

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, September 4, 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.

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

RESOLVED, That the Minutes of the Town Board Meeting held August 21, 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 September 4, 1979 as follows:

General Town	
Capital Projects	\$43,006.47
Parking Meter	\$ 4.79
Special Districts	\$ 9,579.97
Community Development	\$32,782.03
Highway Item #1	\$ 406.67
Highway Item #3	\$ 4,148.76
Highway Item #4	\$ 1,525.68

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	
Capital Projects	\$43,006.47
Parking Meter	\$ 4.79
Special Districts	\$ 9,579.97
Community Development	\$32,782.03
Highway Item #1	\$ 406.67
Highway Item #3	\$ 4,148.76
Highway Item #4	\$ 1,525.68

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

The resolution was thereupon declared duly adopted.

#### REPORTS

Jamesport Fire Dist. - results of special election re: construction of additions and alterations. Filed.

Superivsor's Office - financial reports for the months of June & July, 1979. Filed

Police Department - Report for month of August, 1979. Filed.

#### APPLICATIONS & PETITIONS

Site Plan - Serots & Sons (Walk-in refrigerator for Steak Pub, Wading River). Filed.

Special Permit - Riverhead Building Supply (construct 80 x 100 storage building). Filed.  
Referred to the Planning Board for recommendation and report.

Special Permit - Dr. Aldo Iacono (Bus. PB at Roanoke Avenue & Ackerly Street). Filed.  
Referred to the Planning Board for recommendâtion and report.

Petition - 41 residents of Hamilton Avenue, Pulaski Street, Sweezy Avenue, and Lincoln Street objecting to the Polish Town Fair being held onthe streets. Filed.

Petition - 39 residents of Riverhead Greens requesting Highway Department for street signs, road paving and garbage cans. Filed.

Supervisor Smith: "Mrs. Pendzick, is the one from Dr. Iacono separate from the one . . ."

Irene J. Pendzick: "It's a new one. The other one is from Dr. Franzone and Dr. Pillai."

Supervisor Smith: "With the special permits both the Building Supply one and the Doctor, please go to the Planning Board."

Let's try to get Dr. Iacona off to the County Planning Commission and maybe they would give us rather than dealing with the seriatim, some sort of opinion whether or not they're going to consent to the PB Business generally along Roanoke."

Irene J. Pendzick: "County Planning Commission has written to me saying that they don't want any applications until they get the recommendations of our Planning Board."

Supervisor Smith: "Okay."

#### COMMUNICATIONS

Dept. of Army Corps of Engineers, 8/30/79 - re: beach nourishment, South Jamesport. Filed.

Brookhaven Town, 8/24/79 - notice of public hearings to be held 9/4/79 re: Code Amendments. Filed.

Cooperative Extension - notice of college courses re: property taxes & environment. Filed.

Southampton Town, 8/16/79 - notice of adoption of amendment to code. Filed.

Environmental Review Board, 8/28/79 - determination that application of John Bushong is a Type II Action. Filed.

Lewin Hills Assoc., 8/28/79 - copy of letter to McDonnell's re: abandoned truck camper. Filed.

Brookhaven Town, 8/30/79 - Notice of adoption of amendment to code. Filed.

COMMUNICATIONS - continued

Brookhaven Town, 8/30/79 - request to alter fire boundaries denied by Town Board. Filed.

Southampton Town - re: notice of public hearing for amendments & notice of correction. Filed.

UNFINISHED BUSINESS

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, Riverhead.

Supervisor Smith: "The application of Schlegel and the application of Dr. Pillai are pending the response of the Suffolk County Planning Commission. Is Dr. Franzone in that same situation?"

Irene J. Pendzick: "Yes, except that they keep sending back that they won't entertain any applications till they get the recommendation of our Planning Board."

Supervisor Smith: "Is the Planning Board taking care of this?"

Irene J. Pendzick: "Well they don't meet until the first Thursday."

Supervisor Smith: "That brings us to that portion of the agenda where we will listen to anyone choosing to address the Town Board on any matter. If you are here specifically to address the Town Board with reference to the local law that is proposed for a hearing at 8:00 relative to abandoned vehicles, I would ask that you hold your comments until that particular time. At 8:15 there will be another public hearing relative to the Broad Cove Condominium proposed which is on the bulletin board here, if you choose to look at it in advance, and the last being a special permit application

PERSONAL APPEARANCESSupervisor Smith continues:

by Riverhead Automotive Delivery. Mr. Saxtein is that the one on West Main Street?"

Henry S. Saxtein: "That's the one west of the railroad."

Supervisor Smith: "All right. If you are here to address the Town Board on any of those three, I would appreciate it if you would please hold your comments until those hearings are called. If you are here generally to address the Town Board on another matter, we will listen to you at this time. Does anyone wish to speak?"

Bill Nohejl, Wading River; "In reference to the petition of Polish Town, I sympathize with these people and I'm making a suggestion. I spoke to John Lombardi two weeks ago. I feel as though there should be a place for Riverhead fair grounds. I know we've had one in previous years, that way we can put all future concerts, antique shows, anything of that type, being that Peconic County is being pushed, I feel as though we should be in the forum to have a fair ground for affairs."

Supervisor Smith: "Thank you Sir. Anyone else choosing to address the Town Board at this time?"

Mrs. Adams, Reeves Park; "We submitted a petition for improving our roads and we would like to know what the outcome will be?"

Councilman Young: "The Board went up and looked at the lay of the land and we have decided that the only way to do it is to take over next year some of your roads and if we take them over next year, this gives us authority this year to do patching on it. But we have to have it in the works that we're going to take them over next year. The only thing we haven't quite decided on, is which roads we're going to take over and I've spoken to Alex about it and he didn't give me any definite answer. But he said we should look at them and decide amongst ourselves which roads, we take them all over. But tentatively we thought if we took off over the further south road that goes east and west and the north-south road that runs parallel with Reeves Park Avenue, I guess you call it and the furthest north road which is kind of a gully and kind of a mess, this will be so that everybody can get in and out and not take over the little connecting roads till later."

PERSONAL APPEARANCES - continued

Mrs. Adams: "Well I understand other roads that were private roads have been oiled and whatever they do."

Councilman Young: "We've been doing that as we have been able to afford it and what we've been doing is first come, first serve. And I guess probably you will be first on next years list. We set aside \$40,000 of federal revenue sharing money last year and we've used it all up on the roads we took over up until now. Now we're planning on next year. We're planning on setting aside some federal revenue sharing money the same way and taking over roads next year."

Mrs. Adams: "We put up two petitions. Two years ago we sent a petition to Mr. Lombardi. And he said he had no money. Now ever year there is money allotted to it. (Due to the microphone not being on, the rest was inaudible)."

Councilman Young: "Well yours is a very expensive proposition that was much more expensive than most of the others. However, I think you're first on the list now. Isn't she?"

Supervisor Smith: "Well Mrs. Adams, again it would be a function of budget. There would be a hearing, I believe it is next meeting on the federal revenue sharing budget and or as we prepare the regular budget that results in the tax bill for the Town this coming month in October if, I would encourage you to watch the hearing. Usually most of the time what we are being asked to do in the hearing is to remove items rather than to add them. It is the inclination of the Board to include not all of the roads that you have mentioned in Reeves Park, but to do very similar to what was done in Wildwood Acres and Timber Park which is to begin a phasing in of the roads in your area as part of a gradual system."

Mrs. Adams: "Well that's all we ask. We just want to make the roads passable."

Supervisor Smith: "The problems, of course, Mrs. Adams is once the road becomes a public highway, it must be maintained like a public highway and then although everyone was well-intentioned in the beginning about not being fancy, then certain legal requirements come into play and it does have to be maintained rather well."

PERSONAL APPEARANCES - continued

Mrs. Adams: "Well we are, where we are on this street we are all year round residents. We are not summer residents."

Supervisor Smith: "I understand that. I'm just trying to explain to you some of the constraints we work under."

Mrs. Adams: "When will we know definitely."

Supervisor Smith: "You will, first of all, we get the report from the highway superintendent that says for X number of dollars, I assume, that there are surveys. One of the requirements that we have made of all the private areas that have been undertaken is that they obtain the surveys. They're in existence for this area."

Councilman Young: "What we did, I think Henry looked into it. Several years ago, we made surveys of your area and we were going to build a — create a district, a road district, but it got so expensive, you see if it's a road district you have to pay for it out of your taxes and not the rest of the Town. It was too expensive, so the plan was dropped. But at that time, we did have a surveyor draw up the maps and I think we still have all that . . ."

Supervisor Smith: "Assuming, Mrs. Adams, the surveys do exist and we can get the estimate from the Highway Superintendent. I suppose the critical point would be the adoption of the 1980 budget and the inclusion therein of monies requested by the Highway Superintendent to do your highways."

Mrs. Adams: "Well we are tax payers and we are not getting anything for our money."

Supervisor Smith: "I'm not going to debate you on that. Is there anyone else?"

No one else wished to be heard at this time.

## RESOLUTIONS - continued

#421 AUTHORIZES ZONING BOARD OF APPEALS AND PLANNING BOARD TO ATTEND CONFERENCE & EXPENSES

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

BE IT RESOLVED, that the Chairman and Members of the Zoning Board of Appeals and the Chairman and Members of the Planning Board be and are hereby authorized to attend the New York Planning Federation Annual Institute on October 14th, 15th, and 16th, 1979 at Kutsher's Country Club, Monticello, New York and that all necessary expenses incurred thereto be paid.

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

The resolution was thereupon declared duly adopted.

#422 AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS ON SHOTGUNS

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

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on ten (10) Remington shotguns for the use of the Police Department, and be it

RESOLVED, that the Town Clerk of the Town of Riverhead be and hereby is designated to open publicly and read aloud on Monday, September 17, 1979 at 11:00 A.M., at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Ten Shotguns."

NOTICE TO BIDDERS

SEALED BIDS FOR: Ten (10) Remington, Model 870, riot type shotguns: 5 - 18", 5 - 20" barrels. Shotguns to be used by the Riverhead Police Department, Town of Riverhead. Bids will be received by the Town Clerk at 200 Howell Avenue, Riverhead, New York, until 11:00 A.M., on Monday, September 17, 1979, at which time and place they will be opened and read.

Instructions for bidders, specifications and bid forms 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.

All bids must be in a sealed envelope marked to show the item bid.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#423 TERMINATES SERVICES TEMPORARY LABORER - HIGHWAY DEPT.  
Councilman Young offered the following resolution

which was seconded by Councilman Menendez.

BE IT RESOLVED, that the employment of David Witt, Temporary Laborer in the Highway Department, be and is hereby terminated, effective August 24, 1979.

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

The resolution was thereupon declared duly adopted.

#425 AUTHORIZING SUPERVISOR TO EXECUTE CONTRACT - BID FOR PAVING THE PUBLIC PARKING AREA IN WADING RIVER

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

WHEREAS, the Town Board has awarded a bid for paving the public parking area in Wading River to Central Suffolk Paving, Inc., at a contract price of \$12,500.00,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be and hereby is authorized to execute such contract on behalf of the Town of Riverhead with Central Suffolk Paving, Inc.

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

The resolution was thereupon declared duly adopted.

#426 AUTHORIZING PUBLISHING AND POSTING OF THE FOLLOWING NOTICE - ST. JOHN'S CHURCH

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

WHEREAS, a contract of sale has been negotiated between the Town of Riverhead and St. John's Church at Riverhead, 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 on the passage of the requisite period of time.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to section 11(A) of the Town Law, the Town Board of the Town of Riverhead by resolution adopted September 4, 1979, authorized the execution of a contract of sale between the St. John's 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 \$25,000.00,

RESOLUTIONS - continued

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.

#427 AUTHORIZES TOWN CLERK TO PUBLISH NOTICE FOR BIDS -  
500 DOCTOR'S PATH

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

RESOLVED, that the Town Clerk be and she hereby is authorized to publish the following Public Notice for Bids for the Demolition of 500 Doctor's Path.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that separate sealed bids will be received by the Town Clerk for the Town Board of the Town of Riverhead until 11:00 A.M. prevailing time on Friday, September 21, 1979 at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will be publicly opened and read for "Demolition of 500 Doctor's Path and all out Buildings, 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 Specifications may be obtained at the Offices of the Town Clerk, Irene J. Pendzick, 200 Howell Avenue, Riverhead, New York.

Each bidder must deposit with his bid, a certified check or bid bond for not less than ten (10%) per cent 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 bidder after the formal opening of bids. The check or bid bond of the successful bidder will be retained for use as the Performance Bond. Upon completion of the work according to 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 ten (10%) percent retainage will be returned to the awarding contractor.

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 Alternates or Unit Prices if, in its opinion, the best interest of the Town Board will thereby be promoted.

## RESOLUTIONS - continued

Supervisor Smith stated: "This is the demolition of the existing structures."

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

The resolution was thereupon declared duly adopted.

#428 PUBLICATION OF THE FOLLOWING NOTICE OF PUBLIC HEARING  
FOR CODE AMENDMENTS - CHAPTER 62  
EXCAVATIONS

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, with regard to the following proposed amendments to the Riverhead Town Code, which pertain to the addition to Chapter 62, Excavations.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New Ysrk, on Tuesday, September 18, 1979, at 8:00 o'clock P.M. to hear all persons concerning the following proposed amendments to the Town Code of the Town of Riverhead which pertain to Chapter 62, Excavations

Additions by underlining.

Deletions by ~~strikeouts~~.

§ 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 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

RESOLUTIONS - continued

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 applicant 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.

#429

RESOLUTION FOR TOWN JUSTICE TO ATTEND SEMINAR

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

RESOLVED, that Town Justice Robert Leonard be authorized to attend an advanced training course of the New York State Association of Magistrates, to be held September 16 to September 20, 1979, and that expenses incurred by him be paid from the Town Justice's budget.

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

The resolution was thereupon declared duly adopted.

#430

RESOLUTION FOR ASSESSORS TO ATTEND CONFERENCE

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

RESOLVED, that Charles Crump and Thomas L. McKay, Assessors be authorized to attend a conference on assessment administration at Grossinger's, Liberty, New York on September 16 thru 19, 1979, and have the use of the Assessors car, and FURTHER RESOLVED, that the expenses incurred by them be paid by the Board of Assessors budget.

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

The resolution was thereupon declared duly adopted.

#431

AGREEMENT WITH HIGHWAY SUPERVISOR RE: OSTRANDER AVE.

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

WHEREAS, the Superintendent of Highways has advised this Board by letter that he needs to do additional corrective work to Ostrander Avenue between Route 58 and Elton Street at a cost not to exceed \$25,000, and

## RESOLUTIONS - continued

WHEREAS, Elmore Associates, Inc., has deposited with the Town Board the sum of \$25,000 to be used for such purposes,

BE IT RESOLVED, that the Supervisor, on behalf of the Town Board, is authorized to enter into a letter agreement with the Superintendent of Highways to do said additional corrective work as the Superintendent of Highways deems necessary to that portion of Ostrander Avenue at a cost not to exceed \$25,000., and

BE IT FURTHER RESOLVED, that there be appropriated from said deposited monies the sum of \$25,000 to Highway Account No. 1 to be used for labor and materials for said work.

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

The resolution was thereupon declared duly adopted.

#432 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: USES OF GENERAL REVENUE SHARING  
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 Notice of Public Hearing relative to Federal Revenue Sharing Funds.

PUBLIC NOTICE

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 19th day of September, 1979, at 8:15 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 1979.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#433

AWARDS BID FOR ONE (1) MICROFILM READER

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

BE IT RESOLVED, that the bid for One (1) MICROFILM READER for the use in the Tax Receiver's Office, be and is hereby awarded to 3M Business Products Sales Inc., 100 Crossways Park West, Woodbury, New York 11797, at the cost of \$2,094.86, subject to its bid and specification form submitted and filed in the Office of the Town Clerk.

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

The resolution was thereupon declared duly adopted.

#434

AUTHORIZES PUBLISHING AND POSTING OF THE FOLLOWING NOTICE - CONTRACT BETWEEN THE TOWN OF RIVERHEAD & ESTATE OF VLADIMIR KORCHYNSKY

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

WHEREAS, a contract of sale has been negotiated with the Estate of Vladimir Korchynsky for the purchase of real property to be used for drainage purposes,

NOW, THEREFORE, be it

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

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

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

The resolution was thereupon declared duly adopted.

#435

PUBLICATION OF THE FOLLOWING NOTICE OF PUBLIC HEARING FOR CODE AMENDMENTS RE SIGNS

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, with regard to the following proposed amendments to the Riverhead Town Code, which pertain to the addition to Chapter 108-56, Signs.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held at the Riverhead Town Hall, 200 Howll Avenue, Riverhead, New York, on Tuesday, September 18, 1979 at 8:30 o'clock P.M. to hear all persons concerning the following proposed amendments to the Town Code of the Town of Riverhead which pertain to

RESOLUTIONS - continued  
Chapter 108-56, Signs.

Additions by underlining.  
Deletions by ~~strikeouts~~.

§108-56 (2) (A) Sign Review Board.

(1) Purpose. Section 108-56 of the Town Code, Signs, should be adhered to as closely as is practicable. In those cases where the sign ordinance cannot be adhered to due to practical difficulties, hardship, or aesthetic considerations, or the historical nature of the sign, the applicant may apply to the sign review board for a variance of the requirements of section 108-56 of the Town Code.

(2) (a) Creation. The sign review board, which shall act as an appeals body to the Zoning and Building Departments, shall consist of five (5) members who shall be appointed by the Town Board.

(b) Alternate A. The board shall be known as the Town of Riverhead Sign Review Board and shall be composed of five (5) members and shall include at least one architect, two businessmen, non member of the Riverhead Townscape Committee, and one member of the Town Board.

(b) Alternate B. The board shall be known as the Town of Riverhead Sign Review Board and shall be composed of five (5) members and shall include one professional person, one farmer, one business person from the hamlet of Riverhead, one business person from one of the hamlets within the Town of Riverhead, and one businessman with a degree in marketing and/or business administration.

(c) Members are to be appointed for terms of three (3) years provided that of those members taking office, two shall be appointed for one year, two for two years, and three for three years. Members may serve for more than one term and each member shall serve until the appointment of a successor.

(d) In the event of a vacancy occurring during the term of a member of the sign review board, the Town Board shall make an appointment to complete the unexpired term of such member and where such member is required to have specific qualifications shall be filled on appointment of the manner herein prescribed with a person having the same qualifications.

(3) Sign board powers. The sign review board shall have the power to hear and decide appeals from, and review any order, requirements, decision, or determination made by the

## RESOLUTIONS - continued

Zoning and Building Administrator in regard to signs.

- (a) They shall hear and decide appeals.
  - (b) The sign review board shall have the power where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of section 108-56 of the Town Code's, Signs, to vary or modify the application of any of the regulations or provisions of section 108056 relative to the use, construction, or alteration of signs so that the spirit of this chapter shall be observed, public health, safety and welfare secured, and substantial justice done.
- (4) Officers. The members of the board shall elect one of the members of the sign review board to serve as chairman for a period of three (3) years. The board may elect a vice-chairman from the remaining members of the sign review board.
- (5) Quorum. At least three members of the sign review board shall constitute a quorum for the transaction of its business or the performance of its function.
- (6) Hearings. The sign review board shall meet at least once a month to conduct hearings on applications. Meeting place and time shall be set by the rules and regulations of the sign review board on hearings and applications.
- (7) Decisions and findings. The sign review board shall state its decision supported by findings, and file same with the Town Clerk.
- (8) Appeals. Appeals of the decision of the sign review board shall be made by any aggrieved party to the Zoning Board of Appeals within thirty days of the filing of the determination of the sign review board with the Town Clerk.
- (9) Fees. There shall be a \$10.00 fee for each appeal to the sign review board.

## §108-56 (X)

(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, 1979 may be continued, although such sign does not thereafter conform to the regulations of the district in which it is located.

RESOLUTIONS - continued

(b) No nonconforming use may be re-established where such nonconforming use had been discontinued for a period of one year.

(c) Nothing in this chapter shall prevent the complete restoration within one (1) year 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.

## § 108-56 (J)

Anything to the contrary in this chapter notwithstanding, any nonconforming billboard or flashing or moving sign other than a time and temperature display permitted by the Town Board of the Town of Riverhead in accordance with the further provisions of this chapter, wherever located, shall become unlawful structures on January 20, ~~1979~~ 1981 (Alternate A) or 1986 (Alternate B), and shall thereupon be removed.

## § 108-56 (L)

Any sign not included in subsection J above, but violative of any section of this chapter, wherever located, by becoming an unlawful structure on January 20, ~~1979~~ 1981 (Alternate A), 1986 (Alternate B), and shall thereupon be removed.

## New § 108-56 (i) (4)

Any lot upon which exists or upon which may be constructed, a business or industrial use which fronts on County Route 58 for a distance of greater than one hundred (100) lineal feet may have erected thereon one or more free-standing, non-conforming, on premises sign in conformity with the further provisions of this subsection. For a lot with frontage from one (1) to one hundred (100) lineal feet, one fifty (50) foot freestanding, on premises sign shall be permitted. For each additional one hundred fifty (150) feet or fraction thereof of lineal footage of said lot, there shall be permitted an additional fifty (50) square foot on premises, freestanding sign. On said lot, no freestanding, on premises sign shall be closer than one (100) lineal feet from any other freestanding, on premises sign on said lot. Said sign shall be no less than twenty-five (25) feet from any side line and shall be set back no less than fifteen (15) feet from any front or rear property line. Upon any such lot where more than one (1) fifty (50) square foot on premises, freestanding sign may be permitted, the owner thereof may elect to combine the total sign areas permitted into one or more on premises, freestanding signs provided that the total sign area shall not exceed one hundred (100) square feet. Any sign so permitted greater than

RESOLUTIONS - continued

fifty (50) square feet shall be at least seven (7) feet above the mean ground level, exclusive of supportive construction and no higher than eighteen (18) feet in height. Any sign so permitted greater than fifty (50) square feet in area shall not exceed fifteen (15) feet in the horizontal dimension.

## § 108-56 (N) (1)

(1) Each shopping center shall, as a whole, be allowed one (1) freestanding directory sign on the premises to be used for the exclusive purpose of notifying the public of the names of the various business establishments located within the shopping center. No advertising of any sort shall be allowed on such sign, other than to identify the shopping center itself. Said sign shall not exceed thirty-five (35) feet in height, measured from the top of said sign to the mean level of the ground surrounding the support of said sign. Each business establishment name shall occupy no more than ten (10) square feet in total area. An additional portion of said sign may identify the shopping center itself, but may not exceed ~~thirty-two (32)~~ fifty (50) square feet. Said sign shall comply with all other applicable sections of this Code.

Before the vote, Supervisor Smith stated: "The publication that occurs at this time is some of the work that was taken by the suggestions of Mrs. Miloski and others from the last Town Board Meeting and puts them on for public hearing."

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

The resolution was thereupon declared duly adopted.

# 436 RE-EVALUATION OF ROBERT OBIE

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

WHEREAS, the contract between this Board and the Civil Service Employees Association incorporates therein the Salary Administration Program, and

WHEREAS, the said Program permits re-evaluation of employees' classifications upon certain criteria, including changes in responsibilities, supervision, etc., and

WHEREAS, Robert Obie has obtained a plant operator's license and his temporary assignment to these duties is currently required,

NOW, THEREFORE, be it

RESOLVED, that this Board does hereby re-classify Robert Obie to Group 6, Step 9 of the Salary Schedule, at an annual salary of Thirteen thousand twenty-six and 03/100 (\$13,026.03) Dollars, effective August 27, 1979.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#437 REQUESTS STATE TRAFFIC COMMISSION TO REDUCE SPEED  
ON HULSE LANDING ROAD

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

WHEREAS, there have been accidents and countless near-accidents at the intersection of the Wildwood State Park entrance and Hulse Landing Road, Riverhead, County of Suffolk, State of New York, and

WHEREAS, residents of the Wildwood area have asked this Town Board to reduce the speed limit on Hulse Landing Road from Sound Avenue to the park, and this request has been agreed to by the Riverhead Police Department,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Riverhead respectfully petitions the State Traffic Commission to make a survey of the area of Hulse Landing Road from Sound Avenue to the existing 30 miles per hour speed zone in said Town of Riverhead, to restrict or limit the speed zone and make recommendations for a reduced speed zone on Hulse Landing Road.

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

The resolution was thereupon declared duly adopted.

#439 RETAINS EDWIN FISHEL TUCCIO TO RENDER LETTER OPINIONS  
RE: NEGOTIATED  
PRICES

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

WHEREAS, the Town has negotiated purchases of vacant land on Osborne Avenue, north of Middle Road, and Reeves Avenue, east of Horton Avenue,

NOW, THEREFORE, be it

RESOLVED, that Edwin Fishel Tuccio is hereby retained to render letter opinions as to the reasonableness of the prices negotiated.

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

The resolution was thereupon declared duly adopted.

#440 AWARDS BID FOR COMPUTER

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

WHEREAS, bids were duly advertised for the Data Processing System (computer) and were opened by the Town Clerk on Tuesday, August 21, 1979, and

WHEREAS, the lowest responsible bid was offered by

RESOLUTIONS - continued

Burroughs Corporation, 474 Fulton Avenue, Hempstead, NY., for a B-800 Computer, and which bid meets the bid specifications as published,

NOW, THEREFORE, be it

RESOLVED, that the Burroughs Corporation is hereby awarded the bid, for a Burroughs B-800 computer, at a cost of \$46,029.40 (forty six thousand twenty nine dollars and forty cents); and to also include stated training costs, and

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Riverhead is hereby authorized to sign contracts with the Burroughs Corporation for said bid.

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 a few minute break.

Supervisor Smith: "Ladies and gentlemen, the time has arrived for the public hearing with reference to the amendments to the Code of the Town of Riverhead, local law, I'm sorry. This is with reference to abandoned vehicles. It is the requirement under the State Vehicle and Traffic Law that would permit us to take out of the impound area as I recall from Mr. Young's erudite explanation of it last time, a certain percentage, 1% or two vehicles, which ever happens to be greater."

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice of a public hearing to be held on Tuesday, September 4, 1979 at Town Hall at 8:00 P.M. to hear all interested persons regarding the proposed Local Law No. 2-79, a law authorizing the Town of Riverhead to convert unclaimed, abandoned vehicles to its own use.

The affidavits were ordered to be placed on file.

Supervisor Smith: "You've heard it explained. Is there someone who chooses either to oppose or support this particular law? All right, there being no one who wishes to speak, the Town Board will consider its own knowledge of the subject and adopt the appropriate resolution if in order."

No one wishing to be heard and no communications

PUBLIC HEARING - continued

having been received thereto, Supervisor Smith declared the hearing closed at 8:04 P.M.

RESOLUTIONS#438 REQUESTS COOPERATION OF STATE OFFICIALS FOR PASSAGE  
IN LEGISLATURE OF WADING RIVER HISTORIC CORRIDORBILL

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

WHEREAS, the Wading River Civic Association has petitioned this Town Board to designate North Country Road (Parker Road) from Sound Avenue to the Ponds, and Sound Road from Route 25A to its intersection with North Country Road, as an historic corridor, and

WHEREAS, the Town Board finds that such designation would be in the best interest of the Town, and

WHEREAS, such a designation requires enabling legislation,

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby request its Assemblymen, State Senators, and Governor's Representatives to introduce and obtain passage by the New York State Legislature of a Bill authorizing this Board to designate certain areas of Wading River as Historic Corridors.

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 that brings us to the end of our regular business for this evening. We, unfortunately, cannot call a public hearing to order until the advertised time."

Supervisor Smith recessed the meeting for few minutes, after which the meeting resumed.

#441 APPOINTS POLICE SURGEON

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

RESOLVED, that Dr. Anselm A. Parlatore M.D., be appointed as Police Surgeon for the Town of Riverhead Police Department for the limited purpose of an examination of patrolman, Jesse Hughes, and that he be paid a reasonable

RESOLUTIONS - continued

fee for his services upon submission of the requisite claim.

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 to hold a public hearing.

PUBLIC HEARING - 8:15 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice of a public hearing to be held on Tuesday, September 4, 1979 at 8:15 P.M., at Town Hall to hear all interested persons regarding the extension of a special permit granted to petitioner on September 2, 1979 to erect certain condominium units on lands south of Hubbard Avenue.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Ladies and gentlemen, this is not a new matter before the Town Board of the Town of Riverhead. It has been twice before this Town Board for action of the Board very similar to the action that is asked for this evening. You see before you displayed, a proposed lay out for the condominiums which are permitted uses at this particular place. This matter has been referred in the past to the various Planning Commissions, Planning Board of the Town of Riverhead. It has also been the subject of rather extensive review by the DEC Corps of Engineers and others. One of the unique features of this parcel is that it also now involves the Long Island Rail Way and track crossing which we don't see usually in this type of subdivision plan. As I say, the record in this particular matter is ample in that, however, there will be considered a futher extension of the existing permit. We feel that it would be right that anybody that chooses to address the Town Board with reference to this extension of the permit should be afforded the opportunity to this evening. Does anybody choose to address the Town Board with reference to the application of Broad Cove? If no one wishes to testify, the Board will rely upon the testimony — yes Sir."

Bob Pekar, Calverton; "I'm not for or against this. I'm a little concerned about a project of this size. What is the population density?"

PUBLIC HEARING - continued

Supervisor Smith: "Five hundred units. You could, depending upon the marketing of the proposed units, you could go up to in our ordinance probably to densities of about five hundred persons, no excuse me, maximum of five people per unit but you will not see that, the average will be lower."

Bob Pekar: "So you could have a density of about two thousand individuals?"

Supervisor Smith: "Possibly."

Bob Pekar: "Is this going to be any different type or is this going to be all inclusive as far as families, etc.?"

Supervisor Smith: "The marketing of this particular condominium was discussed in the past, was essentially oriented towards a second home market which is essentially, summer traffic."

Bob Pekar: "But that's not guaranteed."

Supervisor Smith: "No Sir. It could be."

Bob Pekar: "Two thousand units, five hundred units, a density of two thousand better or possible. Has any type of study been made of the impact it would have on our tourism?"

Supervisor Smith: "Yes Sir, I believe that when it was essentially before the Board, it was testified against the proposal by Mrs. Tooker. Then President of the Board."

Bob Pekar: "Are there any figures to — ball park figures or anything to say what type of density it would have as far as you and I are concerned (the rest was inaudible because the microphone was not on)."

Supervisor Smith: "No Sir. We can assume that if it were to be all families that you could get probably an average yield of two children per unit."

PUBLIC HEARING - continued

Bob Pekar: "So then if that were the case, an increase in a district of 1,000 children would certainly overload the district and would cause or necessitate the addition as far as (the rest was inaudible, microphone was not on.)"

Supervisor Smith: "That's possible. If you take all the assumptions that you are putting forth. I suggest to you that the possibility of each and every one of those being family units and or even if they are family units that each of those units would have two children of school age. Your suppositions are really — I don't know, bear a great deal of . . ."

Bob Pekar: "It is a possible impact."

Supervisor Smith: "It's a possible impact, that's true."

Bob Pekar: "What type of a time period (microphone not on) will it happen basically all at once, or will there be a plan expansion (the rest inaudible microphone not on)."

Supervisor Smith: "My recollection and review of the record in the matter indicates that this would not happen overnight, that it would be developed by sections. I believe that map shows six. There was talk of three different sections. A developer, if one comes forward, and none have come forward for four years, would be rather out of his head to put in the kind of capital investment that would be required here and in an attempt to market all those units at one time. I think that if at all such a development would occur over three years or better."

Bob Pekar: "I would hope that it could be discussed (microphone not on) come to pass that the local school board at least be consulted and informed of what's going on ahead of time."

Supervisor Smith: "Well Mr. Pekar, Mrs. Tooker did testify to it before."

Bob Pekar: "All right. That Board changes as does every other and (microphone not on) of this nature of this"

PUBLIC HEARING - continued

Bob Pekar continues:  
potential scale. I think we'll at least warrant some kind of (microphone not on) so that planning on that side can happen."

Supervisor Smith: "Are you, as a member of the school board, against the proposal?"

Bob Pekar: "The present state of Riverhead (microphone not on) I would have to say yes."

Supervisor Smith: "So you don't want this kind of housing developed in the Town of Riverhead."

Bob Pekar: "On a quote potential increase over a three year period, I would say it would be a major impact upon the district (due to the microphone not on) somebody with this size (microphone not on) would be (microphone not on) as quickly as three years. It's very difficult to expand a district to (microphone not on) on the tax payers would be obvious."

Councilman Menendez: "Mr. Pekar back in 1975, they had real lengthy hearings. In fact, several hearings. And these fears that you express were brought up at that time, and the people who were developing this thing made it quite plain that this was no ordinary of the mill cheap housing development. It was to be so high priced that it was aimed more or less a specific retirement type of thing, for the older folks to be in there, not the kids with children so much. At that time, it was decided if anything was impacted in the Town, it probably would be our hospital facilities, or that age group. There was some talk that the hospital might be concerned about having to expand or something. So I don't think the school was too worried about it, then at that point, after they had heard that testimony."

Supervisor Smith: "Mr. Pekar is there, in fact, a cost per unit factor where a house pays more taxes then it impacts upon the school district?"

Bob Pekar: "The cost of educating each child is much greater than the cost per unit — as far as taxation is concerned."

PUBLIC HEARING - continued

Supervisor Smith: "We're discussing this and I want to get an answer, and we've got a school board member here and we don't see school board members very often here. I look forward to you coming out when we have some industrial proposals up here too."

Bob Pekar: "We're talking in the neighborhood of \$2800 to educate an average student, \$2800 dollars or more. There are very few homes in Riverhead School District that pay that type of a tax rate. Any home with two children or more it's obvious that the tax rate (microphone not on) is not going to pay for that burden as long as the children are in school."

Supervisor Smith: "There isn't a rule of thumb that if the unit were to cost in excess of \$60,000 market value that it becomes an asset to the tax base rather than a liability?"

Bob Pekar: "(The beginning is inaudible due to the microphone not being on) predominantly school age units, then it would be a liability."

Supervisor Smith: "You don't understand what I'm saying. I'm saying that as many houses and or residential units as you can get that are \$60,000 and up, that the yield in the long term to the school district is in excess of the draw down that they make against the school district."

Bob Pekar: "In long terms, but we're not talking about long terms, we're talking about the impact on the tax payers over a five-year period now."

Supervisor Smith: "No Sir, you're not. These units will remain on the tax roll of the Riverhead School District for a long time, if and when they are built."

Bob Pekar: "People in the district now will hear the cost of construction in the addition of the school district. ."

Supervisor Smith: "Since when do we have building bond issues in the Riverhead School District that are five years in duration?"

PUBLIC HEARING - continued

Bob Pekar: I didn't say that."

Supervisor Smith: "Oh."

Bob Pekar: "I said the people of a short term duration — people in the district now will initially bear it over a long period of time if you're talking thirty years. Every unit will pay for itself and it will not be a liability, it will be an asset. Obviously, if these were all retirement units, I would consider them an asset because they wouldn't greatly expend the school district base."

Supervisor Smith: "Okay. I think we understand each other on this item. Is there anyone else?"

(Realized microphone was off when Mr. Conforti spoke, & put it on)

Anthony T. Conforti, Attorney for Broad Cove; "Just to address remarks made by the prior speaker, the marketing approach plan for this particular project is primarily second home residences. At today's prices, we anticipate, I should say at today's costs, we anticipate sales prices in the range of between \$65,000 to \$75,000.

The project as we see it will be built over a five to a ten year period. Again I think it will have a very little impact on the school system. The people who will be able to afford units in this particular development will most probably be wealthy people owning second homes. We have planned the development to include very many water front amenities which are very expensive. And again, I think that there would be a tremendous increase to the tax base and it will not require very many services from the Town.

All roads will be interior. They will not be the Town roads, standards and according to the prior approvals, they will be maintained by the property owners rather than by the Town. So, in fact, we will be substantially increasing the Town's tax base and requiring a proportion amount of services."

Supervisor Smith: "Thank you Mr. Conforti."

Anthony T. Conforti: "Thank you."

Supervisor Smith: "I would mention that both projections of the sewer and water district are planned for the area. Environmentally one of the comments of one of the down wind neighbors of this current location said, if you will, Mr. Pekar, 2,000 kids are better than two million ducks.

PUBLIC HEARING - continuedSupervisor Smith continues:

Anybody else? We will rely upon the statements made tonight. We will rely upon our past hearings in this particular matter and phrase a resolution that might be adopted at the Town Board Meeting September 18, 1979."

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:28 P.M.

Supervisor Smith recessed the meeting to hold another public hearing.

PUBLIC HEARING - 8:30 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public notice of a public hearing to be held on Tuesday, September 4, 1979 at 8:30 P.M. at Town Hall, to hear all interested persons regarding the special permit to operate a gas station located on the south side of Route 25, Riverhead.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Again ladies and gentlemen this is very similar to the last one in that it is not a new starter, either to us or to the public. This is an existing gas station. It's on the south side of 25 just a little to the west of the railway bridge opposite the Pinecrest Garden Apartments. In years — five or six years ago it was an active gas station. It has been used for the past several years for the storage of heavy equipment vehicles, the present applicant wishes to again pump gas at this particular location. Is there anyone who chooses to address the Town Board?"

Charles Cuddy, 108 East Main Street, Riverhead;  
Attorney for the applicant; "As Mr. Smith just indicated, this is not a new application. I would just add that I believe the Planning Board has also had this application before it and it has approved the application. My Client, Mr. Piazza, who is the principal of that corporation is here. If there are any questions, he'd be happy to answer them but . . ."

Supervisor Smith: "Essentially he wishes to do that which has been done."

PUBLIC HEARING - continued

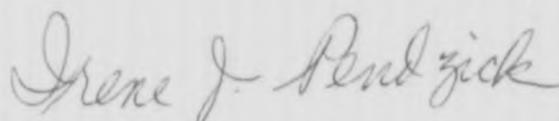
Charles Cuddy: "Which not only has been done, but which was before this Board approximately four weeks ago, they just wish to continue on for a period of time."

Supervisor Smith: "All right. Is there anyone who would address the Town Board? There being no one rising to speak, the same rules will apply. We will consider not only what was said here tonight or on prior occasions with reference to the site together with the record together as it exists in the Town Clerk's Office, and render a decision on this particular matter."

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:32 P.M.

Supervisor Smith: "If there is anyone who would choose to address the Town Board on any other matter that has not already been discussed this evening, we will give you the opportunity to do so."

There being no further business on motion and vote, the meeting adjourned at 8:33 P.M.



Irene J. Pendzick, Town Clerk

IJP/vlv