPLOYEE IN BUILDING DEPARTMENT

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

RESOLVED, that Sharon Banko be, and she hereby is, appointed as a thirty-day temporary employee in the Building Department until such time as Mrs. Jane Stromski returns from sick leave, at an hourly rate of Four and 55/100 (\$4.55) Dollars, to serve at the pleasure of the Town Board, effective September 10, 1979.

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

The resolution was thereupon declared duly adopted.

#475

SITE PLAN REVIEW OF RIVERHEAD BUILDING SUPPLY CO.

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

WHEREAS, Riverhead Building Supply Corp. has submitted a sketch to the Town Board for site plan review, pursuant to Section 108-31.1 of the Town Code, and

WHEREAS, the site plan has been reviewed by the members of the Town Board,

NOW, THEREFORE, be it

RESOLVED, that the aforesaid site plan is approved, as shown on a survey entitled, "Minor Subdivision for Riverhead Building Supply Corp. at Riverhead", drawn by Howard W. Young, last dated August 28, 1979.

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

The resolution was thereupon declared duly adopted.

#476

SITE PLAN REVIEW OF JAMES STARK

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

WHEREAS, James Stark has submitted a sketch to the

RESOLUTIONS - continued

Town Board for site plan review, pursuant to Section 108-31.1 of the Town Code, and

WHEREAS, the site plan has been reviewed by the members of the Town Board,

NOW, THEREFORE, be it

RESOLVED, that the aforesaid site plan is approved as shown on a survey entitled, "Walter F. Howell Trucking Co.", drawn by Alden W. Young, last dated October 28, 1957, and marked by the Building Department to show a flume channel to the north of the existing one-story garage.

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

The resolution was thereupon declared duly adopted.

#477 AWARDS BID FOR DEMOLITION OF 500 DOCTORS PATH BUILDINGS

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

WHEREAS, the Town Board has advertised for bids for the demolition of structures at Doctors Path, known as 500 Doctors Path, and

WHEREAS, those bids were opened and R.W. Mashmann Trucking Co., Inc., was low bidder thereon,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be, and he hereby is, authorized to execute a contract with R.W. Mashmann Trucking Co., Inc., for the demolition of 500 Doctors Path and all out buildings for a contract sum of Three thousand six hundred and 00/100 (\$3,600.00) Dollars, all in accordance with 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.

#478 AUTHORIZES SEALED BIDS FOR INSTALLATION OF A WELL AND WATER SYSTEM FOR THE RIVERHEAD SANITARY LANDFILL BUILDING COMPLEX

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

RESOLVED, That the Town Clerk be and hereby is, directed to publish and post the following Notice to Bidders re: Installation of a well and water system for the Riverhead Sanitary Landfill Building Complex, Riverhead, New York.

NOTICE TO BIDDERS
TOWN OF RIVERHEAD
RIVERHEAD, NEW YORK

Separate sealed proposals will be received by the Town Clerk for the Town Board of the Town of Riverhead until 11 A.M.,

RESOLUTIONS - continued

prevailing time on October 15, 1979 at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, N.Y., at which time they will be publically opened and read for the Installation of a Well and Water System for the Riverhead Sanitary Landfill Building Complex, Youngs Avenue, Riverhead, New York which work consists of one contract for the entire project.

Any information for Bidders, General Conditions, Supplemental General Conditions, Form of Proposal, Specifications and Plans may be examined at the Office of the Town Clerk at the Town Hall, 200 Howell Avenue, Riverhead, New York. Copies of the Plans and Specifications may be obtained at the offices of the Town Clerk, Irene J. Pendzick, 200 Howell Avenue, Riverhead, New York, upon the payment of a deposit of \$25.00, which will be refunded to any bidder who returns the Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bids.

Each bidder must deposit with his bid, a certified check or bid bond for not less than ten (10%) percent of the bid, payable to the order of the Supervisor of the Town of Riverhead. Such check or bid bond will be promptly returned to all except the lowest responsible bidder after the formal opening of the bids. The check or bid bond of the successful bidder will be returned within two days after the contract has been executed. The successful bidder, upon failure or refusal to execute the contract within ten (10) days after he has been notified of the award of the contract to him, shall forfeit to the Town Board as liquidated damages for such refusal or failure, the security deposited with his bid.

The successful bidder shall be required to furnish a Performance and Payment Bond in the amount of One Hundred Percentum (100%) of the accepted bid, guaranteeing the completion of the work in accordance with the Drawings and Specifications, and the payment of all obligations arising thereunder in the form and subject to the conditions set forth in the "Instructions to Bidders".

The Town Board reserves the right to reject any or all bids, and to advertise for new bids and to waive any informalities in the Proposals, and to accept or reject any or all Alternate or Unit Prices if, in its opinion, the best interest of the Town Board will thereby be promoted.

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

The resolution was thereupon declared duly adoped.

RESOLUTIONS - continued

#479 AUTHORIZES MEMBERS OF THE CONSERVATION ADVISORY COUNCIL TO ATTEND CONFERENCE AND EXPENSES

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

BE IT RESOLVED, that Joseph H. Baier, Michael Velys, Jr., and Horace D. Wells be and are hereby authorized to attend the New York State Conservation Advisory Councils and Environmental Management Councils conference on October 18, 19, 20, and 21, 1979, at Grossingers Hotel, Grossinger, New York, and that all necessary expenses incurred thereto be paid and also the use of the Town vehicle.

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

The resolution was thereupon declared duly adopted.

#480 GRANTING A CHANGE OF ZONE AND SPECIAL PERMIT

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

WHEREAS, Dr. Bala Hari Pillai, contract vendee of the property described hereafter, has applied to the Town Board for a change of zone from Residence C. District to Business PB District pursuant to section 108-112 of the Town Code, and for a special permit to construct and maintain a professional office of a medical doctor pursuant to sections 108-112(A)(1)(0) and 108-3 of the Town Code on a lot presently occupied by a single-family residence on the southeast corner of Southern Parkway and Roanoke Avenue in the Town of Riverhead, County of Suffolk and State of New York, and

WHEREAS, a public hearing was held before the Riverhead Town Board on August 21, 1979, wherein all persons wanting to be heard were heard, and

WHEREAS, said application was referred to the Riverhead Town Planning Board, which on August 8, 1979 recommended that the application be changed from Residence C District to Business PB District, and

WHEREAS, the aforementioned application was referred to the Suffolk County Planning Board, which returned the application as a matter for local determination without comments, and

WHEREAS, the Town Board makes the following findings:

(1) The applicant is a medical doctor who wishes to construct a professional office for himself.

(2) The applicant has submitted a site plan to the Town Board due to the area requirements of section 108-15 of the Town Code and the additional requirements of section 108-14 of the Town Code, including a ten-foot planting and buffer zone, drainage, lighting, and nine parking spaces.

(3) The property to which the application refers is along the major artery nearby other doctor's offices and is in harmony with the general purpose and intent of the Town Code Chapter 108,

RESOLUTIONS - continued

NOW, THEREFORE, be it

RESOLVED, that the application of Dr. Bala Hari Pillai, pursuant to Riverhead Town Code section 108-112 for a change of zone from Residence C District to Business PB District and for a special permit to construct and maintain a professional office of a medical doctor pursuant to sections 108-112(A)(1)(0) and 108-3 of the Town Code, be granted in accordance with the application and site plan hereinbefore submitted to the Town Board.

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

The resolution was thereupon declared duly adopted.

#481 NOTICE FOR PUBLIC HEARING - LOCAL LAW NO. 3 - 1979
Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

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 on the 16th day of October, 1979 at 8:15 o'clock P.M., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons in regard to the following local law #3-1979 entitled "Local Law in Relation to a Veteran's Exemption from Taxation on Real Property with Respect to the Ration of Exemption":

A Local Law in relation to a veteran's exemption from taxation on real property with respect to the ration of exemption.

Pursuant to Real Property Tax Law section 458 subsection 5(b), the Assessors of the Town of Riverhead, after full value assessment has been completed, may increase or decrease any heretofore or hereafter granted veteran's exemption in such subsequent year in the same proportion as the total assessed value has been increased or decreased. Such adjustment shall be made by the Assessors in the manner provided in paragraph three of subdivision one of Real Property Tax Law section 458 and no application therefor need be filed by or on behalf of any owner of any eligible property.

The adoption of this law shall be subject to permissive referendum pursuant to Municipal Home Rule Law section 24(2)(c).

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#482 GRANTING SPECIAL PERMIT - FRANK SCHLEGEL

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

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 Caiverton, New York pursuant to section 108-48(B)(2) of the Town Code was filed by Frank Schlegel on June 5, 1979, and

WHEREAS, the Town Board of the Town of Riverhead referred this matter to the Planning Board for its recommendations, and

WHEREAS, the Town Board held a hearing on this application on August 7, 1979, wherein all persons wishing to be heard were heard, and

WHEREAS, the Town Board referred this special permit application to the Suffolk County Department of Planning which returned the application as a matter of local determination with the understanding that adequate drainage structures must be provided to retain all storm water runoff on the premises,

NOW, THEREFORE, be it

RESOLVED, that the special permit application of Frank Schlegel to construct a warehouse and storage yard as a non-nuisance industry pursuant to section 108-48(B)(2) of the Town Code be granted subject to the following conditions:

(1) All storm water runoff created by the development and improvement of the site plan be retained on the site by adequate drainage structures.

(2) A holding tank to contain all waste oil, other petroleum products, or any chemicals shall be installed.

(3) The aforementioned tank shall have an impervious layer installed beneath it.

(4) The tank shall be filled and drained in such fashion as to insure that no fluid shall seep into the ground.

(5) All points of ingress and egress shall be designed so that there is no interference of vehicles entering and leaving the site with the traffic flow on Route 25.

(6) The hours of operation shall be limited from 6 A.M. to 10 P.M. prevailing time.

(7) This permit is conditionally granted subject to a further resolution of this Town Board to be made after the submission of the applicant of a detailed site plan of the proposed warehouse and storage yard showing a fenced and treed buffer zone on the north, east, and west sides of the proposed 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

#483 RESOLUTION AUTHORIZING NOTICE OF PUBLIC HEARING
FOR CODE AMENDMENTS

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

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

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of October, 1979 at 8:00 o'clock P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons concerning the following amendment to section 108-3 of the Town Code:

§ 108-3. Lot.

A portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or a group of buildings that are united by a common interest or use, and the customary accessories and open spaces belonging to the same. Adjoining "lots" which are now or which come to be held in common ownership shall be deemed merged and treated for all purposes as a single "lot", regardless of whether or not such merger is recorded upon any tax map or other official record.

Alternate A. Except of adjoining "lots which are recorded on an approved, filed, major or minor subdivision map which conform to the "Zoning District Use Schedule" in effect at the time the lots are to be conveyed.

Alternate B. Adjoining "lots" which are recorded on an approved, filed, major or minor subdivision map may be subdivided without approval of the Planning Board of the Town of Riverhead and shall not be deemed merged so long as the adjoining "lots" conform to the "Zoning District Use Schedule" in effect at the time the lots are to be conveyed.

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

The resolution was thereupon declared duly adopted.

#484 AUTHORIZES HIGHWAY SUPERINTENDENT TO PATCH ROADS FOR
EMERGENCY ACCESS

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

WHEREAS, the Superintendent of Highways has advised the Town Board that he will be unable to provide emergency

RESOLUTIONS - continued

services in those areas in the Town of Riverhead, known as Reeves Park, Clover Place, Meadow Drive, and Summit Drive this winter, by reason of the condition of the access roads in the said areas, and

WHEREAS, the Highway Superintendent advises the Town Board that he can patch said roads so as to provide access to emergency vehicles during the forthcoming winter months at a minimal expense, and

WHEREAS, the Town Board has pending applications by the residents of these areas to accept said roads into the Town highway system,

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized to patch the aforesaid access roads or areas for the limited purpose of providing access to emergency vehicles in the forthcoming winter months.

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

The resolution was thereupon declared duly adopted.

#485 AUTHORIZING EXTENSION OF SPECIAL PERMIT - BROAD COVE
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, Broad Cove, Inc., had previously petitioned the former Town Board pursuant to provisions of then sections 205 and 102(48) of Ordinance 26 of the Town of Riverhead (now section 108-3 of the Town Code) for a special permit to develop certain real property in Aquebogue, generally known as the Broad Cove Duck Farm, and

WHEREAS, the application was referred to the Riverhead Planning Board, which board made certain recommendations after a public hearing, and

WHEREAS, further hearings were held on March 4, 1975 and August 19, 1975, and

WHEREAS, the Town Board adopted a resolution on September 2, 1975 granting said application with certain conditions set forth an expiration date of the special permit for September 2, 1979, and

WHEREAS, a special permit was then extended from September 2, 1977 to September 2, 1979, and

WHEREAS, the applicant has petitioned the Town Board to extend the special permit from September 2, 1979 to September 2, 1981, and

WHEREAS, the Town Board of the Town of Riverhead, upon the request of the applicant, held a further hearing on September 4, 1979 to extend the special permit for two more years, which application was reviewed by the Town Board of the Town of Riverhead and the Town of Riverhead Environmental Quality Review Board,

NOW, THEREFORE, be it

RESOLUTIONS - continued

RESOLVED, that a special permit is hereby granted to the applicant extending the permit to September 2, 1981, as originally issued on September 2, 1975 and on October 4, 1977 incorporating all the conditions as then set forth, and be it

FURTHER RESOLVED, that the special permit now be granted on the condition that the applicant at the time of construction obtain all approvals required by law, including but not limited to the following:

(A) An Environmental Impact Statement will be needed under S.E.Q.R.A., as it appears the application will be a Type I Action;

(B) A Wetland's Permit of the Town of Riverhead;

(C) A Tidal Wetland's Permit from the New York Department of Environmental Conservation'

(D) A Water Quality Permit from the New York State Department of Environmental Conservation.

(E) Any necessary permits required by the Army Corps of Engineers.

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

The resolution was thereupon declared duly adopted.

#486 AWARDS BID FOR STORM DRAINAGE FACILITIES AT DOCTORS PATH

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

WHEREAS, the Town Board advertised and received bids for certain storm drainage facilities at Doctors Path on September 20, 1979, and

WHEREAS, Stetler Brothers Construction Corporation of Brentwood, New York, bid a total alternate bid price of Three hundred fifty-eight thousand three hundred ninety and 00/100 (\$358,390.00) Dollars as low bidder,

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby award a contract to Stetler Brothers Construction Corporation for the completion of said work at a contract price of Three hundred fifty-eight thousand three hundred ninety and 00/100 (\$ 359,390.00) Dollars, pursuant to the plans and specifications, engineers' directions, etc. with reference to the storm drainage facilities at Doctors Path, and this Board does further authorize the Supervisor and Town Attorney to execute contracts for the performance of this work in accordance with the 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

#487

AUTHORIZES COMMENCEMENT OF ARTICLE 78 PROCEEDING
RE: PLASTIC LINER REQUIRED BY NYS
DEC

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

WHEREAS, the New York State Department of Environmental Conservation has directed the Town of Riverhead to include in its management plans for the Sanitary Landfill a plastic liner around the same, and

WHEREAS, the Town Board is advised by its consulting engineers, Holamcher, McLendon and Murrell, that said liner would cost approximately Two hundred thousand and 00/100 (\$200,000.00) Dollars, and

WHEREAS, upon the advise of the Town's consulting engineers, the Town Board finds that the installation this plastic liner would be of questionable value or no value,

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to take those steps necessary to rescind the direction of the New York State Department of Environmental Conservation with reference to said liner, including, but not limited to, the commencement of an Article 78 proceeding to annual the direction the the New York State DEC as being arbitrary and capricious, or on such other grounds as may be found by the Town Attorney to exist.

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

The resolution was thereupon declared duly adopted.

#488

RESCINDS HOME RULE RESOLUTION RE: STUDY OF PECONIC
RIVER AND AUTHORIZES TOWN'S STUDY OF SAME AND SHARING
WITH TOWNS OF BROOKHAVEN AND SOUTHAMPTON

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

WHEREAS, this Town Board has heretofore supported a home rule resolution calling for a study of the Peconic River watershed, and

WHEREAS, a stated condition of the prior home rule resolution in support of the study was that the Town Board of the Town of Riverhead would have input and control of the future designation of the Peconic River under the appropriate state legislation, and

WHEREAS, this Town Board has been advised that the condition upon which it acted previously can no longer be assured, and

WHEREAS, this Town Board believes that the Towns of Brookhaven, Southampton and Riverhead possess the requisite knowledge, skills and inclination to perform said study without the involvement of the New York State Department of Environmental Conservation,

NOW, THEREFORE, be it

RESOLUTIONS - continued

RESOLVED, that this Town Board does hereby rescind and annul its previous home rule resolution in support of the state legislation calling for a study of the Peconic River watershed, and be it

FURTHER RESOLVED, that the Supervisor be, and he hereby is, authorized and directed to take those steps necessary to expand the current on-going open space and wetlands study in the Town of Riverhead to include a detailed examination of the Peconic River watershed, and be it

FURTHER RESOLVED, that the Supervisor, Conservation Advisory Council, and staff of the Town of Riverhead are hereby authorized and directed to take those steps necessary to share the above-referenced study with the Towns of Brookhaven and Southampton with a view to development of a uniform approach to land-use control for the Peconic River Watershed.

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

The resolution was thereupon declared duly adopted.

#489 ADOPTION OF AMENDMENTS OF THE TOWN CODE

Before the following resolution was offered, Councilman Menendez stated: "Now at this point, I'd like to deviate from here and get my own two cents in here. This portion, this public notice section of the resolution is particularly gratifying to me to be able to present it. From the time that I first adjusted the sign ordinance, it was intended that to control the spread of signs in the Town of Riverhead in an orderly fashion. And when I thought it would be proper, and I asked for a grandfather's clause and it was shot down on the idea. Now the zoning ordinance that we enacted several years ago has a built-in grandfather clause. For the sake of fair play and square dealing in the part of the sign ordinance pertaining to directional and non-premises signs, I think also should be grandfathered. So I'm happy to present this part of the resolution and hope that it will be favorably received."

WHEREAS, the Town Board of the Town of Riverhead has duly published and posted certain proposed amendments to the Riverhead Town Code Chapter 108-56, Signs, and Chapter 62, Excavations, and

WHEREAS, public hearings were held on said proposed amendments on the 18th of September 1979, wherein all persons wishing to speak on said proposed amendments were heard, and

WHEREAS, after due deliberation, the Town Board has considered the proposed amendments to the Town Code,
NOW, THEREFORE, be it

RESOLUTIONS - continued

RESOLVED, that the amendments to the Code of the Town of Riverhead set forth in the following Public Notice are hereby adopted, which pertain to the addition to Chapter 108-56, Signs and Chapter 62, Excavations, and be it

FURTHER RESOLVED, that copies of these amendments of ordinances are available for inspection at the Town Clerk's Office during normal business hours and these amendments of the ordinances shall take effect ten days after publishing and posting, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish and post this adopting resolution in its entirety as follows:

PUBLIC NOTICE

(Additions by underlining, deletions by ~~strikeouts~~)

§ 108-56 (Y) Nonconforming Signs.

(a) Any roof or wall sign, on-premises freestanding sign, shopping center sign, off-premises directional sign, or projecting sign legally existing on January 20, 1976 may be continued, although such sign does not thereafter conform to the regulations of the district in which it is located.

(b) No nonconforming use may be re-established where such nonconforming use has been discontinued for a period of six (6) months.

(c) Nothing in this chapter shall prevent the complete restoration within six (6) months of a sign destroyed by an accidental cause such as fire, flood, explosion, riot, act of God, or act of the public enemy. Such restored sign shall not exceed the dimensions of the sign destroyed.

§ 62-10. Fees.

The officer designated by the Town Board to issue such permits shall charge and collect for each such permit an annual fee as follows:

A. Sandbank and pit excavations. A fee of one hundred dollars (\$100.00) per year shall accompany the application, and a like sum shall accompany each application for renewal thereof.

§ 62-11. Expiration of permits.

A. Sandbank and pit excavations. Such permits shall expire by limitation one (1) year or three (3) years

RESOLUTIONS - continued

from the date of issuance unless the data submitted in accordance with the requirements of § 62-5, Plan for rehabilitation, demonstrates that the completion of such rehabilitation plan will require a period in excess of one (1) year from the date of issuance of the permit. In that event, the Town Board may issue a permit for a period longer than one (1) year or three (3) years, but in no event to exceed five (5) years. In the event a permit is issued for longer than ~~one (1)~~ three (3) years, the application is required to submit annually on the third and fourth anniversary date of the original permit the data required by § 62-5 hereof and to pay the annual fee required in ~~this chapter~~ section 62-10(A).

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

The resolution was thereupon declared duly adopted.

#490 AUTHORIZES PUBLICATION OF BID NOTICE - RASPBERRY
HILTON AUCTION

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

RESOLVED, that the Town Clerk be and hereby is directed to publish and post the following Notice to Bidders re: Purchase of the Colonial Arms Property, (Raspberry Hilton) on the south side of East Main Street, Riverhead, New York.

NOTICE TO BIDDERS

Sealed bids for the purchase of the Colonial Arms Property (Raspberry Hilton) on the south side of East Main Street, will be received by the Town Board of the Town of Riverhead at the direction of the Town Clerk at 200 Howell Avenue, Riverhead, New York until 11:15 o'clock A.M., on Monday, October 15, 1979, at which time and place they will be opened and read.

Instructions for bidders, specifications, bid forms and forms of contract may be obtained at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York. Bids shall be on the form as prepared by the Town of Riverhead.

The Town Board of the Town of Riverhead reserves the right to reject any and all bids or to waive any informalities. It also reserves the right to hold any and all bids open for a period of thirty days from the date of opening. All bids must be in a sealed envelope clearly marked "Colonial Arms Property".

The acceptance of any bid is subject to a permissive referendum upon petition as is provided by section 90, et. seq., of the Town Law. Closing on the property will be within sixty days of bid acceptance.

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

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

Supervisor Smith: "The Town Attorney advised me that he's having a certain amount of difficulty in negotiating the purchase of certain land between Union and Maple Avenues at the intersection of Northville Turnpike. For those of you who are familiar with the area know that when it rains, it pours at that particular location and there is substantial flooding. We close today on one of the houses necessary for this project. I would add that this particular project is being undertaken in conjunction with the County of Suffolk. The agreement between the County of Suffolk, whose responsibility Northville is, is that if we get the land, they will build the sump in the spring of 1980. Here we are in October of 1979, it appears that our efforts now somewhat protracted to get negotiated settlements with the two owners that are yet to be dealt with in that particular drainage basin to agree to sales of the premises are not going to prove faithful."

#491 CONDEMNATION OF DRAINAGE PROPERTY

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

WHEREAS, certain drainage problems exist on the Town Highways known as Maple Avenue and Union Avenue and upon Northville Turnpike, a County Road, and

WHEREAS, the Town Board has negotiated an agreement with the County of Suffolk for the installation of certain drainage facilities to serve both the County Highway System and Town Highways at that location,

WHEREAS, the Town of Riverhead has obligated itself to the acquisition of certain lands and the County of Suffolk to the construction of these facilities in the spring of 1980, and

WHEREAS, efforts to date for the negotiated purchase of these properties have been unsuccessful,

NOW, THEREFORE, be it.

RESOLVED, that the Town Attorney, Town Clerk and Town Supervisor are hereby authorized to take those steps pursuant to the laws of the State of New York to institute and prosecute

RESOLUTIONS - continued

the condemnation proceedings, so as to acquire the necessary land for the installation of drainage facilities at the above referenced location.

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

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned.

Irene J. Pendzick

Irene J. Pendzick, Town Clerk

IJP/vlv