

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, March 20, 1979 at 7:30 P.M.

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

Also present: Henry S. Saxtein, Town Attorney

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

Supervisor Smith: "Ladies and gentlemen, before we get busy this evening with the more perfunctory aspects of our meeting, I would first like to acknowledge the presence of some of the members of Troop #145, Boy Scouts of America. We welcome you here tonight and you are welcome to come back any time. These young men are interested in a badge called Citizen in the Community, I'm advised. So hopefully they'll see how it works to a degree.

The other thing is that among the many items that we've attempted to deal with in the last few weeks since the last Town Board Meeting, is the site plan and special permit application of Cohen, Rohm, Rohm and Briggs. This is the application for the miniature golf course, I'll call it a miniature golf course, they call it something else. At the north side of County Road 58 opposite Cablevision, there is up here on the desk for anyone that would like to look at it during the break and prior to the time we get to the resolutions a copy of the site plan that I have marked up with certain things that have resulted from protracted discussions within the past several weeks. One of the things that you will see which we are reserving for a period of three years, any use or occupancy of the northerly portion of the property along Middle Road. The other major changes are a change in the drainage system from the Metropolitan Life Building directly into the County swale as far to the south as we can get it, practically. We are requiring that any asphalt parking have contained therein recharge facilities, rather than allowing the same to drain down into the County swale. The other to be said are that Legislator Hurley and I as of Monday, at the insistence of Mr. Benedict, who is one of the citizens of the

Supervisor Smith continues:

area, who I have been dealing with, examined the County drainage facility that runs from Northville down to Middle Road, the trench ditch that is suppose to provide the access for the water from Northville to the Middle Road area, has collapsed. We have a verbal agreement between the two of us and between Mr. Hurley and the Department of Public Works of the County of Suffolk that if the Town will hire a machine, that the Town will be permitted to go in there and clean that particular ditch and swale. I discussed this with the Town Board and we own the property to the west of that ditch and it is our intention to hire a machine and put the machine in there and clean the facility as part of what we are considering here tonight. I encourage anybody that is interested in this particular application before we get to a resolution in it and I don't know that we're going to get to a resolution on it tonight, but what held me up a little bit was that I was writing it and I have finished it in long hand, but I have not re-read it. But if after having been re-read by the Town Board at a later point in the evening, it is found acceptable to them, the possibility is that we will act on it if there are things wrong with it. We may not act on it, but what we have discussed so far is written here on the document before you and I will make a copy of the resolution itself as drafted, available to anyone from the Fanning Blvd - Middle Road areas so they can read it before we act upon it."

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

RESOLVED, That the Minutes of the Town Board Meetings held on February 6, 1979 and February 27, 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 Abstracts dated March 20, 1979 as follows:

General Town	
Capital Projects	\$26,602.98
Community Development	\$ 2,361.40
Highway Barn Renovation	\$ 318.75
Highway Item #3 (1978 Enc.)	\$ 151.89
Highway Item #1	\$ 2,971.53
Highway Item #3	\$ 3,941.17
Highway Item #4	\$ 3,455.28

BILLS - continued  
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Highway Item #3	\$ 3,491.17
Highway Item #4	\$ 3,455.28

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.  
 The resolution was thereupon declared duly adopted.

Supervisor Smith: "We have present the various Department Heads should occasion arise that you have a question that deals with their jurisdiction, we'll attempt to get you an answer."

OPEN BID REPORT - ROCK SALT FOR THE HIGHWAY DEPARTMENT  
 After being duly advertised the following bids on Rock Salt for the Highway Department were opened by the Town Clerk on Wednesday, March 14, 1979 at 11:00 A.M.

INTERNATIONAL SALT COMPANY  
 Clarks Summit, Pennsylvania 18411

USE OF RIVERHEAD HIGHWAY DEPARTMENT FOR PERIOD FROM MARCH 15, 1980:

typed  
 in  
 on  
 their  
 specs

We will protect our quoted price on delivered prior to and including March 15, 1980, if our quotation is accepted and acknowledged within 30 days from March 14, 1979.

Also typed in: "CC" - ICE CONTROL ROCK SALT - BULK TREATED

PRICE PER TON OF TREATED ROCK SALT DELIVERED: \$ 33.27 per ton  
 Also typed in: Minimum Truckload - 21 tons

PRICE PER GALLON OF TREATMENT FOR OUTSIDE STORAGE: \$ N/A

Also typed in: TERMS: Net 30 Days. Attached are the ASTM Specifications FILED.

OPEN BID REPORT - ROCK SALT - continued

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

PRICE PER TON OF TREATED ROCK SALT DELIVERED: \$ 39.50

PRICE PER TON GALLON OF TRATEMENT FOR OUTSIDE STORAGE: \$ Not  
Applicable

FILED.

OPEN BID REPORT - POLICE DEPARTMENT UNIFORMS

After being duly advertised the following bids for Police Department Uniforms for the Riverhead Police Department were opened by the Town Clerk on Monday, March 19, 1979 at 11:00 A.M.

CHARLES GREENBLATT, INC.  
 120 Main Street  
 Hempstead, New York 11550

Long Sleeve Shirts (62)	\$15.94@	\$ 988.28
Short Sleeve Shirts (55)	\$10.50@	\$ 577.50
Winter Pants (50)	\$27.25@	\$1,362.50
Summer Pants (62)	\$22.50@	\$1,395.00
Blouses (7)	\$74.95@	\$ 524.65

TOTAL \$4,847.93

FILED.

MANNO UNIFORM AND SECURITY EQUIPMENT CORPORATION  
 3891 Merrick Road  
 Seaford, New York 11783

Long Sleeve Shirts (62)	\$18.75	\$1,162.50
Short Sleeve Shirts (55)	\$11.50	\$ 632.50
Winter Pants (50)	\$33.50	\$1,675.00
Summer Pants (62)	\$22.50	\$1,395.00
Blouses (7)	\$76.50	\$ 535.50

TOTAL \$5,400.50

FILED.

REPORTS

Tax Receiver's, dated March 12, 1979. Filed.

Recreation Department - monthly report for February, 1979. Filed.

APPLICATIONS

Riverhead Fireman's Association - for permit for parade on May 6, 1979. Filed.

Special Permit : Bay Isle Oil Corp. (to open service station on Route 25A & Parker Road, Wading River). Filed.  
Referred to the Planning Board for recommendation and report.

Site Plan : Raymond McKay (Fish Stand, Main Road, Aquebogue). Filed.

PETITIONS

Manorville and Riverhead Fire Districts; to alter existing boundaries of respective districts. Filed.

Requesting traffic signal or person to direct traffic at intersection of County Road 58 and Harrison Avenue - signed by 183 persons.

Supervisor Smith: "We have public hearings, ladies and gentlemen at 8:00 and 8:15. If you're here to testify on either of those, would you please hold your comments until that time. If we get an opportunity to pick up those or give you an opportunity to speak before we get to those times."

COMMUNICATIONS

Riverhead Nursing Home, 3/1/79 - requesting traffic light at intersection of Route 58 and Harrison Avenue, stating dangers and frequent use by visitors, employees and public. Also requesting street lights at the northern end of Woodcrest Avenue in behalf of patients and employees, included with letter is copy of Police report of accidents in area. Filed.

COMMUNICATIONS - continued

Landmarks' Preservation Commission, 3/4/79 - advising approval of request for Landmarks Designation for Vail-Leavitt Music Hall on Peconic Avenue. Filed.

Department of Army, 2/28/79 - revised fish pond procedures for placements of nets in established area. Filed.

Riverhead Fire Department, 3/5/79 - inviting members of Town Board to attend annual inspection and memorial service on May 6, 1979. Filed.

H2M Corp., 3/2/79 - re: northwest area street lighting project. Filed.

H2M Corp., 3/8/79 - re: storm water problem areas, Phase "B" Report. Filed.

H2M Corp., 3/5/79 - re: drainage improvements, proposed bond issue. Filed.

Department of Army, 3/12/79 - application for bulkhead on Shinnecock Bay, East Quogue. Filed.

Department of Army, 3/12/79 - application for bulkhead on Shinnecock Bay, Hampton Bays. Filed.

Joe Testa, 3/11/79 - commending Robert Scheiner and staff of Community Development Office. Filed.

Eastern School of Music, 3/19/79 - asking permission to use Benjamin House grounds for sale. Filed.

Federal Bureau of Investigation - inviting Town Board to graduation ceremonies. Filed.

Long Island Farm Bureau, 3/8/79 - commending Board for difficult decision regarding Schmitt Labor Camp. Filed.

COMMUNICATIONS - continued

Frances Snell, 3/12/79 - objecting to proposed boat yard & marina on Meeting House Creek Road. Filed.

Pierre Lundberg, 3/15/79 - re: notice of cancellation of policy of Steve Nanna, Inc., stating neither Town or engineers consent to cancellation until job is complete. Filed.

Cooperative Extension - March 1979 packet regarding land use. Filed.

Sandy Shydo, 3/16/79 - listing reasons for objection to proposed boat yard & marina in Aquebogue. Filed.

Riverhead Bay Conservation Association, 2/28/79 - advising of plans to transplant clams, and asking that the Town prepare lease for portion of bay bottom. Filed.

State Board of Equalization & Assessment - Notice of hearing on 4/17/79 in Albany. Filed.

UNFINISHED BUSINESS

Special Permit Application: Cohen, Rohm, Rohm & Briggs (pro-putt golf on Route 58).

Special Permit Application: Segal Bros. Co. (non- nuisance industry).

Special Permit Application: John O'Neill (marina & boat yard, Aquebogue).

Supervisor Smith: "Under unfinished business the application with reference to pro-putt, that I mentioned already. The application of Mr. Segal for a non-nuisance industry, which will be the subject of a public hearing tonight. The application of Mr. John O'Neill relative to what he proposes to do on Meeting House Creek in Aquebogue. With reference to the last, I've written a letter to Mr. O'Neill suggesting that he meet with the surrounding property owners and that they attempt to negotiate, if you will, some amicable settlement of the issues raised by neighbors relating to what Mr. O'Neill proposes to do.

This brings us to that portion of the agenda where we will listen to anyone wishing to address the Town Board on any issue. Again I ask you if you're here for either

PERSONAL APPEARANCESSupervisor Smith continues:

of the two Town Board Hearings, that you save your comments for that time and I would point out that although we would begin listening to anyone wishing to address the Town Board on any item, I will have to break it off at the times for the public hearing to come on. Is there anyone here who wishes to address the Town Board with reference to any item?"

Bill Nohejl, Wading River; "In reference to the H2M report on the northwest area street lighting project, what does that pertain to? I'm wondering if that means the project is finished? I presume it means the Wading River area?"

Supervisor Smith: "Yes. This is to the Community Development Director. It's a payment form for them. It shows adds and deducts. If you want to read it . . ."

Bill Nohejl: "No. I mean does it mean the area is finished with the lighting project?"

Supervisor Smith: "Not at all. Among other things that the Town Board was talking on this afternoon was the removal of those lights that you've been after for a period of time. We are attempting to move those lights into other areas in Wading River that want them."

Bill Nohejl: "Because on Wading River-Manor Road, there's a light on day and night on pole #616 and I feel as though something should be done about it."

Supervisor Smith: "Yes Sir."

Bill Nohejl: "I have a situation up on my sod field with snow fences. The new snow fences that have been bought recently. I feel as though they are a waste of money. At the base of the soil, they just snap right off. They are an old fence, maybe four or five years old or longer, and they are standing up right. But the new fence posts are just snapping right off and if you want a typical example of what's happening with these, you'll have to take a look. I would say that in an area of about fifty, sixty posts, there's about fifteen or twenty of them snapped right at the base. I feel as though the

PERSONAL APPEARANCES - continuedBill Nohejl: continues:

material that's put into them or maybe the low bids that you are accepting might be inferior products."

Supervisor Smith: "Mr. Young will carry that message to Mr. Horton Sir."

Bill Nohejl: "That's all at the present. Thank you."

Supervisor Smith: "Anyone else?"

Dick Benedict, Fanning Blvd., Riverhead; "Usually I come down here to complain about something. Tonight, I'd just like to thank Mr. Smith publicly for putting on his rubber boots last week in the rain, and sloshing through the mud and sand down there where there is a problem. We have lots of mud and he spent a good half hour to forty-five minutes sloshing through it with his suit on, but he was there. Thank you."

Supervisor Smith: "Thank you Mr. Benedict. Anyone else?"

RESOLUTIONS

#103 REDUCTION OF PERFORMANCE BOND OF CENTURY FARMS - SECTION I - TABLED

#109 AUTHORIZES OVERTIME COMPENSATION - RECREATION DEPARTMENT & OFF-STREET PARKING

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

RESOLVED, That Merrill B. Nelson an employee of the Riverhead Recreation Department be paid time and one-half overtime compensation:

9 hours @ \$8.69 = \$78.21

FURTHER RESOLVED, That James Gadbois an employee of the Recreation Department be paid time and one-half overtime compensation:

9 hrs. @ \$8.60 = \$77.40

RESOLUTIONS - continued

FURTHER RESOLVED, That Gustave Olson an employee of Off-Street Parking be paid time and one-half overtime compensation:

10 hrs @ \$8.61 = \$86.00

FURTHER RESOLVED, That Oliver W. Miles an employee of the Recreation Department be paid time and one-half overtime compensation:

9 hrs. @ \$7.35 = \$66.15

FURTHER RESOLVED, That the explanatory report relating to aforesaid overtime submitted by the Superintendent of the Recreation Department be 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.

#110 AUTHORIZES OVERTIME FOR SNOW REMOVAL - HIGHWAY DEPARTMENT  
Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for snow overtime February 16, 1979 to February 28, 1979 for a total of 681 hours in the amount of SIX THOUSAND SIXTY FIVE AND 62/100 (\$6,065.62), in accordance with personal services abstract 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.

Supervisor Smith: "Ladies and gentlemen we have resolutions 111 through 117 which are the resolutions dealing with the payment of overtime, recall pay and court time for the various police officers of the Town of Riverhead for the past pay period. Is anybody interested in hearing those read?"

No one wished for the resolutions to be read.

RESOLUTIONS - continued#111 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS TO  
BE PAID FROM FEDERAL REVENUE SHARING

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

BE IT RESOLVED, That the following Police Officers be paid overtime from February 1, 1979 to and including February 28, 1979 as per P.B.A. Contract at time and one-half their regular salary and to be paid from Federal Revenue Sharing.

1.	J. Pleickhardt	2-07-79	8 hrs.	\$13.45 per hr.	
		2-22-79	2 $\frac{1}{4}$ hrs.	\$13.45 per hr.	
		2-26-79	2 hrs.	\$13.45 per hr.	
		2-27-79	1 $\frac{1}{4}$ hrs.	\$13.45 per hr.	\$181.58
2.	K. Woods	2-27-79	1 hr. 55 min.	\$13.35 per hr.	\$ 25.82
					\$207.40
TOTAL					\$207.40

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

The resolution was thereupon declared duly adopted.

#112 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, That the following Police Officers be paid overtime from February 1, 1979 to and including February 28, 1979 and also January 12, 1979 as per P.B.A. Contract at time and one-half their regular salary.

1.	J. Hughes	1-12-79	2 hr. 33 min.	\$13.45 per hr.	\$ 34.30
2.	F. Alexander	2-07-79	8 hrs.	\$13.98 per hr.	
		2-23-79	3 hrs.	\$13.98 per hr.	
		2-26-79	2 hrs.	\$13.98 per hr.	\$181.74
3.	D. Green	2-27-79	1 3/4 hrs.	\$13.45 per hr.	\$ 23.54
4.	B. Keller	2-24-79	1 hr. 5 min.	\$13.45 per hr.	\$ 14.53
5.	J. Kurpetski	2-25-79	8 hrs.	\$13.98 per hr.	\$111.84
6.	L. Mickoliger	2-19-79	4 hrs.	\$13.45 per hr.	\$ 53.80
7.	J. Psaltis	2-04-79	50 min.	\$13.45 per hr.	\$ 11.16

RESOLUTIONS - continued

8.	E. Sadowski	2-27-79	1 hr. 55 min.	\$14.25	\$ 27.36
9.	P. Troyan	2-07-79	8 hrs.	\$13.45	
		2-08-79	1 hr.	\$13.45	
		2-09-79	½ hr.	\$13.45	
		2-27-79	1½ hrs.	\$13.45	\$141.23
TOTAL					\$599.50

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

The resolution was thereupon declared duly adopted.

#113 AUTHORIZES RECALL PAY FOR DETECTIVES

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

BE IT RESOLVED, That the following Detectives be paid recall pay from February 1, 1979 to and including February 28, 1979 as per P.B.A. Contract.

1.	Plamer W.	2-20-79	4 hrs.	\$14.95 per hr.	\$ 59.80
2.	Summerville, A	2-02-79	4 hrs.	\$14.95 per hr.	
		2-05-79	4 hrs.	\$14.95 per hr.	\$119.60
TOTAL					\$179.40

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

The resolution was thereupon declared duly adopted.

#114 AUTHORIZES RECALL/COURT PAY FOR POLICE OFFICERS TO BE PAID FROM FEDERAL REVENUE SHARING

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

BE IT RESOLVED, That the following Police Officers be paid recall/court pay to be paid from Federal Revenue Sharing from February 1, 1979 to and including February 28, 1979.

1.	Pleickhardt, J.	2-23-79	4 hrs.	\$13.45 per hr.	\$53.80
2.	Weinand, D.	2-26-79	4 hrs.	\$13.45 per hr.	\$53.80
TOTAL					\$107.60

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#115 AUTHORIZES RECALL/COURT PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, That the following Police Officers be paid recall/court pay from February 1, 1979 to and including February 28, 1979.

1. Green, D.	2-23-79	4 hrs.	\$13.45 per hr.	
	2-26-79	6 hrs.	\$13.45 per hr.	\$134.50
2. Troyan, P.	2-23-79	4 hrs.	\$13.45 per hr.	\$ 53.80
				<hr/>
		TOTAL		\$188.30

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

The resolution was thereupon declared duly adopted.

#116 AUTHORIZES RECALL/COURT PAY FOR SERGEANTS

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

BE IT RESOLVED, That the following Sergeants be paid recall/court pay from February 1, 1979 to and including February 28, 1979.

1. Becht, J.	2-20-79	8 hrs.	\$15.57 per hr.	\$124.56
2. Mazzo, L.	2-05-79	4 hrs.	\$15.72 per hr.	\$ 62.88
				<hr/>
		TOTAL		\$187.44

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

The resolution was thereupon declared duly adopted.

#117 AUTHORIZES OVERTIME PAY FOR SERGEANTS

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

BE IT RESOLVED, That the following Sergeants be paid overtime pay from February 1, 1979 to and including February 28, 1979.

RESOLUTIONS - continued

1. Grossman, A. 2-07-79 8 hrs. \$14.97 per hr. \$119.76

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

The resolution was thereupon declared duly adopted.

#118 AUTHORIZES POLICE OFFICER TO ATTEND POLICE JUVENILE OFFICERS SEMINAR

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

BE IT RESOLVED, That Police Officer Edward Curven be authorized to attend Police Juvenile Officers Seminar to be held from March 19 to 23, 1979 in Board Room #4, Sheraton Motor Inn, Thruway Exit 37, Syracuse, N.Y., said officer to be reimbursed for traveling expenses.

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

The resolution was thereupon declared duly adopted.

Supervisor Smith then stated: "For those of you that are unfamiliar with Office Curven's role in the Police Department, up until about a year and a half or two years ago, we did not have a special police officer who concentrated strictly on what we call misdemeanor crime. That crime usually involving juveniles. Stealing of a bicycle, vandalizing a house under construction and things of that nature. Very often because of the press of business for the ordinary police officer, those types of investigations were not followed up. Officer Curven has been designated as a police officer out of uniform to do this kind of work. Our close out rate of this type of crime has jumped dramatically. He works together with Officer Doroski in juvenile matters. We've had some recent success in terms of the drug program. So this is part of that effort."

#119 APPROVES THREE BUILDINGS DESIGNATED AS LANDMARKS

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

WHEREAS, The Landmarks Preservation Commission has initiated proceedings to designate as landmarks the following three buildings:

- 1) The "Barn" (Rear of the Benjamin House)
- 2) The "Carriage House" (Rear of the Davis-Corwin House)
- 3) The "Fresh Pond School House" (located on the south end of the Benjamin House Property)

RESOLUTIONS - continued

and

WHEREAS, Pursuant to Chapter 73, Article 4, Section 7 (B), notice has been given by the Town Clerk to the owners of the parcel for the proposed designation, and also to owners of the property located within 250 feet of the boundaries of the subject parcel, and

WHEREAS, None of the above mentioned landowners have voiced an objection to the Landmarks Preservation Committee concerning the designation of these buildings as landmarks, and

WHEREAS, The Landmarks Preservation Commission has duly approved the applications for Landmark's designation for the three aforementioned buildings,

NOW, THEREFORE, BE IT

RESOLVED, THAT the Town Board does hereby approve and designate the above named buildings as landmarks.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, "Yes, with a caveat. I recognize from the work being done by Mr. DeLuca the chances of refurbishing or saving the "Barn" between the Fresh Pond School and Benjamin House are somewhat slim. I don't mind designating the thing as a landmark, but I for one am not prepared to spend all kinds of monies that seem to be talked about to save that particular structure."

The resolution was thereupon declared duly adopted.

Supervisor Smith: "Before we begin the public hearing, Mr. Benedict would you come get one of these and read it over."

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of public notice of a public hearing to be held on Tuesday, March 20, 1979 at 8:00 P.M., regarding the proposed amendments to the Riverhead Town Code, Chapter 108, Article 56, Signs, (Section K, Amortization).

The affidavits were ordered to be placed on file.

Supervisor Smith: "The Zoning Ordinance of the Town of Riverhead currently exists and this is the section that relates to signs. The amortization of signs that do not conform with the ordinance — amortization is a fancy word

PUBLIC HEARING - continued  
Supervisor Smith continues:

meaning phase out, is handled by the Town Board. We have had extensive hearings within the last several months about that topic. We have passed recently some changes in the ordinance and hopefully it will meet some of the interest expressed at those hearings relative to signs and one of the things that was recommended and discussed was that the sign matter could be best handled by the Zoning Board of Appeals. One of the rationals for that, the reason for that is that very often in these signs there will be things called variances. There will be minor changes that will have to occur, either by reason that the sign is a foot too big or a foot too close to the road, etc., those matters are handled by the Zoning Board of Appeals. The thought is quite possibly that both items should be best be handled by the Zoning Board of Appeals and thereby save the applicant time, expense, and trouble. Is there anyone here that would address the Town Board with what is proposed? Essentially changing the jurisdiction from the Town Board to the Zoning Board of Appeals?"

No one wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:03 P.M.

RESOLUTIONS

#120 AUTHORIZES RECREATION AIDE TO ATTEND N.Y.S. CONFERENCE

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

RESOLVED, That Michael A. Mayo, Recreation Aide, be and is hereby authorized to attend the New York State Recreation and Parks Society Convention to be held at Ellenville, New York, from April 22, 1979 to April 25, 1979, and that all necessary expenses incurred thereto be paid from the Recreation fund.

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

The resolution was thereupon declared duly adopted.

#121 AUTHORIZES OVERTIME COMPENSATION - SANITATION DEPARTMENT

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

RESOLVED, That the following employees, of the Sanitation Department, be compensated at time and one-half for overtime worked as listed below:

William Kelly

3/3/79	10½ hrs.	@ \$8.137	\$ 85.44	Ted Krukoski sick
3/4/79	10½ hrs.	@ \$8.137	\$ 85.44	Ted Krukoski sick
			<u>\$170.88</u>	

RESOLUTIONS - continued

Edward Gadzinski

3/10/79	10 hrs.	@ \$ 10.305	\$ 103.05	Emergency repairs
3/11/79	10 hrs.	@ \$ 10.305	\$ 82.44	Emergency repairs
			<u>\$185.49</u>	

TOTAL \$356.37

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

The resolution was thereupon declared duly adopted.

#122 ADOPTION OF AMENDMENTS TO RIVERHEAD TOWN CODE

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

WHEREAS, The Town Board of the Town of Riverhead has duly published and posted the amendments to the Riverhead Town Code, and

WHEREAS, A Public Hearing was held on said amendments on February 27, 1979, at 8:15 P.M., wherein no opposition was voiced to said proposed amendments, and

WHEREAS, Local Law #3-1977 of the Town of Riverhead allows summary publication of adoption of amendments to ordinances of the Riverhead Town Code, it is hereby

RESOLVED, That the following proposed amendments to the Code of the Town of Riverhead are hereby adopted which pertain to Chapter 101, Vehicle and Traffic, which pertain to the addition to Chapter 101, Article 5, Parking, new section 101-10 (A.), Parking, Standing and Stopping Prohibited, and be it

FURTHER RESOLVED, That copies of these amendments of ordinances are available for inspection at the Town Clerk Office during normal business hours and that this amendment of ordinances shall take effect ten (10) days after publication and posting, and be it

FURTHER RESOLVED, That the Town Clerk is hereby authorized to publish and post the adopted amendments.

NOTICE OF ADOPTION

WHEREAS, The Town Board of the Town of Riverhead has duly published and posted the amendments to the Riverhead Town Code, and

WHEREAS, A Public Hearing was held on said amendments on February 27, 1979 at 8:15 P.M., wherein no opposition was voiced to said proposed amendments, and

WHEREAS, Local Law #3-1977 of the Town of Riverhead allows summary publication of adoption of amendments to ordinances of the Riverhead Town Code, it is hereby

RESOLUTIONS - continued

RESOLVED, That the following proposed amendments to the Code of the Town of Riverhead are hereby adopted which pertain to Chapter 101, Vehicle and Traffic, which pertain to the addition to Chapter 101, Article 5, Parking, new section 101-10(A.), Parking, Standing and Stopping Prohibited, and be it

FURTHER RESOLVED, That copies of these amendments of the ordinances are available for inspection at the Town Clerk's Office during normal business hours and that this amendment of ordinances shall take effect ten (10) days after publication and posting, and be it

FURTHER RESOLVED, That the Town Clerk is hereby authorized to publish and post the adopted amendments.

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

The resolution was thereupon declared duly adopted.

#123 AUTHORIZING PETER S. DANOWSKI TO SIGN A STIPULATION OF SETTLEMENT

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

WHEREAS, The Town was served with a Summons with Verified Complaint in the matter of Ronald J. Troyer, et al. against the Town of Babylon, et al. (including the Town of Riverhead), on February 22, 1979, and

WHEREAS, It would be in the best interest of the Town to settle this matter amicably out of Court.

NOW, THEREFORE, BE IT

RESOLVED, That Peter S. Danowski, Jr., Assistant Town Attorney, is hereby authorized to execute the Stipulation of Settlement as proposed by Donna Glasgow, Esq., Attorney for the Plaintiffs.

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

The resolution was thereupon declared duly adopted.

Supervisor Smith then stated: "We are all going to miss a great treat. I don't know how many of you know Miss Block, the former Town Clerk. But there is something that occurred in my minds eye as I thought about that particular litigation which would be taking Miss Block into New York City and putting her on the witness stand and having her explain to some New York Judge on how she issued permits for this kind of thing. It was unique to say the least. The rights of people to practice their religion is something that is guarded rather cautiously in this nation. I do not believe that the Town of Riverhead is ready or willing to spend the kinds of dollars that might be involved with attempting to convince a court of law that the Unification

RESOLUTIONS - continuedSupervisor Smith continues:

Church is not in fact a Church. Having made that decision as the Town Board, we feel it is prudent in terms of taxpayer dollars not to oppose this particular litigation and stipulate that two things: The Unification Church is saying that they will sign in with Mrs. Pendzick or her successor with the names of the people and addresses of who shall solicit in our jurisdiction and number two, that we will not prevent them from proselytizing (selling their religion in our particular community)."

#124 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS - LIQUID ASPHALT - HIGHWAY DEPARTMENT

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

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on Liquid Asphalt requirements for use of the Town of Riverhead Highway Department for the year 1979, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:30 A.M., on Monday, April 9, 1979, and be it further

RESOLVED, That the Town Clerk be and is hereby designated to open publicly and read aloud on Monday April 9, 1979, at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on Liquid Asphalt".

PUBLIC NOTICEADVERTISEMENT FOR BIDSLIQUID ASPHALT - HIGHWAY DEPT.

SEALED BIDS for the purchase of Liquid Asphalt requirements for the year 1979, for use of the Town of Riverhead Highway Department, will be received by the Town Clerk of the Town of Riverhead, for the Town Board, at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, N.Y. up to 11:30 A.M., on Monday, April 9, 1979, at which time and place they will be publicly opened and read aloud.

Detailed specification and form for bidding may be obtained at the Office of the Superintendent of Highways, Osborne Avenue, Riverhead, N.Y. during the usual office hours.

Plainly mark envelope containing bid, "Bid on Liquid Asphalt".

The Town Board reserves the right to reject any and all bids.

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

The resolution was thereupon declared duly adopted.

## RESOLUTIONS - continued

#125 TOWN BOARD GRANTS PERMISSION TO JENNY KOROLESKI  
TO SELL HOME GROWN STRAWBERRIES DURING STRAWBERRY  
SEASON

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

WHEREAS, Jenny Koroleski has been selling home grown strawberries at the same location for over twenty-five (25) years,

WHEREAS, She wishes to continue selling strawberries at this location, and

NOW, THEREFORE, be it

RESOLVED, That the Town Board grants permission to Jenny Koroleski to sell home grown strawberries only during the strawberry growing season from a stationary vehicle at her customary location south of County Route 58, and west of and adjacent to Harrows Shopping Center, so long as she obtains written permission from the owner of the property upon which she purveys her wares.

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

The resolution was thereupon declared duly adopted.

#126 AUTHORIZING SUPERVISOR SMITH TO EXECUTE POLE  
ATTACHMENT AGREEMENT

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

WHEREAS, The Town of Riverhead currently has a Pole Attachment Agreement for Traffic Control Devices with New York Telephone Company which is scheduled to terminate on August 15, 1979, and

WHEREAS, New York Telephone Company has provided the Town of Riverhead with a Proposed Pole Attachment Agreement for Traffic Control Devices which will take effect upon execution of the agreement, and now, therefore, be it

RESOLVED, That Allen M. Smith is hereby authorized to increase the liability insurance coverage required by this agreement, and now, therefore, be it

FURTHER RESOLVED, That Allen M. Smith, Supervisor, is hereby authorized to execute the Pole Attachment Agreement for Traffic Control Devices on behalf 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.

#127 APPROVES HOURLY RENTAL RATE FOR SNOW EQUIPMENT -  
HIGHWAY DEPARTMENT - TABLED

## RESOLUTIONS - continued

#128 SUPPORTS ASSEMBLY AND SENATE BILLS GRANTING VETERANS' EXEMPTIONS UNDER FULL VALUE ASSESSING  
Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, The Courts, through a series of decisions, have mandated that each and every taxing jurisdiction in the State of New York institute full value assessing, and

WHEREAS, Full value assessing most seriously impacts upon the exemptions previously given to Veterans in the State of New York,

NOW, THEREFORE, BE IT

RESOLVED, That this Town Board does hereby recognize the inequity of the present Veterans' exemptions and full value assessing, and further encourages those elected representatives at the State level, representing the Town of Riverhead, to vote favorably on Assembly Bill No. 1061, Senate Bill No. 862, which would grant Veterans' exemptions, which are consistent with the principle of full value assessing.

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

The resolution was thereupon declared duly adopted.

#129 AWARDS BID FOR POLICE UNIFORMS

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

BE IT RESOLVED, That the Bid for Police Uniforms for the Riverhead Police Department be and is hereby awarded to the lowest bidder, Charles Greenblatt, Inc., 120 Main Street, Hempstead, New York 11550, at the total cost of \$4,847.93, and

BE IT FURTHER RESOLVED, That the acceptance of this Bid is subject to the Bid Specifications 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.

#130 OPPOSITION BY TOWN BOARD TO SUFFOLK COUNTY LEGISLATURE RESOLUTION NO. 2094-78

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

WHEREAS, The County Legislature of the County of Suffolk has before it a resolution, No. 2094-78, which purports to make the entire Detective Bureau of the Suffolk County Police District a charge of the entire County of Suffolk, and

WHEREAS, The people of the Town of Riverhead voted

RESOLUTIONS - continued

many years ago not to become involved with the Suffolk County Police District, and

WHEREAS, There is no logic or reason which could support the people of the Town of Riverhead paying for detective services which they would or could never receive a benefit from,

NOW, THEREFORE, BE IT

RESOLVED, That the Town Board of the Town of Riverhead does hereby oppose Resolution 2094-78, and does direct the Town Clerk to send copies of this resolution to the Clerk of the County Legislature, County Executive John V.N. Klein, and the Town Boards of the five East End Towns.

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 public notice of a public hearing to be held on Tuesday, March 20, 1979 at 8:15 P.M. regarding the special permit application of Segal Brothers, Inc. to collect and recycle non-ferrous metals as a non-nuisance industry at the site of Route 58, Riverhead, New York.

The affidavits were ordered to be placed on file.

Supervisor Smith: "The application that is before the public this evening for consideration arises under the provisions of the zoning ordinance of the code law of the Town of Riverhead wherein this particular use district which is a little bit west of Tryac on 58, certain of what are called non-nuisance industries can be permitted by special permit of the Town Board. The Segal family has maintained at that particular location a business for many years. They have certain buildings that are stiuete on that piece of property which they have traditionally used for the manufacturing and otherwise distribution of bags and rags and things of that particular nature. Because of a change in the economy and the viability of that particular industry, they have had to consider certain other applications of their property. They do not propose to build any new buildings. They do not propose to operate a junk yard. They are talking about non-iron types of metals. Silver, aluminum and the such. Their purpose is within the buildings that

PUBLIC HEARING - continuedSupervisor Smith continues:

currently exist. They would collect these metals and at some point when they've cumulated a viable amount of this metal, they would sell it. I guess it is somewhat akin to collecting of newspapers which they do now, except you're talking about non-ferrous or non-iron metal. Gold if you have any, says Mr. Young, if you don't know what to do with it, I'm sure the Segals will take it from you for a price. Is there anyone who wishes to address the Town Board on this particular application? Or if you have a question, representatives of the Segal family are here and they can answer any of your questions."

No one wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:37 P.M.

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

RESOLUTIONS

#131 AUTHORIZES SUPERVISOR TO APPOINT CITIZENS OF THE TOWN OF RIVERHEAD - JOINT PECONIC COUNTY STUDY COMMITTEE

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

WHEREAS, Recent events, such as Resolutions 2094-78 of the County Legislature, have given new life to the reasoning behind the establishment of Peconic County, and

WHEREAS, The elected officials of the Five East End Towns have discussed the concept of Peconic County with various officials who previously worked upon the establishment of Peconic County, and

WHEREAS, The Town Board of the Town of Riverhead now believes that serious study should be given to this concept,

NOW, THEREFORE, BE IT

RESOLVED, That the Supervisor be, and he hereby is, authorized to appoint one or more citizens of the Town of Riverhead to a Joint Peconic County Study Committee to contain representatives from the Five East End Towns and Villages, and further that the expenses of said citizens in attending said meetings shall be defrayed by the Town Board upon the submission of proper claims.

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

The resolution was thereupon declared duly adopted.

## RESOLUTIONS - continued

#133 APPOINTS CHRISTINE SARGENT TO POSITION OF RADIO OPERATOR WITH RIVERHEAD POLICE DEPARTMENT

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

WHEREAS, The Town Board has heretofore submitted to the Suffolk County Department of Civil Service a Duty Statement that was then classified as Radio Operator, an eligible list has been polled for such position, and Christine J. Sargent appears thereon as Eligible No. 1

NOW, THEREFORE, BE IT

RESOLVED, That the Town Board does hereby create the position of Radio Operator within the Police Department, and does appoint Christine J. Sargent to said position, at an annual salary of Seven thousand six hundred eighty-four and 97/100 (\$7,684.97) Dollars effective, February 27, 1979; does waive the six (6) month reduction in pay by reason of the fact of Ms. Sargent's tenure with the Police Department under the CETA Program; said employment to be for a probationary period of six (6) weeks, automatically renewable hereby under a full probationary period of six (6) months; and said appointment is conditioned upon residency within the Town of Riverhead.

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

The resolution was thereupon declared duly adopted.

#134 TERMINATES AND APPOINTS THIRTY-DAY TEMPORARY EMPLOYEES

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

WHEREAS, Karen Miller and Frank Mackie have lost their eligibility as CETA employees, and the Town Board wishes to consider the retention of Mr. Mackie,

NOW, THEREFORE, BE IT

RESOLVED, That the Town Board does hereby ratify the appointment of Karen Miller from February 26, 1979, to March 9, 1979 as thirty (30) day temporary, and that she be terminated from the payroll as of the latter date, and be it

FURTHER RESOLVED, That Frank Mackie be, and he hereby is, appointed a thirty (30) day temporary employee, effective March 19, 1979, at an annual salary of Group 1, Step 1 of Technical and Operational Employee less \$500.00.

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

The resolution was thereupon declared duly adopted.

## RESOLUTIONS - continued

#136 TRANSFER OF FUNDS - GENERAL TOWN

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

RESOLVED, That the Supervisor be, and he hereby is, authorized to transfer the following General Town Funds:

A510 Estimated Revenues-General Town	\$12,629.56
A3089 Conservation Advisory Council	\$9,000.00
A0599 Appropriated Fund Balance	\$2,629.56
A2705 Gifts and Donations	\$1,000.00
A960 Appropriations	\$12,629.56
A8090.400 Conservation Advisory Council- Contractual Expenses	\$12,629.56

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

The resolution was thereupon declared duly adopted.

#137 AUTHORIZES PUBLICATION AND POSTING OF PUBLIC NOTICE

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

WHEREAS, The Supervisor has negotiated certain leases and/or contracts of sale with reference to various projects as set forth in the following notice,

NOW, THEREFORE, BE IT

RESOLVED, That the Town Supervisor, Town Clerk, and Town Attorney, be, and they hereby are, authorized to publish and post, where applicable, the following notice and, further, are authorized to execute said leases and/or contracts of sale and, upon the passage of the requisite period of time, to close and/or finalize these matters.

PUBLIC NOTICE

PLEASE TAKE NOTICE That, pursuant to Section 220 of the Town Law, the Town Board of the Town of Riverhead, by resolution adopted March 20, 1979, authorized the execution of certain contracts and leases which are subject to a permissive referendum upon petition as is provided by Section 90, et seq., of the Town Law. The aforesaid resolution authorized the following contracts:

RESOLUTIONS - continued

1. Pole attachment agreement between the Town of Riverhead and the New York Telephone Company. This agreement authorizes and permits the Town of Riverhead to attach traffic control devices to telephone poles owned by the above-named utility. This agreement provides for an annual fee, insurance and other necessary matters relating to pole attachments.
2. An agreement between the Town of Riverhead and the Riverhead Parking District and Cavanaro Realty Associates. This agreement will provide for the purchase of premises known as the Cavanaro Property, adjacent to the Main Parking Lot in downtown Riverhead. The premises would be acquired for the purposes of parking and park improvement, in furtherance of the over-all downtown improvement program. The purchase price is Fifty-five thousand and 00/100 (\$55,000.00) Dollars, to be paid for from current funds.
3. An agreement between the Town of Riverhead and the estate of H. Tuthill. This agreement provides for the purchase of premises known as 529 Hallett Street, Riverhead, New York. The premises would be acquired for the purposes of rehabilitation and resale, pursuant to a program housing rehabilitation, known as the "Discretionary Grant". The purchase price is Twelve thousand five hundred and 00/100 (\$12,500.00) Dollars, to be paid for with current funds awarded to the Town of Riverhead by the United States Department of Housing and Urban Development.
4. An agreement between the Eastern Suffolk School of Music and the Town of Riverhead. This agreement is made, pursuant to, and in furtherance of, a lease between the Town of Riverhead and Northville Industries Corp. for premises commonly known as the Corwin and Benjamin Houses. This lease specifically covers the structure known as the Benjamin House. The contract is for a two (2) year period and contains an option to renew.
5. A letter agreement between the Town of Riverhead and County of Suffolk. This agreement provides for the purchase of premises known as 8138 Horton Avenue, Riverhead, New York. The premises would be acquired for the purposes of drainage improve-

RESOLUTIONS - continued

ment and relocation of an existing structure. The purchase price is Four hundred seventy-five and 00/100 (\$475.00) Dollars, to be paid for with current funds awarded to the Town of Riverhead by the United States Department of Housing and Urban Development.

6. An agreement between the Town of Riverhead and Edna Dorman. This agreement provides for the purchase of premises found at the northwest corner of the intersection of Osborne Avenue and Middle Road, Riverhead, New York. The premises would be acquired for the purposes of drainage improvements and relocation of existing structures. The purchase price is Ten thousand five hundred and 00/100 (\$10,500.00) Dollars, to be paid for with current funds awarded to the Town of Riverhead by the United States Department of Housing and Urban Development.

Supervisor Smith stated before the vote: "The last two, as Mr. Young stated, are more towards removing. We hope we can get about four of the houses that are currently flooded moved in the Horton Avenue area and the other resolution. And there's one other that we should mention, the Polish Town Civic Association is doing, that which should be recognized and appreciated and it's working on portions along Hallett Street. The one resolution that you heard, the paragraph that you heard relative to Hallett Street here is under a HUD program which was mentioned before whereby the Town would come in, acquire a house or a home that is in deteriorating condition, fix it up, and sell it to someone who we'd line up the mortgage for and all the rest of that. We look forward to doing this in other neighborhoods where there is housing adjacent to good housing that would tend to pull the other housing down. In other words, if somebody lets their house go to hell and walks away from it, the idea is to come in, fix it up and resell it at no profit to young people who can maintain that housing and appreciate it. We think that Hallett Street is a good place to begin because it is in cooperation with the effort of the Polish Town Civic Association and it should save that entire block which has had some difficulties in recent years."

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

The resolution was thereupon declared duly adopted,

## RESOLUTIONS - continued

#138 AMENDS PRIOR SITE PLAN APPROVAL OF ROBERT MANCE

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

WHEREAS, This Town Board, on November 21, 1978, approved a site plan for Robert Mance, subject to certain conditions, and

WHEREAS, The Town Board wishes to revise its prior resolution but, except as revised, said resolution is hereby ratified,

NOW, THEREFORE, BE IT

RESOLVED, That the resolution of the Town Board, dated November 21, 1978, is hereby amended to permit the operation of a gasoline service station, as said use existed prior to the acquisition of the subject premises by Robert Mance, and be it

FURTHER RESOLVED, That the site plan approval be modified to allow two (2) twenty-five (25) feet curb cuts on County Road 58, that the plantings along County Road 58 shall be of low-profile plantings, consistent with the ingress and egress granted hereby, and that nothing contained herein is intended or does modify the requirements of the County of Suffolk with reference to the aforesaid curb cuts.

Before the vote, Supervisor Smith stated: "I would like to add on this one, although the gentleman has not shown a great deal of pride in either his premises or the community to this point, we have every assurance that from his attorney that when he gets these two concessions, he will spruce the place up as we have directed him to. We look forward to that."

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

The resolution was thereupon declared duly adopted.

#139 GRANTS SPECIAL PERMIT TO OPERATE A PRO-PUTT GOLF COURSE

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

WHEREAS, STANLEY COHEN, THOMAS ROHM, GARY ROHM, and TERRY BRIGGS have petitioned this Town Board for a Special Permit to construct and operate a "Pro-Putt Golf Course" on certain real property owned or under contract to them on the North side of County Road 58, west of the intersection of County Road 58 and N.Y.S. Route 25 opposite the offices of Long Island Cablevision, which property is zoned under Chapter 108 of the Code of the Town of Riverhead and the Official Map of the Town of Riverhead as "Business B", wherein recreational uses are permitted by Special Permit

RESOLUTIONS - continued

of the Town Board, and

WHEREAS, Said petition was referred to the Planning Board and Environmental Quality Review Board for their review and recommendations, which were submitted by letters dated January 5, 1979 and February 26, 1979, and

WHEREAS, After public notice a public hearing was held before this Town Board on February 6, 1979, at which all persons interested in this petition were heard, and testimony, both oral and written, were received both in support and in opposition to this petition, and

WHEREAS, The members of this Town Board have investigated the facts and circumstances of this petition said investigations having included conferences with nearby residents, the owner, the representative of this area on the County Legislature, and others, and

WHEREAS, The Town Board members have considered all of the above, together with their individual knowledge of the area and have taken specific notice of the particularly severe weather during the past two winters and the Town Boards own records and studies (H2M) relating to flooding in this area and its causes.

NOW, THEREFORE, This TOWN BOARD does make the following findings:

FIRST: The real property is property zoned to be used for the use proposed. The use is consistent with uses existing, or that can reasonably be anticipated along County Road 58 and is inconsistent with the residential uses to the northwest of the property along Fanning Boulevard. The property is valuable commercial property and that value cannot be arbitrarily denied the owner. The use of a portion of the property for a Pro-Putt Golf Course would allow the owner a reasonable and constitutional return on his investment.

SECOND: The real property and the surrounding properties along Middle Road, Fanning Boulevard and Northville Turnpike are subject to extreme flooding which in some instances has flooded homes, rendered roads impassable, destroyed personal property, etc. To the degree, the petitioners were allowed to fill the existing low areas of their property adjacent to Middle Road, the surrounding areas flooding conditions would be aggravated.

THIRD: Adjacent to the subject real property and north of the same is a County drainage system. That system has been unable to adequately drain the storm water from petitioners' property and nearby properties. Town and County studies, and engineers, fault the existing system in that it is attempting to accept stormwater from as far away as Sound Avenue, which is beyond its capacity. Solutions to this problem may include new or improved recharge facilities at multiple locations, including possibly on petitioners property. Such new or improved facilities can reasonably be anticipated

RESOLUTIONS - continued  
within the next three years.

FOURTH: The property rights of the petitioners and the health, safety and welfare of surrounding owners can best be served by permitting the petitioners limited approval of their petition limiting development of the site to the southerly portion thereof for a period of three years as further set forth herein.

NOW, THEREFORE, BE IT  
RESOLVED, That the petition of Stanley Cohen, Thomas Rohm, Gary Rohm and Terry Briggs be granted for a Special Permit to operate a Pro-Putt Golf Course as a recreational use on certain business zoned real property owned or under contract to them on the north side of County Road 58 subject to the following conditions:

- 1) Incorporated herein by reference is a site plan dated February 1, 1979 which shows thereon certain modifications in ink, which have been initialed by the Town Supervisor which site plan is on file with the Town Clerk.
- 2) No direct illumination shall be permitted to emanate from the subject site onto adjoining properties along Fanning Boulevard or the property of Stakey.
- 3) No music, loudspeakers, or other amplification devices may be used on said site before 10 A.M. or after 10 P.M.
- 4) Said Pro-Putt Golf Course may be open during the hours of 8 A.M. until 11 P.M. only.
- 5) The petitioners shall not develop that area north of a line drawn on the site plan above mentioned, except as further set forth in this resolution.
- 6) The petitioners will provide buffer areas and a stockade fence as not shown on the site plan along the properties on Fanning Boulevard and along the land of Stakey. The buffer and fence along the land of Stakey may be waived upon the written consent of the owners of the Stakey property. Said buffer area shall be planted in conformity with the directions of the Building and Zoning Administrator.
- 7) All parking areas shall contain drainage facilities for on-site recharge of water in conformity with the provisions of the Code of the Town of Riverhead.

RESOLUTIONS - continued

8) The existing drainage system on the site shall be changed as shown on the site plan. The pipe running along the Fanning Boulevard properties and Middle Road shall be removed. A new system will be installed to carry the water from the Metropolitan Life Building into the County swale at a point as far south as possible.

9) The petitioners may construct an exit onto Middle Road. Said exit shall be subject to a further review by this Town Board. Said exit and attendant road shall be placed where the existing drainage pipe runs along the westerly side of this site. If said road and exit are built, the soil, therefore, shall be taken from the reserved area, thereby deepening the same.

10) Any and all signs will comply with the Code 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.

Supervisor Smith: "We've gotten done earlier than normal. Is there anyone present that would now like to avail themselves an opportunity to address themselves to the Town Board?"

Arthur Anderson, Horton Avenue, Riverhead; "I just am glad to hear you mention something about our conditions up there on Horton Avenue. It's beginning to be quite unbearable and I'm glad it's still being considered."

Supervisor Smith: "Mr. Anderson if I can bring you the date publicly, not only have we been talking with the County and with surrounding land owners about which you heard this evening, there are a number of letters that are out to upland owners above you, Elmer Zeh and his family, up a little west of Mr. Reeves' house, also back in the woods to the northeast, and there are some others that are under negotiations. The negotiations would be heard somewhat by public disclosure, but we're trying, we're working together on it."

Arthur Anderson: "All right. Thank you."

PERSONAL APPEARANCES

Barbara Stubbe, Tidewoods, Wading River; "I have come from the Town of Smithtown and I am perplexed that why the roads are not being taken care of in the Tidewoods area? Perhaps the Town Board can enlighten me a little on this."

Supervisor Smith: "I would suggest, there is a citizens committee in Tidewoods that may be a little more familiar with the history of the roads in Tidewoods and that you might discuss it with them. There are various views towards the requirement of the Town of Riverhead to maintain those roads. Rather than attempt to state it, generally for all five members of the Town Board, I will simply say on my own behalf, I am of the opinion that those roads have been accepted by the Town Board and that it is the responsibility of the Town to maintain them."

Barbara Stubbe: Thank you very much."

Supervisor Smith: "Yes Ma'am. Anyone else?"

Jessie Tomlinson, Wading River; "About a month and a half ago, I received a letter — the Civic Association received a letter from Charles Lawrence, Conservation Advisory Council asking for a donation for a project that they were going to undertake this summer concerning inventory of wetlands. The membership thought that it was a very worth-while project and also wanted to show their appreciation for the work of the council. Two Wading River residents are on the Conservation Advisory Council and we would like to donate \$100."

Supervisor Smith: "We thank you Mrs. Tomlinson. For those of you who are not familiar with it, one of the things that we've done or tried to do is involve young people, who are of university age in the various affairs in the Town of Riverhead. This takes many forms. We have an on-going internship program. The young man who is with us at the moment is from the El Divinity. He is studying with us and helping us with a number of programs. We've developed a program whereby to do open space inventories, wetlands is inventory for the future of our particular community and this is being done in conjunction with Cornell University and certain ones of the graduate students from the University. Every

PERSONAL APPEARANCES - continuedSupervisor Smith continues:

little drop counts and we thank you very much for recognizing that particular program and the work that is being done therein. Is there anyone else?"

No one else wished to be heard.

There being no further business on motion and vote, the meeting adjourned at 9:05 P.M.

*Irene J. Pendzick*

Irene J. Pendzick, Town Clerk

IJP/vlv