

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, December 5, 1978 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: David P. Fishbein, Town Attorney

Absent: Alex E. Horton, Supt. of Highways

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

BILLS

Bills submitted on Abstracts dated December 5, 1978 as follows:

General Town	\$44,009.90
General Town Enc. 1977	\$ 308.46
Ambulance	\$ 53.54
Capital Projects	\$ 2,110.00
Capital - Horton Avenue	\$ 135.00
Highway Barn Renovations	\$ 302.58
Highway Item #1	\$ 6,827.92
Highway Item #3	\$ 4,140.96
Highway Item #4	\$ 5,258.16
Community Development	\$ 1,183.78
Special Districts	\$14,554.49
Federal Revenue Sharing	\$ 40.00

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

General Town	\$44,009.90
General Town Enc. 1977	\$ 308.46
Ambulance	\$ 53.54
Capital Projects	\$ 2,110.00
Capital - Horton Avenue	\$ 135.00
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Community Development	\$ 1,183.78
Special Districts	\$14,554.49
Federal Revenue Sharing	\$ 40.00

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 apologize to you for the current state of our agenda. It is also on the way out, but it seems to be punishing us for changing machines and if you have a copy of an agenda that shows the last resolution to be #567, we have a whole bunch that go before that. Actually one before and the rest are after.

#568 would authorize transfers of funds within the Community Development Fund. #569 would authorize publication of bidding for demolition of the Wilfred Beauty School Property. #570 would be a resolution retaining Holzmacher, McLendon & Murrell to do certain engineering work along the Peconic River in anticipation of the renovation of the same this coming spring. #571 retains Mr. Pierre G. Lundberg to represent the Town Board with reference to certain difficulties we have with a contractor performing work in the downtown area. #572 relates to the site plan which is posted up here on the Board, Arby's which has been anticipated and anybody who would like to come look at that one may do so. #573 authorizes myself to exercise an agreement between this Town Board and the Huntington Town Housing Authority. That one will be explained later in some detail, and 574 awards a bid for an ambulance which we previously advertised.

Again I apologize for the inconvenience."

#### REPORTS

1978. Police Department report for the month of November,  
Filed.

1978. Building Department report for the month November,  
Filed.

1978. Supervisor's Office - Financial report for October,  
Filed.

#### APPLICATIONS

58). Site Plan Review - Longwood Realty (Arby's, Route  
Filed.

#### COMMUNICATIONS

L.I. Ratepayers Assoc., 12/4/78 - inviting Board  
to 12/8/78 meeting in Bridgehampton. Filed.

Town of Brookhaven, 11/29/78 - notice of adoption  
of amendment to Chapter 85 to Brookhaven Code. Filed.

COMMUNICATIONS - continued

Suffolk County Department of Planning, 11/27/78 - advising Town Clerk which notices require submission to County Planning Commission. Filed.

FAA Dept. of Transportation - copy of notice advising Joseph Brush that determination made that the alteration of airport is not objectionable, relative to airspace utilization. Filed.

Mr. & Mrs. Paul Guyder, 11/29/78 - complimenting Town for the "warm glow" of new street lights. Filed.

T.C. Hoffman, Regional Traffic Engineer, 11/21/78 - forwarding letter of complaint regarding traffic conditions at Route 58 and Harrison Avenue. Filed.

Town of Southampton - notice of adoption of amendment to Southampton Zone Code #26. Filed.

Suffolk County Dept. of Planning - re: amended zoning ordinance, Sec. 85-1, Brookhaven (if no objection received by 12/19/78, it will be assumed there are none). Filed.

Suffolk County Dept. of Health Services, 12/4/78 - advising that Health Dept. permits for refuse trucks of NYS Dept. of Environmental Conservation septic tank cleaner registration for scavenger trucks are required before Townships issue dumping permits or licenses. Filed.

Suffolk County Dept. of Planning, 12/4/78 - advising that neighboring towns were notified re: amended zoning ordinance, Sec. 108-56; Town of Riverhead - and no adverse response was received. Filed.

Town of Brookhaven, 12/4/78 - re: public hearing on amendment to Chapter 85 of Code, Sec. 85-105(A). Filed.

UNFINISHED BUSINESS

Joseph Picone - special permit application (pre-cast concrete products, Calverton)

Phillip A. Schmitt - special permit application (Type 6 Farm Labor Camp, Roanoke Avenue)

Aircraft Warehousing - site plan review (directory sign, Frances Blvd., Calverton)

Cohen, Rohm, Rohm & Briggs - special permit application (miniature putting course, Route 58).

Supervisor Smith: "We have Mr. Picone's special permit application. That has been referred to the County

UNFINISHED BUSINESS - continuedSupervisor Smith continues:

as is required and there is no response yet. The special permit of Mr. Schmitt and the special permit of Mr. Cohen and others are before the Planning Board and I'll recall our morning discussion with reference to that sign - the directory sign. Was that going to the County Planning Board too? Is that why that was held? We may be able to take care of that one before the evening is out.

This brings us to that portion of the agenda where we will listen to anyone choosing to address the Town Board on any matter. If someone would like to do so?"

Ronald J. Eck, 984 East Main Street, Riverhead;  
"Mr. Smith, if I recall back in the early part of the spring, I promised you a painting when I was in your office one day, and I believe Doctor Menendez was in there with the Chief of Police at the time. Before I show this painting, though, to you, it is very possible that I would like to say something to the taxpayers of this Town that would help them before next Tuesday. Next Tuesday on the agenda at the Legislator Meeting in Hauppauge it comes up where the east end will possibly have to fund the west end police department and I have a list of names in my pocket of the legislators that are for this.

Now I had written to four legislators and only two of them are on this list and I had, and if you want the legislators to represent you for anything at all, the only way you're going to get representation is write to them, the same with the Councilmen that's what they're here and talk to them. They're not going to pay much attention if they have it in writing. They are going to go ahead and listen to him and if they don't take care of matters withing 40 to 60 days, then you have a right to come up here and speak about it. You have a right anyway. Freedom of Speech, Freedom of the Press, and Freedom of Religion. Now the legislators I wrote to was Joseph Bassano, who has sponsored the — the east end paying for the police of the west end. Now I wrote a letter to him. I also wrote one to Denis Hurley who is our legislator. I wrote one to William Carney who is Congressman elect who is still legislator for the east end. I have also written to John Finnerty whose father happens to be the Sheriff which most of the Sheriff's are on the west end. Now the other ones that are for this police funding — well Joseph Bassano is the sponser, then there's Martin Feldman, Jane Divine, John O'Neil, Robert Masserick, John T. Finnerty, who I wrote to, Michael Grant, and Anthony Knotto.

Now if each one of you went home tonight or

PERSONAL APPEARANCES - continuedRonald J. Eck continues:

tomorrow and wrote them a letter before next Tuesday, plus Denis Hurley who is the legislator for our part of the Town — of the County we might get some action on this because it will cost you much more in taxes.

Mr. Smith, if you go back to the letter of May 9th, that I wrote to you, it's very possible that you were not meant to be hurt in any way. Now the painting that I promised you was a painting of the "Wind-jammer" if you remember and I have you just a copy which was an idea to put on this wall. It's very possible what I wanted to see you about on Holy Thursday is what this painting is about now. For this had come to me Holy Wednesday night and woke me out of a sleep. And this blanket that it is wrapped in, it's very possible that it does belong to my father, who is dead 33 years."

(At this time, Mr. Eck showed and presented the painting to the Town Board)

Supervisor Smith: "Thank you very much Mr. Eck. If you put it there in the doorway, we'll take care of it."

Ronald J. Eck: "You're welcome Mr. Smith."

An unidentified person in the audience asked if we (the audience) could see the picture.

Ronald J. Eck: "I'd rather not show it to you people, because Mr. Smith knows he's really not meant to be harmed and I'm afraid it may harm him if you do see it."

Supervisor Smith: "You just leave it out there in the hall and we'll take care of it. Next?"

Ronald J. Eck: "And you are doing a fairly good job, Mr. Smith, in there, but you have your own opinion and your own methods of doing things so . . ."

Supervisor Smith: "Who would like to address the Town Board next?"

Wickham Tyte, East Main Street, Riverhead; "I would like to enlarge on what "friend Eck" was talking

PERSONAL APPEARANCES - continuedWickham Tyte continues:

about. Incidentally, before I leave here, I have copies of the introductory resolution referred to and forgetting the technical side of it he is quite correct that the intent and what would happen by this a large section of the cost of our County Police, which is hither to have been borne by the five west end Towns will be thrown into the general fund so that we can pick up a pro-rated share, of course, this would be an injustice, it has been if you want to think back on this thing in 1958 we voted on whether we would have a charter for Suffolk County Government and the charter item did go through on the east end. The stand was two to one against it, but we were saddled with it because the west end voted us in to the charter type of government.

Along with that though, there was an option — did we or did we not desire to go into the County Police set up. We did not and there was a very very strong no vote on that and the intent of that was of the people of the east end wanted nothing to do with the County Police Department and that was what we assumed we were gaining their reading of the Charter is that when you voted for the charter you also voted for County Police to a degree and, therefore, on certain things that the County Police do we are sort of hooked financially and obligated to use them because the other side of the thing is if you go to the intent, it would have been ranked hypocrisy to ask the people on the east end, do you want to join the police if in essence you already were in it by voting for the Charter, and for 18 years, otherwise they make some remark in their presentation here since 1960 that the ones who have applied this have done so incorrectly. It says,

RESOLVED, That we the Members of the Suffolk County Legislator recognizes in balance an error of taxation do hereby declare the head quarters division as identified under article so and so, section so and so to be implemented on a County wide charter basis.

And they say — before they said that, the Suffolk County Charter — under these particulars had not been properly, and correctly applied which means that for 18 years, 1960-1978, and for 18 years our governing bodies on the Town and County level have been a very — they have misinterpreted — they didn't know what the words meant, but now that we have a more intelligent group, they know they mean something different than they did the last 18 years.

Being as it may, the impact on us and the rest of the east end is if this goes through, we will assume a very very sizeable hunk of taxes for services that we neither get, want, or ask for. We do not have their patrol — highway patrol — any services that we get we're already paying for but you fellows

PERSONAL APPEARANCES - continuedWickham Tyte continues:

undoubtedly know because you prepare the local budget and so actually from a point of view of honesty of fairness, this is not it. The thing that's been eluded to, are the ones talking about it say that the pressure has come from County Police, in fact, the whole Police area in the east end, I mean in both ends that they've reached a saturation point on what they can expect on raises and taxes on the west end and they're beginning to use that as a bargaining thing so the police to offset it want him to pull in a new tax base which is us and, of course, the interesting side light in that, if Newsday is correct on this item, that had a few days ago, a few weeks ago why the Suffolk County Police are the highest paid police in the United States including the F.B.I and the State Police and the whole works that we already have reached an area that makes that number one in pay size and they still are so hungry that they hope in some more taxable base to get more money. Be that as it may, I wanted you folks to have this brought to your attention on the 12th of December at a night meeting in Hauppauge which won't be, may be too convenient to go to, but this thing will come up. It has not been publicized. It wasn't mentioned the last meeting or the meeting before, but nevertheless it will come up and the papers are there and I will give the Board copies before I leave tonight of this resolution and I have two suggestions. I believe it would be proper for the Town Board of Riverhead and if they're friendly enough with the other east end Towns, their Town Boards to write a letter of protest saying that they feel this is completely unfair to our Township is contrary to intent and moral obligation that came up when the charter was accepted and when we voted, we didn't want the police. It is a twisting of words to say the least if they interpret it the way they do and the implication would have been there would have been no point to have it on the ballot if in truth it did not allow us to be separate and I would also say that we should all be encouraged both the Town Board, and individuals of Riverhead and this does not have anything to do with party lines mind you, any taxpayer whether he be a Republican, Democrat, Liberal, Conservative, or unregistered, unenrolled, if he pays taxes, he's going to get hurt and it's an unfair tax we're getting taxes that are legitimate without getting hooked with some that are not. But I would say if we packed the place on that night and there is strong sentiment against it is expressed by various speakers, they would have a good chance that this would not go through. And I think back to the time when Wading River took a couple of bus loads of people up when they were going to put a big highway through sections of their Town, they didn't want to have the highway through and they vigorously protested and the things was defeated at that point. So I merely bring this situation to your attention and whatever you feel is the proper course of action why take it and I hope we win."

PERSONAL APPEARANCES - continued

Supervisor Smith: "Thank you Mr. Tyte. Mr. Tyte so that you might know, Mr. Hurley and I worked on this this afternoon. It is the subject of a meeting of the east end Supervisors tomorrow morning and at least my research to this point indicates that if it were to occur, I would recommend to this Town Board we hire counsel and sue. You use the word morals, I don't think it's legal. Anyone else?"

Dick Benedict, Fanning Blvd., Riverhead; "Could you tell me if there's a site plan filed for this Route 58 putting course?"

Supervisor Smith: "There is Bill, before the Planning Board which will meet Thursday evening. Mr. Wiwczar do you know what time that one's on for or are all those at one hour?"

Raymond Wiwczar: "Eight o'clock."

Supervisor Smith: "Eight o'clock."

Dick Benedict: "This coming Thursday?"

Supervisor Smith: "Yes Sir. Right in this room."

Dick Benedict: "And do we check with any other adjoining Towns who may have had experience with these things already? I don't think we've had one since there was one by Wildwood 15 years ago?"

Supervisor Smith: "This one has other establishments that it operates and has been visited by, I believe, the members of the Zoning Board and Planning Board."

Dick Benedict: "Could we check with other Town officials that have these things in their Town?"

Supervisor Smith: "I don't recall whether they spoke to the elected officials. . ."

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PERSONAL APPEARANCES - continued

Dick Benedict: "To their operating hours or things like that?"

Supervisor Smith: "When we spoke to the pro-putt people, we discussed with them buffers, etc., at such time as they might come forward with what they propose and hours of operation and illumination. So hopefully our recommendations with reference to a buffer area between the Middle Road properties and their property have been taken into consideration. If they haven't, of course, there will be on this particular application a public hearing before this Board. It's got to get passed by the Planning Board first, and then comes to us with recommendations."

Dick Benedict: "Thank you very much."

Bill Nohejl, Wading River; "I had the occasion to spend two nights in the hospital directly across from this Pizza Hut and Arby's. Are they going to use one common drive way or two separate?"

Supervisor Smith: "I think what you're asking is curb cuts."

Bill Nohejl: "Well right now the Pizza Hut is off — I'm looking at it across from the hospital. The Pizza Hut is to the right and the driveway curves way over easterly and is that set for two establishments."

Supervisor Smith: "That is set for two establishments. This one is yet still further east."

Bill Nohejl: "They're not going to use the same driveways."

Supervisor Smith: "No. They were proposing to have a driveway slightly offset from the easterly driveway of the hospital. We think that it is better designed and better traffic if those are immediately opposite each other so you don't get a jog."

PERSONAL APPEARANCES - continued

Bill Nohejl: "The last time anything was spoken on it, I think the gentleman here who has the application said that the County made them take back that middle petition where you enter and exit. I've noticed that it is very small and I would like to make a suggestion on it. To get the cars — to make it wider out at 58 they take the car in the east flow so they cannot make that left turn. It's a very very narrow . . ."

Supervisor Smith: "Have you got my room bugged? That's what we told the Building Inspector, to go up there and watch them today."

Bill Nohejl: "But they're so very narrow, that if the person is going to make a left turn out of there as it is . . ."

Supervisor Smith: "Mr. Bartasi has been told repeatedly that if, in fact, traffic turns left from those right turn only areas, then he's going to have to put a different curb in there and he knows it. For instance, the one up in Wading River seems to be working. If he has to put in one like that, then he has to do it, that's all."

Bill Nohejl: "As it is now, the one coming across from the hospital, I was directly across and watched and I could see it all day long and it's so narrow out at 58 and so far back that there's nothing that's going to stop a person from making that left turn."

Supervisor Smith: "If, in fact, what happens, people make the left turn there. He's going to end up picking up that piece of curb and putting in something like Wading River."

Bill Nohejl: "I suggest even more so than Wading River so those cars are practically in a line to go east."

Supervisor Smith: "I think if he goes to the expense of digging it up once, he's going to put one in that you couldn't get over with a tank because he doesn't want to dig it up a third time."

PERSONAL APPEARANCES - continued

Bill Nohejl: "I know it's between you and the County, and the County says don't put it out there and you say put it out there."

Supervisor Smith: "Well we can straighten that out too."

Bill Nohejl: "Thank you."

Supervisor Smith: "Yes Sir. Anyone else."

Lee Moorehead, Riverhead; "I'd like to once again broach that subject that Wickham Tyte was speaking about, about the County Police. I'm very happy to hear that the Board of Supervisors or Riverhead Town will possibly be fighting bringing in the County Police to the east end. It means about a million dollars in taxes for the east end, but I would hope that since the media is here that we could appeal to the media possibly this week in an editorial to ask people to come out in force next Tuesday night to Hauppauge because if enough people are there to show protests to this from the east end, it's going to be a lot tougher to push it through. Denis Hurley is all by himself down there. He's one legislator, and if only one or two of us showup, it's going to be pretty tough to fight. If a whole group of us shows up, it's going to show that we're a little bit more fortified as far as our feelings for the east end is concerned. So I'm just going to ask this request of the media and thank the Board of Supervisors for their stand at this particular time."

Supervisor Smith: "Thank you."

Lee Moorehead: "Thank you."

Millie Gatz, Aquebogue; "I want to talk about snow-mobiles. Last year I had quite a problem with them going on my property. I know I'm right by a high tension wire and they have to use the high tension wire to cross the road to go across the other field, and I think it's very annoying to be on my property. Last year I put clothesline rope all around my place, but still it didn't do any good. I think there should be something done about them staying off my property. And furthermore, why should they go across the road. I noticed last year there were cars that had to stop while the people

PERSONAL APPEARANCES - continuedMillie Gatz continues:

pushed the snowmobiles up the hill towards my way. Last year one night, I counted 40 of them going by and the lights and the noise are very annoying. I don't mind them using the high tension wires, but I would like them to stay off my property."

Supervisor Smith: "We have some very active people in that snowmobile thing and I think the more reasonable of the members of that group understands abused persons like yourself that the Town Board would be forced to pass some ordinances on it so why don't you let me see if I can make an effort to . . ."

Millie Gatz: "Well Mr. Cain was last year -- I was out there putting up the rope and he said you're supposed to be sixty feet from the road and I said who are you to tell me what to do on my property. And Mr. Pollack, he came over and he said he would settle it."

Supervisor Smith: "Let me see if I can take a crack at it."

Millie Gatz: "Thank you."

Councilman Regula: "Allen, if I just might add something on this. I know Millie approached me on this the other day and, in fact, on the way in tonight. I don't think Millie would like her name mentioned if the newspaper media would just hold off because she feels she has had some abuse and she feels she might get more. But I'm sure Millie will spend some time with the Chief of Police and make sure there's some action down in that area."

Supervisor Smith: "Okay. If nothing else Rocky, let's see if we can give her some posting signs on the edge of the property. Is there anybody else?"

No one else wished to be heard at this time.

## RESOLUTIONS - continued

#547

AUTHORIZES HOLIDAY 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 Holiday Pay from August, 1978 through December, 1978 as per P.B.A. Contract.

1.	F. Alexander	7	\$524.05
2.	J. Becht	6	500.09
3.	H. Boden	7½	593.74
4.	E. Curven	7	529.10
5.	A. Densieski	6	431.91
6.	T. Dorfer	7½	539.89
7.	A. Doroski	6	457.83
8.	W. Droskoski	7	630.63
9.	J. Dunleavy	7½	561.49
10.	F. Foote	6	431.91
11.	V. Gianni	7½	539.89
12.	J. Grattan	7½	631.13
13.	L. Grattan	7½	675.69
14.	D. Green	6	431.91
15.	L. Griffing	6	449.19
16.	A. Grossman	7	561.00
17.	J. Hughes	6	453.51
18.	B. Keller	7	503.90
19.	J. Kurpetski	7½	561.49
20.	L. Mazzo	7	603.90
21.	O. McDonald	7	505.90
22.	V. Michalski	7½	539.89
23.	L. Mickoliger	7½	539.89
24.	D. Miller	7	503.90
25.	W. Moisa	7½	566.89
26.	P. Paasch	7½	561.49
27.	R. Palmer	7	738.78
28.	W. Palmer	7	560.17
29.	J. Psaltis	7½	539.89
30.	R. Quinn	7½	566.89
31.	D. Robinson	7½	675.69
32.	F. Rodgers	7½	539.89
33.	F. Romaniello	7½	539.89
34.	E. Sadowski	6	457.83
35.	J. Seaman	7½	625.12
36.	M. Stewart	7½	441.64
37.	A. Summerville	7½	600.18
38.	P. Troyan	7	503.90
39.	R. Underwood	7	609.66
40.	D. Wainand	7	503.90
41.	W. Witt	7½	539.89
42.	D. Yakaboski	7½	539.89
43.	J. Zaleski	7	503.90
	TOTAL		\$23,215.45

## RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#548 AUTHORIZES HOLIDAY PAY FOR POLICE OFFICERS TO BE PAID FROM REVENUE SHARING

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

BE IT RESOLVED, That the following Police Officers be paid Holiday Pay from August, 1978 through December, 1978 to be paid from Revenue Sharing.

1. D. Cheshire	6	\$410.03
2. J. Pleickhardt	6	431.91
3. J. Swiatocha	6	410.03
4. R. VonVoigt	6	431.91
5. K. Woods	6	<u>431.91</u>
	TOTAL	\$2,115.79

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

The resolution was thereupon declared duly adopted.

#550 APPOINTS DEPUTY RECEIVER OF TAXES

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

BE IT RESOLVED, That Dorothy Jermusyk, be and is hereby appointed Deputy Receiver of Taxes for the Town of Riverhead, to serve from December 1, 1978 to November 30, 1979, at no additional compensation.

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

The resolution was thereupon declared duly adopted.

#551 AUTHORIZES RECEIVER OF TAXES AND DEPUTY TO ATTEND ASSOCIATION MEETINGS

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

RESOLVED, That Receiver of Taxes Walter J. Flanagan and Deputy Receiver of Taxes Dorothy Jermusyk, be and are hereby authorized to attend the Suffolk County Tax Receiver's Association meetings and luncheons to be held in 1979, and that all necessary expenses be reimbursed and the same charged

RESOLUTIONS - continued

to the Receiver of Taxes Expense Account.

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

The resolution was thereupon declared duly adopted.

#552 AUTHORIZES OVERTIME COMPENSATION - RECREATION DEPARTMENT

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

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

9 hours @ \$8.50 = \$76.50

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

7 hours @ \$8.43 = \$59.01

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.

#553 RESOLUTION BOARD OF ASSESSMENT REVIEW MEMBER

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

RESOLVED, That Howard T. Tuthill be and he is hereby reappointed as member on the Board of Assessment Review retroactive to 9/30/78 till 9/30/83.

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

The resolution was thereupon declared duly adopted.

#554 RESOLUTION AUTHORIZING PUBLIC HEARING FOR CODE AMENDMENTS

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

RESOLVED, That the Town Clerk be and is hereby authorized to publish and post the following Notice of Hearing which pertains to the amending of the Riverhead Code to add provisions for parking permits for handicapped persons

RESOLUTIONS - continued

and the designations of certain parking places for handicapped persons.

PUBLIC NOTICE

PLEASE TAKE NOTICE, That on the 2nd day of January, 1979, at 8:00 o'clock P.M., a public hearing will be held before the Town Board of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons wishing to be heard with regard to the following proposed amendments to the Riverhead Town Code, which pertain to the addition to Chapter 101., Vehicles and Traffic, Article IX, Parking permits for handicapped persons, sections 108-35., et seq., and Article V, Parking, Standing and Stopping, section 101-19., the designation of certain parking places for handicapped persons.

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

The resolution was thereupon declared duly adopted.

#555 APPOINTS AUTOMOTIVE EQUIPMENT OPERATOR - HIGHWAY DEPARTMENT

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

RESOLVED, That Jeffrey L. Bates be and hereby is appointed to the position of Automotive Equipment Operator in the Highway Department for a probationary period of eight (8) weeks, to be automatically renewed hereby to a probationary period of six (6) months at the annual base salary of Ten Thousand Five Hundred Fifty Four dollars and Three Cents (\$10,554.03), effective November 27, 1978.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, No.

The resolution was thereupon declared duly adopted.

#556 AUTHORIZES HIRING OF TEMPORARY CLERKS FOR COMPUTERIZATION

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

WHEREAS, It is necessary to hire additional personnel to prepare data for the B-80 Burroughs Computer,

NOW, THEREFORE, BE IT RESOLVED, That Sharon McKenna, Joan Brown, and Marilyn Fisher are hereby hired as part-time clerks at \$3.50 per hour, effective November 2, 1978. Termination, effective December 1, 1978.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#557 AUTHORIZES HIRING OF PART-TIME CLERK FOR TOWN  
CLERK'S OFFICE

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

WHEREAS, It is necessary to hire part-time personnel to perform temporary clerical duties in the Town Clerk's office,

NOW, THEREFORE, BE IT RESOLVED, That Sharon McKenna is hereby hired as part-time clerk at \$3.50 per hour, effective December 4, 1978.

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

The resolution was thereupon declared duly adopted.

#559 AUTHORIZES 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 Court pay from November 1, 1978 to and including November 30, 1978, as per P.B.A. Contract, and also October 10, 1978.

1. Miller, D.	11-06-78	4 hrs.	\$54.00	
2. Yakaboski, D.	10-10-78	4 hrs.	<u>54.00</u>	
		TOTAL	\$ 108.00	

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

The resolution was thereupon declared duly adopted.

#560 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 November 1, 1978 to and including November 30, 1978 and also October 8th and 28th, 1978, as per P.B.A. Contract.

1. Alexander, F.	11-06-78	4½ hrs.	\$63.18	
	11-26-78	4 hrs.	<u>56.16</u>	\$119.34
2. Densieski, A.	10-08-78	2¼ hrs.	30.38	
	11-07-78	50 min.	11.25	
	11-11-78	20 min.	4.50	
	11-17-78	5 hrs.	<u>67.50</u>	113.63

RESOLUTIONS - continued

3.	Dorfer, T.	10-28-78	5 hrs.	\$67.50	
		11-15-78	2½ hrs.	<u>30.38</u>	\$ 97.88
4.	Green, D.	11-16-78	8 hrs.		108.00
5.	Witt, W.	11-17-78	50 min.		<u>11.25</u>
				TOTAL	\$450.10

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

The resolution was thereupon declared duly adopted.

#561 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS TO BE PAID FROM 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 November 1, 1978 to and including November 30, 1978 and also October 28, 1978 to be paid from Revenue Sharing.

1.	Cheshire, D.	11-24-78	½ hr.		\$ 6.41
2.	Pleickhardt, J.	11-06-78	5 hrs.	\$67.50	
		11-27-78	3½ hrs.	<u>47.25</u>	114.75
3.	Swiatocha, J.	11-26-78	5 hrs.		64.05
4.	Woods, K.	10-28-78	5 hrs.	67.50	
		11-17-78	5 hrs.	67.50	
		11-18-78	1 hr.	<u>15.30</u>	150.30
5.	VonVoigt, R.	11-17-78	5 hrs.	67.50	
		11-22-78	4 hrs.	<u>54.00</u>	<u>121.50</u>
				TOTAL	\$457.01

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

The resolution was thereupon declared duly adopted.

#562 AUTHORIZES RECALL/COURT 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/court pay from November 1, 1978 to and including November 30, 1978, as per P.B.A. Contract.

RESOLUTIONS - continued

1.	Boden, H.	11-13-78	4 hrs.	\$59.36	
		11-15-78	4 hrs.	59.36	
		11-25-78	4 hrs.	<u>59.36</u>	\$178.08
2.	Palmer, W.	11-09-78	4 hrs.		60.00
3.	Summerville, A.	11-01-78	4 hrs.	60.00	
		11-18-78	6½ hrs.	97.50	
		11-27-78	4½ hrs.	<u>67.50</u>	225.00
4.	Underwood, R.	11-15-78	4 hrs.	65.32	
		11-17-78	4 hrs.	<u>65.32</u>	<u>130.00</u>
				TOTAL	\$593.72

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

The resolution was thereupon declared duly adopted.

#563 AUTHORIZES OVERTIME PAY FOR LIEUTENANTS/SERGEANTS  
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Lieutenants/Sergeants be paid overtime from November 1, 1978 to and including November 30, 1978.

1.	Grattan, J.	11-29-78	8 hrs.		\$126.24
2.	Robinson, D.	11-18-78	8 hrs.		135.12
3.	Seaman, J.	11-09-78	4 hrs.		<u>62.52</u>
				TOTAL	\$323.88

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

The resolution was thereupon declared duly adopted.

#564 TRANSFER OF FUNDS  
Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Supervisor be, and he hereby is, authorized to transfer the following funds in the General Fund Account:

	FROM	TO
A1410.400 Contractual Account (Town Clerk)	\$500.00	
A1410.100 Personnel Services		\$600.00

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#565 AUTHORIZES BID FOR ONE (1) NEW 1979 PICKUP TRUCK -  
SANITATION DEPARTMENT

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

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids for One (1) New 1979 Pickup Truck for use of the Town of Riverhead Sanitation Department, and be it

RESOLVED, That specifications and forms for bidding be obtained at the Office of the Town Clerk, and bids to be returnable up to 11:00 A.M. on December 20th, 1978, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on December 20th, 1978 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 One Pickup Truck with Plow".

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

The resolution was thereupon declared duly adopted.

#566 RESOLUTION DESIGNATING TOWN CLERK ISSUING AGENT

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

RESOLVED, That the Town Clerk be and is hereby designated as the Issuing Agent for Handicapped Parking Permits for the Town of Riverhead in conformity with the requirements and procedures of a proposed ordinance following hereto and made a part hereof, and it is

FURTHER RESOLVED, That this resolution shall be effective only until such time as said proposed ordinance becomes effective and at that time this resolution shall be deemed repealed.

CHAPTER 101  
VEHICLES AND TRAFFIC  
ARTICLE IX

Parking Permits for Handicapped Persons  
§101-35. Purpose.

The purpose of this article is to implement section 1203-a of the Vehicle and Traffic Law (Chapter 838 of the Laws of New York of 1977) by providing for the issuance of parking permits for handicapped persons.

RESOLUTIONS - continued

## § 101-36. Definitions for this article.

HANDICAPPED PERSON - Handicapped person shall mean any person who has one or more of the following impairments, disabilities or conditions which are permanent in nature:

- (a) has limited or no use of one or both lower limbs;
- (b) has a neuro-muscular dysfunction which severely limits mobility;
- (c) has a pulmonary or cardio-vascular condition which limits mobility or severely limits the individual's activities in the open air;
- (d) a person whose physical or mental impairment or condition is other than those specified above, but is of such a nature as to impose unusual hardships in utilization of public transportation facilities and such condition is certified by a physician duly licensed to practice medicine in this State as constituting an equal degree of disability (specifying the particular condition) so as to prevent such person from getting around without great difficulty;
- (e) a child with any one or more of the impairments or conditions listed above.

PERSON - A person shall specifically include a handicapped person, parent, guardian and physician.

PHYSICIAN - A physician shall mean any person duly licensed to practice medicine in New York.

VALID HANDICAPPED PARKING PERMIT - A currently effective parking permit lawfully issued to a handicapped person by the Town of Riverhead, or any city, town or village of New York State.

RESOLUTIONS - continued

§ 101-37. Town Clerk issuing agent; Service of applications and other notices.

- A. The Town Clerk is hereby designated the issuing agent for parking permits for handicapped persons and shall receive applications and other notices, pertaining thereto.
- B. All applications and other notices pursuant to this Article shall be addressed to the Town Clerk and shall be mailed or personally delivered to the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901.

§ 101-38. Conditions.

- A. Any handicapped person who is a resident of the Town of Riverhead is eligible to make application and to receive a parking permit for handicapped persons.
- B. The handicapped person need not drive or may be a child.
- C. The parent or guardian of a handicapped person may make application on behalf of a handicapped person for a permit.
- D. Applications for said permit must be fully completed and properly executed.
- E. Medical Certification by a physician that the applicant is a handicapped person is required at least for the issuance of the initial permit, which shall be deemed to be a part of the application.
- F. At any time subsequent to the filing of the application for the permit, or any time after the issuance of the permit, the applicant or parent or guardian of such applicant shall notify the Town Clerk by mail or in person of any change of disability, address, phone, designated vehicle or license plate thereon within ten (10) days after such change.
- G. Only the designated vehicles in the application may be parked in the designated parking places for handicapped persons, and the current license plate numbers must be specified on the permit in the space provided for "ADDITIONAL INFORMATION".

RESOLUTIONS - continued

- H. No person shall make a materially false statement in the application, or otherwise, to obtain or renew said permit.
- I. No person shall use or permit the use of the permit contrary to any section of this article, or any of the conditions specified in the permit or application therefor.
- J. No person shall fail to comply with or observe any section of this article, or any of the conditions specified in the permit or the application therefor.

## § 101-39. Application.

- A. Each application for a parking permit for handicapped persons shall be comprised of three parts and require the following information:
  - (1) Part I, to be completed by the handicapped applicant, or the parent or guardian on behalf of a handicapped person.
    - (a) Name
    - (b) Residence
    - (c) Mailing address
    - (d) Age
    - (e) Sex
    - (f) Residence Telephone Number
    - (g) Occupation
    - (h) Business or School Name and Address
    - (i) Business Telephone Number
    - (j) Nature of Disability
    - (k) Designated Vehicles and License Plate Numbers
    - (l) Certification of Applicant or Parent or Guardian.

RESOLUTIONS - continued

- (2) Part II, to be completed by certifying physician.
- (a) Name of Physician
  - (b) New York State License Number
  - (c) Address
  - (d) Telephone Number
  - (e) Name of Handicapped Person
  - (f) Statement of Physician indicating handicapping condition necessitating Handicapped Park Permit, permanence of condition, and limitations imposed by condition
  - (g) Physician's signature and date.
- (3) Part III, to be completed by the Town Clerk.
- (a) Approval or Disapproval
  - (b) Reason for disapproval
  - (c) Town Clerk's signature and date.

B. Attached to each application form shall be Article IX, § 101-40., Procedure, which shall be deemed incorporated therein.

RESOLUTIONS - continued

## § 101-40. Procedure.

- A. Upon request by an applicant or person on their behalf, the Town Clerk shall provide said persons with an application form.
- B. Within twenty-one (21) days after receipt of a fully completed and properly executed application, the Town Clerk shall notify the applicant, in person or by mail, at the applicant's residence address or mailing address, if different, whether the application has been approved or disapproved. If approved, the Town Clerk shall issue a Handicapped Parking Permit forthwith. If disapproved, the Town Clerk shall furnish the applicant with a statement setting forth the reasons for said disapproval.
- C. Upon notification of disapproval of an application to issue or renew a permit, or upon notification of suspension or revocation of a permit, the applicant may serve a written notice of objections or charges pertaining to the Town Clerk's determination in the manner stated in § 101-37(B.) of this article, requesting a hearing before the Town Clerk. Said written notice must be received by the Town Clerk within thirty (30) days following notification of disapproval or suspension or revocation of said application or permit. If the Town Clerk's notification of disapproval, suspension or revocation of said application or permit, is mailed, this thirty (30) day period shall begin to run from the date of mailing.
- D. The Town Clerk shall grant the applicant a hearing on said disapproval, suspension or revocation of the application or permit within ten (10) days after written notice is received by the Town Clerk for such hearing.
- E. The hearing on the objections and charges to the Town Clerk's determination shall be at such time and place as the Town Clerk designates. The applicant may be heard in person or by counsel.
- F. Within twenty-one (21) days after the hearing is concluded, the Town Clerk shall render a decision based upon the hearing either affirming or reversing his initial determination of disapproval, suspension or revocation of the application or permit. If the Town Clerk reverses his initial determination of disapproval or revocation he shall issue a Handicapped Parking Permit forthwith. If the Town Clerk reverses his initial determination of suspension, he shall terminate the suspension and reinstate the permit forthwith.

RESOLUTIONS - continued

## § 101-41. Expiration and Renewal of Permits.

- A. A Handicapped Parking Permit shall expire one year from the date it is issued, unless otherwise specified in this section.
- B. A permit issued in replacement of a revoked permit pursuant to § 101-40(F.) of this article shall expire one year from the date that the originally revoked permit was issued.
- C. A suspended permit reinstated either pursuant to § 101-40(F.) of this article, or upon the expiration of the period of suspension, shall expire one year from the date it was originally issued.
- D. An applicant for renewal of a permit shall comply with all sections of this article, except that medical certification that the applicant for permit renewal is a handicapped person may be waived every other year by the Town Clerk, if based upon the following conditions:
  - (1) The applicant for permit renewal appears before the Town Clerk at the time the application for renewal is made.
  - (2) An ordinary layman can make a reasonable determination that the applicant for permit renewal is a handicapped person as defined in § 101-36., of this article.
  - (3) The Town Clerk makes a reasonable determination that the applicant for permit renewal is a handicapped person as defined in § 101-36., of this article.

RESOLUTIONS - continued

## § 101-42. Uniformity Provision

The Town of Riverhead hereby recognizes a valid handicapped parking permit lawfully issued to a handicapped person by any city, town or village of New York State.

## § 101-43. Handicapped parking permit privilege

A handicapped person with a valid handicapped parking permit, lawfully issued shall be eligible to park in any parking place designated for handicapped persons in the Town of Riverhead.

## § 101-44. Penalties for Article IX.

In addition to any other penalties provided for by any law, the Town Clerk may disapprove any application for a handicapped parking permit, or suspend or revoke a handicapped parking permit, should any applicant or permit holder not comply with any section of Article IX, including the conditions stipulated in § 101-38., thereunder.

## § 101-19. Handicapped Parking.

The following areas are designated parking places for handicapped persons with a valid handicapped parking permit:

<u>Area</u>	<u>Description</u>
Town Hall Parking Lot	4 spaces on the southerly side of the northerly lot
The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.	
The resolution was thereupon declared duly adopted.	

RESOLUTIONS - continued#567 RESOLUTION RELEASING PERFORMANCE BOND FOR WYL-LYN ESTATES

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

WHEREAS, The Town Board accepted a \$3,000.00 certified check submitted by Woodcliff Park, Ben Karlin, proprietor, as a performance bond for the final plat entitled "Wyl-Lyn Estates", and

WHEREAS, The Planning Board adopted a resolution on November 2, 1978, approving the release of said performance bond pursuant to a letter from the Superintendent of Highways dated September 26, 1978, stating that all work for Wyl-Lyn Estates has been completed, it is hereby

RESOLVED, That the Town Board approves the release of said performance bond.

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

The resolution was thereupon declared duly adopted.

#568 AUTHORIZES TRANSFERS WITHIN COMMUNITY DEVELOPMENT FUND

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

WHEREAS, The Supervisor has advised the Town Board that it is necessary to transfer certain moneys within the Community Development budget from the Demolition Fund to the Acquisition Fund,

NOW, THEREFORE, be it

RESOLVED, That the Town Supervisor is hereby authorized to transfer those moneys necessary to complete the acquisition and demolition of the parcel of real property, commonly known as the Wilfred Beauty School.

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

The resolution was thereupon declared duly adopted.

#569 AUTHORIZES PUBLICATION OF BIDDING FOR DEMOLITION OF WILFRED BEAUTY SCHOOL PROPERTY

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

WHEREAS, The Town Board has acquired certain property, commonly known as the Wilfred Beauty School, and

WHEREAS, The said building does constitute a potential hazard,

NOW, THEREFORE, be it

RESOLVED, That the Town Clerk, in conjunction with the Town Supervisor, be authorized to publish and post a notice to bidders for the demolition of said structure.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#570

RETAINS H2M FOR DOWNTOWN BEAUTIFICATION

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

WHEREAS, The Town Board has heretofore authorized the Supervisor to execute an agreement, commonly known as a BOR Grant, and

WHEREAS, Said agreement is now fully executed, and

WHEREAS, Said agreement calls for the completion of certain engineering documents within a specified length of time,

NOW, THEREFORE, be it

RESOLVED, That the firm of Holzmacher, McLendon & Murrell be retained to perform the services as outlined in the Grant-in-Aid application for the beautification of the downtown River front, and that they shall be paid a reasonable fee for their services on claim.

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

The resolution was thereupon declared duly adopted.

#571

RETAINS SPECIAL COUNSEL

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

WHEREAS, The Town Board entered into a contract with Steve Nanna Inc., for the improvement of downtown Riverhead by the undergrounding of certain utilities and the general refurbishing of the sidewalks in said area, and

WHEREAS, A substantial number of claims and cross-claims have been exchanged between the Town Board and the contractor,

NOW, THEREFORE, be it

RESOLVED, That Pierre G. Lundberg be, and hereby is, hired a special counsel to represent the Town Board in said matters and that he be paid a reasonable fee for his services upon claim by voucher.

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

The resolution was thereupon declared duly adopted.

#572

APPROVES ARBY'S SITE PLAN WITH MODIFICATIONS

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

WHEREAS, All structures to be erected in commercial zones are now subject to site plan review, and

WHEREAS, A site plan, entitled "Proposed Restaurant - Arby's", drawn by Herman Schnepf, dated November, 1978, has been submitted to the Town Board for review, and

WHEREAS, A copy of the site plan has been marked and initialled by the Town Supervisor to show the changes that are

RESOLUTIONS - continued

further set forth in this resolution, which site plan shall be on record with the Town Clerk,

NOW, THEREFORE, be it

RESOLVED, That the aforesaid site plan is approved, subject to the following modifications:

1. That there shall be erected a screen chainlink fence along the entire southerly lot line of the proposed Arby's location, and the southerly lot line between the Pizza Hut and the Arby's location, except that the last mentioned fencing along the southerly lot line of the Arby's location can be omitted if the developer shall, at this present time, provide such fencing along the other lands of Longwood Realty to the south of the Arby's location.
2. That the perimeter areas along the northerly and southerly lot lines and any buffers or bumpers shown on said site plan for parking areas shall be landscaped at the direction and approval of the Building and Zoning Administrator.
3. The exit shown on said site plan for Arby's Restaurant shall be realligned so as the same is directly opposite the exit from the Central Suffolk Hospital on County Road 58.
4. The drawings shall be amended to show a dump pad which will be moved to the southerly lot line and shall be landscaped and fenced such that the dumpsters will not be visible and that animals cannot gain access and that refuse cannot escape.
5. That the parking shall contain medians as is shown on the initialled site plan, such that traffic cannot freely flow from one line of parked cars to another.
6. That the applicant shall place on the thoroughfare such speed bumps as may be required by the Building and Zoning Administrator.
7. That the applicant shall plant or otherwise maintain the property between the Pizza Hut site and the proposed Arby's site at the direction of the Building and Zoning Administrator, until such time as a site plan is submitted for said property.
8. That all exterior lighting at said location shall be installed in conformity with the other ordinances, laws and regulations of the Town of Riverhead and, specifically, the same shall not illuminate adjoining residential properties.

RESOLUTIONS - continued

9. That as a continuing condition of this site plan approval, the landlord will maintain sufficient trash receptables to accept any refuse generated by the proposed uses. Said receptables shall be exterior receptacles and placed throughout the area.

10. The site plan shall remain subject to the jurisdiction of the Town Board and, upon request, the owner shall make such changes as are required by the Town Board, occasioned by a change in circumstances, such as the future development of the site and the expansion of County Road 58, or other like changes in the parcel.

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

The resolution was thereupon declared duly adopted.

#573 AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT BETWEEN TOWN BOARD AND HUNTINGTON TOWN HOUSING AUTHORITY

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

WHEREAS, The Town Board has heretofore organized an agency for the conduct of certain activities relating to the rehabilitation of 821 East Main Street, and

WHEREAS, That agency has heretofore authorized the issuance of certain bonds, commonly known as Chapter 11-B Bonds, and

WHEREAS, This Town Board is advised by its counsel, Willkie Farr & Gallagher, and others, that the marketability of said bonds can be improved by the execution of an agreement between this Town Board and an existing housing agency which has a proven track record with reference to housing, and

WHEREAS, The Town Board has considered a proposed agreement between this Town Board and the Town of Huntington Housing Authority and, it is the opinion of the Town Board that this agreement provides the residents of the Town of Riverhead with a further guarantee that said housing will be operated in a proper and professional manner,

NOW, THEREFORE, be it

RESOLVED, That the Supervisor be, and he hereby is, authorized to execute an agreement between the Town Board of the Town of Riverhead and the Huntington Town Housing Authority to the effect that should Related Housing Companies ever default in its obligations to the Town Board with reference to the operation of the complex commonly known as 821, that the Huntington Town Housing Authority would come in and operate the same.

RESOLUTIONS - continued

Before the vote, Supervisor Smith stated: "The resolution that's been offered by Mr. Young and seconded by Doctor Menendez says a lot of things. It is essentially a guarantee for the safe and decent operation of the complex that we know as 821. We do not envision that related housing companies would ever go broke on this complex or any of the others that it owns. This is a further guarantee that that will not occur. It also provides among other things for a fee that will be paid from the proceeds of the operation of the complex for a quarterly inspection report by the Huntington Town Housing Authority which will come to the Town Board, which is a further guarantee that if anything starts to go wrong, that we're not able to catch at a local level, that the professional people from that agency were to pick up in auditing their books etc., that we would have ample warning of the same. We think it's a prudent move and that's why we're proposing this resolution."

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

The resolution was thereupon declared duly adopted.

#574 AWARDS BID FOR AMBULANCE

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

WHEREAS, The Riverhead Town Board has advertised for bids on a 1979 ambulance vehicle, and

WHEREAS, Said bids were opened by the Town Clerk and report of said bid opening has been presented to the Town Board, and

WHEREAS, The Town Board has examined said bids, and

WHEREAS, The Town Board finds that there is less than a One thousand and 00/100 (\$1,000.00) Dollars difference between the bid of Emergency Fire and Rescue Supply Company and the Specialty Hearse and Ambulance Sales Corporation, and

WHEREAS, The Town Board does find that the exceptions contained in the bid of Emergency Fire and Rescue Supply Company are of a substantial nature, especially that exception which relates to the headroom available in the compartment area, and

WHEREAS, The bid of Emergency Fire and Rescue Supply Company did not contain the required certified check which the Town Board deems evidence of the responsibility of the bidder,

NOW, THEREFORE, The Town Board does hereby disallow the bid of Emergency Fire and Rescue Supply Company in the sum of Thirty-four thousand six hundred and fifty-one and 00/100 (\$34,651.00) Dollars on the grounds that the bid submitted is at variance with the specification and that a certified check did not accompany said bid, and be it

RESOLUTIONS - continued

FURTHER RESOLVED, That the Town Board does hereby award to Specialty Hearse and Ambulance Sales Corporation a contract for supply of one 1979 ambulance for a contract sum of Thirty-five thousand seven hundred twenty-seven and 00/100 (\$35,727.00) Dollars.

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

The resolution was thereupon declared duly adopted.

Supervisor Smith: "We have one late late starter."

#575 AUTHORIZING THE ISSUANCE OF A BUDGET NOTE FOR HIGHWAY EQUIPMENT REPAIR AND REPLACEMENT  
Councilman Young offered the following resolution which was seconded by Councilman Menendez.

BUDGET NOTE RESOLUTION DATED December 5, 1978.

A RESOLUTION DELEGATING TO THE SUPERVISOR OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, THE POWER TO AUTHORIZE THE ISSUANCE OF AND TO SELL BUDGET NOTES OF SAID TOWN TO PAY THE COST OF AN OBJECT OR PURPOSE FOR WHICH NO PROVISION WAS MADE IN THE CURRENT BUDGET OF SAID TOWN.

WHEREAS, Provision in the annual budget for the current fiscal year of the Town of Riverhead, Suffolk County, New York, has not been made for the purpose of providing moneys with which to repair highway machinery during the current fiscal year of said Town; and

WHEREAS, It is now desired to delegate to the Supervisor the power to issue and sell a budget note in an amount not exceeding \$50,000 for the specific object or purpose of providing moneys to pay the cost of the repair of highway machinery during the current fiscal year of said Town; NOW, THEREFORE, BE IT

RESOLVED, By the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. The power to authorize the issuance of and to sell budget notes for the Town of Riverhead, Suffolk County, New York, in an amount not exceeding \$50,000, including renewals thereof, to pay the cost of an object or purpose for which no provision was made in the current budget of said Town; to-wit: the repair of highway machinery, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, forms and contents, and shall be sold in such manner as may be determined by said Supervisor.

## RESOLUTIONS - continued

Section 2. This resolution shall take effect immediately.

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

The resolution was thereupon declared duly adopted.

This aforesaid resolution is an amendatory resolution. See resolution #460 passed October 3, 1978 and resolution #513 on November 8, 1978.

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

*Irene J. Pendzick*

IJP/vlv

Irene J. Pendzick, Town Clerk