

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, October 3, 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: Alex E. Horton, Supt. of Highways

Absent: David P. Fishbein, Town Attorney

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

BILLS

Bills were submitted on Abstracts dated October 3, 1978 as follows:

| | |
|-------------------------|-------------|
| General Town Encumbered | \$ 47.60 |
| General Town | \$44,993.29 |
| Ambulance | \$ 75.00 |
| Community Development | \$ 6,457.95 |
| Capital Projects | \$ 3,149.76 |
| Special Districts | \$13,450.27 |

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

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

| | |
|-------------------------|-------------|
| General Town Encumbered | \$ 47.60 |
| General Town | \$44,993.29 |
| Ambulance | \$ 75.00 |
| Community Development | \$ 6,457.95 |
| Capital Projects | \$ 3,149.76 |
| Special Districts | \$13,450.27 |

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, later on this evening, both in the regular order of business during resolutions and during the general revenue sharing second hearing, we will be discussing the budget for the year 1979. For a number of reasons, I'm not of good voice this evening, and I would refer any of you who are interested in the budget message that I have filed with the Town Clerk together with the budget.

For the specifics of the recommendations with reference to the 1979 budget, again our problem seems to be in this community, not necessarily one of the tax burdens, but again seems to be the tax base which bears that burden as we examine the years 1975 in we can see that the general rate of inflation is in excess or some where around 5.5%. If our tax base expanded at the same rate, I think that some of the problems we're quite possibly having in the school district at the moment and some of the adjustments that are being made in this particular budget in which I will address in the general revenue sharing hearing, would not occur. We've compared the rate of inflation to the tax roll of assessed valuation from 75 to 76. And although, as I say each year, the rate of inflation increased approximately 5.5% through the entire three-year period comparing the 75-76 to the 78-79 tax roll. We find that the increase in our tax roll has been 6/10 of 1%. We are attempting on the Town level to hold the tax rate as low as possible in that context. I think the Town Board generally may be to address publicly some of those tax base problems later on.

My apologies for not reading the budget message. I don't have the voice for it tonight."

REPORTS

Police Department - for the month of September, 1978. Filed.
Building Department - for the month of September, 1978. Filed.
Michael Mayo, Recreation Department, 9/22/78 - re: non-resident participation in Recreation Department. Filed.

BUDGET

Town Clerk presents Tentative Budget for the year 1979 to the Town Board.

Supervisor Smith: "The Town Board, at this moment, intends to call that public hearing on the budget on the meeting to be held on the 17th. One of the reasons we choose to do it that way this year, rather than in November is because the November meeting will not be on the regular scheduled date which happens to be the general election."

COMMUNICATIONS

Nick Forcella, 9/25/78 - expressing appreciation to Board for citizens of West Main Street. (He wanted his letter read in full)

Gentlemen:

We, the citizens of West Main Street, Riverhead, would like to express our appreciation for the decision to decline the application of the oil storage tank on West Main Street. It is good to know that we do have a voice in our government.

Thank you, again.

Sincerely,

Nick Forcella (End) Filed.

Fireman's Fund Ins. Co., 9/22/78 - re: Alpert vs. Town of Riverhead, et al. Filed.

Town Clerk, Southampton - re: public hearing on Southampton Zoning Ordinance changes. Filed.

Town Clerk, Brookhaven - re: public hearing on amendment to Chapter 85 of Code - junk yards. Filed.

L.I. Reliable Corp. - notification of price change in fuel contract. Filed.

Chamber of Commerce, 9/29/78 - proposal to form committee to modify sign ordinance. Filed.

State Board of Equalization & Assessment - notice of prehearing conference on 10/25/78 in Albany. Filed.

Holzmacher, McLendon & Murrell, 10/2/78 - submitting Phase "A" - engineering appraisals for Storm Water Problem Areas. Filed.

Supervisor Smith: "Mr. Danowski you noted the E & A thing .

With reference to the Chamber of Commerce letter, I'm going to expand the proposed committee that will meet with the Chamber and Route 58 car dealers to include the President of

Supervisor Smith continues:

Townscape, Pat Stark, Chairman of the Planning Board, Mr. Miles Fairley, Dr. Menendez, Mr. Regula and Mr. Danowski.

With reference to signs, Mr. Danowski, I think they want to see us Thursday, the 12th at 8:00 a.m.

For those who haven't already noted it, the United States Supreme Court yesterday denied certiorari to the plaintiffs in the Southampton case against the Township of Southampton to over turn that ordinance in the Township of Southampton. Those of you who follow such things regularly, will note that the Southampton Ordinance and the Riverhead Ordinance are very much alike.

Also to be noted, Mr. Danowski recently obtained a decision in the Riverhead litigation directing the plaintiffs in that lawsuit either to get on with their case or abandon the same.

There are two other items relating to signs. There is an instruction by the Town Board and Joint Boards to Mr. Danowski to pursue the removal of the billboard signs along state funded highways in the Township of Riverhead. You may have noted that this has occurred in Southampton and East Hampton. Mr. Danowski has sent the initial letter with reference to that and lastly this evening, you will hear a resolution offered whereby we agree with the McDonald's Corporation to advertise their sign on Route 58. These five items are all things occurring with reference to signs. They're continued or lack of continued existence in the Town of Riverhead."

UNFINISHED BUSINESS

Special Permit Application - Joseph Brush (Airport)

Special Permit Application - Carol & Mace Sowinski
(non-nuisance industry, Aquebogue)

Site Plan Application - Charles Spitalieri (expansion of existing junk yard, Kroemer Avenue.)

Supervisor Smith: "Under unfinished business, we have the special permit application of Mr. Brush. There is a resolution on that later on in the evening.

The special permit application of Mr. and Mrs. Sowinski and the application of Mr. Spitalieri, we are not prepared, I believe, on Mr. Spitalieri's application, but the other two will be attended to this evening.

This brings us to that portion of the agenda where we will listen to anyone choosing to address the Town Board on any item that's not the subject of a public hearing. If anyone is here to deal with the second phase of the general revenue sharing hearing or the "small cities" application which is the

PERSONAL APPEARANCESSupervisor Smith continues:

the Community Development hearing, we would ask that you hold your comments until such time as we call those public hearings. We will now listen to anyone who will or chooses to address the Town Board on any topic not the subject of a public hearing? Does anyone wish to make such a statement?"

R. John Eck, 984 East Main Street, Riverhead; "Mr. Smith I have a little letter here that if it is possible, I would like to read it, for it may save the tax payers a little bit of money.

Honorable Allen M. Smith
Riverhead Town Supervisor,

Dear Brother Allen,

For I say unto you, that it is possible that forty days have passed, since it was possible that I was before this Board last. For it is possible that Mr. Williamson never came to my home. For it was also possible that the leak was not on my water lines, for it was possible that it was in my basement on the Towns water line going to the home next door. For it is possible that today, Sunday, October 1, 1978, I went and put packing in the faucet to stop the leak.

For I say unto you, brother Allen, thank you for showing your love for your neighbor, your brothers, and sisters. For I say unto you, that it is possible a pleasure working side by side with someone that does care about their Town. For it is also possible that we can continue to work side by side in the years ahead.

Thank you
For I love you all

Father John (End of Letter)'

R. John Eck continued: "Allen Smith worked with me Saturday cleaning up somebody's back yard. We worked side by side for about an hour and a half and he did a wonderful job."

Supervisor Smith: "Thank you Mr. Eck. Is there anybody else that chooses to address the Town Board?"

No one else wished to be heard at this time.

FURTHER COMMUNICATION

Irene J. Fendzick, Town Clerk read the communication:

"Allen M. Smith, Supervisor
Town of Riverhead
Riverhead, N.Y.

Dear Allen:

This is to inform you that I am resigning from my position in the Riverhead Highway Department, effective October 7, 1978.

Very truly yours,

Jessie Tomlinson (End)'

Supervisor Smith: "Maybe later on in the evening, we'll phrase a resolution accepting the resignation with regrets.

We're back again to that portion of the agenda where we will listen to anyone choosing to address the Town Board on a matter that is not the subject of one of the public hearings?"

No one wished to be heard at this time.

RESOLUTIONS#452 AUTHORIZES TAX RECEIVER TO ATTEND SEMINAR

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

WHEREAS, The Suffolk County Extension Service is offering a 3 session - 9 hour course in Real Property Taxation at the Eastern Campus of Suffolk Community College, and the Tax Receiver, Walter J. Flanagan has expressed a desire to attend this seminar

NOW, THEREFORE, be it

RESOLVED, That the Tax Receiver, Walter J. Flanagan be authorized to attend these sessions and the necessary expenses incurred be a permitted expense from the Tax Receiver's budget. (\$35.00)

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

The resolution was thereupon declared duly adopted.

#453 AUTHORIZES ADVERTISE BIDS FOR STATION WAGON FOR TOWN ASSESSORS

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

RESOLUTIONS - continued

RESOLVED, That the Town Clerk be and is hereby authorized to advertise in the News-Review, the official Town Newspaper, for sealed bids for One (1) New 1979 Station Wagon for use of the Riverhead Town Assessors, and be it

RESOLVED, That specifications be prepared by the Chairman of the Board of Assessors and bids to be returnable up to 11:00 A.M. on Tuesday, October 24, 1978, and further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Tuesday, October 24, 1978 at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Station Wagon".

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

The resolution was thereupon declared duly adopted.

#454 AUTHORIZES RENEWAL OF STATE AID PROGRAM FOR YOUTH PROJECT - RECREATION DEPARTMENT

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

WHEREAS, It is the intention of the Town Board of the Town of Riverhead to renew a Recreation Project, and

WHEREAS, The Town of Riverhead is about to submit an application for renewal to the New York State Division For Youth for its approval, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds expended on said project, as provided by Chapter 556 of the Laws of 1945, as amended,

NOW, THEREFORE, BE IT RESOLVED, That such application renewal is in all respects approved, and Allen M. Smith, Supervisor, is hereby directed and authorized to duly execute and to present said application for renewal to the New York State Division For Youth for its approval.

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

The resolution was thereupon declared duly adopted.

#455 RECLASSIFIES AUTOMOTIVE EQUIPMENT OPERATOR - HIGHWAY DEPARTMENT

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

WHEREAS, A vacancy exists in the Highway Department for an Automotive Mechanic,

WHEREAS, George B. Grodski was appointed to the position of Automotive Equipment Operator in the Highway Department, effective September 5, 1978,

RESOLUTIONS - continued

WHEREAS, George B. Grodski qualifies for the title of Automotive Mechanic,

NOW, THEREFORE, be it

RESOLVED, That George B. Grodski be and he hereby is reclassified to the position of Automotive Mechanic effective October 9, 1978 at an annual base salary of Ten thousand nine hundred and sixty-three and ninety cents (\$10,963.90), for a probationary period of eight (8) weeks, to be automatically renewed to a probationary period of six (6) months, pending qualifications approved by Civil Service.

Councilman Young: "Alex, there's some question among the members of the Town Board whether he'd be qualified as an Automotive Mechanic under Civil Service? Can you . . ."

Alex Horton: "Well we hired him as a A.E.O. at the time, but now we had him in the shop and it seems that he's a better mechanic than he is a truck driver, so I thought we should make him a mechanic. It is what he is. I didn't take it up with Civil Service. I didn't think it was necessary."

Supervisor Smith: "Why don't we send this application up to Civil Service and see if they'll qualify him as a mechanic?"

Alex Horton: "Well I could have hired him as a mechanic to begin with, couldn't have I?"

Supervisor Smith: "If he had the minimum qualifications and Civil Service would approve it, I don't know whether he's got the minimum qualifications or not."

Alex Horton: "I'm quite sure he has."

Supervisor Smith: "Well why don't we send it up to Civil Service and ask them?"

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith: "Again for very much the same reasons as I voted against the young man the last time. The Town Board is responsible in the last frame for the conduct and discipline of employees. I've never met the young man. He may

RESOLUTIONS - continued

be a very nice young man and in fact, he may qualify with Civil Service, but the fact of the matter is, nobody has sent anything to Civil Service. Is he getting a raise with this? I mean the guy has been with us a week, is that a raise?"

Alex Horton: "I don't know."

Supervisor Smith: "You don't know. So we're going to vote and change a guys salary and we don't know whether we're giving him a raise and he's only been here for two weeks. I vote No."

The resolution was thereupon declared duly adopted.

#456 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR SNOW FENCE (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 10,000 feet of Snow Fence for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 a.m. on October 16, 1978, and be it further

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on October 16, 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 Snow Fence".

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

The resolution was thereupon declared duly adopted.

#459 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE "SMALL CITIES" APPLICATION

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

RESOLVED, That the Town Clerk be, and she hereby is, authorized to publish and post the following notice of Public Hearing relative to "Small Cities" application, to be published in the September 28, 1978 issue of the News-Review.

PUBLIC NOTICE

PLEASE TAKE NOTICE That, pursuant to notification

RESOLUTIONS - continued

dated September 7, 1978, from the Region II Office, U.S. Department of Housing and Urban Development, and Notices and Regulations, published in the Federal Register on March 1, 1978, the Town of Riverhead is entitled to submit a full application to the Department of Housing and Urban Development for participation in the "Small Cities Program" of the Housing and Community Development Act of 1977.

PLEASE TAKE FURTHER NOTICE That, on October 10, 1978 at 7:30 p.m. at the Riverhead Town Hall, 200 Howell Avenue Riverhead, New York, the Town Board of the Town of Riverhead will hear all those interested in both suggesting possible programs of work for the "Small Cities" application and commenting upon the Town of Riverhead's Housing Assistance Plan.

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

The resolution was thereupon declared duly adopted.

#460 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 OF THE TOWN OF RIVERHEAD, NEW YORK, ADOPTED OCTOBER 3, 1978, AUTHORIZING THE ISSUANCE OF A NOTE IN THE AMOUNT OF \$50,000.00, FOR THE PURPOSE OF REPAIRING AND REPLACING DEFECTIVE EQUIPMENT.

WHEREAS, The Superintendent of Highways has advised the Town Board that an amount of \$50,000.00, is needed to finance costs of repairing and replacing defective equipment for the use of the Town Highway Department, and has requested the Board to authorize borrowings of said amount of \$50,000.00 to defray the costs, and

WHEREAS, Due to a very severe winter in 1978, which caused extensive wear by snow removal equipment,

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. That the Town Board of the Town of Riverhead for the specific purpose of providing for the payment of costs for repair and replacement of defective equipment, pursuant to Section 29.00 of the Local Finance Law, does hereby authorize the issuance of its Budget Note in the amount of \$50,000.00, to finance such cost.

2. Such note shall be dated October 4, 1978, and its power to fix and determine the exact date of such Note is hereby delegated to the Supervisor. Such Note shall be numbered (1) and shall mature in the year 1979. The power to fix and determine

RESOLUTIONS - continued

the date upon which such Note shall become due and payable is also delegated to the Supervisor.

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

The resolution was thereupon declared duly adopted.

PUBLIC HEARING - 8:00 P.M.

Town Clerk submitted affidavits of publishing and posting of public notice on public hearing to hear all those persons wishing to address the Town Board on a proposal to be presented to the Town Board for the use of General Revenue Sharing funds in the fiscal year 1979.

The affidavits were ordered to be placed on file.

Supervisor Smith: "There is available to you, those of you who are here to address the Town Board on this particular hearing, a two-page document up here on the table. Those of you who don't have it already, maybe we could have Mr. Danowski give you a copy if you would raise your hand.

This is not the "Small Cities" application which I think some people are here for this evening. This is something that you're going to hear twice this evening. There is a procedure that is followed under the various federal status that deals with the funding programs that we have recently been taking advantage of. It calls for a two-barreled hearing.

At the first hearing, the Town Board listens to anybody that would suggest any potential use for the funds that may be available. At the second hearing, the Town Board prepares a document similar to what you have in front of you wherein we say this is our suggested use of the funds and that's what I'm going to discuss with you at this moment. We had the general hearing on general federal revenue sharing some meetings ago.

Now when we get to "Small Cities" later on in the evening, the "Small Cities" hearing which involves things such as the drainage on Horton Avneue and the water district in the same area and some other programs, we will be having the first hearing where you again can discuss in the context of "Small Cities" what you might like to see us do.

Now I'm back again to the purpose of a hearing that is called for 8:00. On prior years, the Town Board has spent the funds of federal revenue sharing essentially on capital projects. You are sitting in one such capital project. I mention in prior years, in prior budgets, that we attempt to avoid the payment of operating expenses out of the various federal revenue sharing funds that come available to us.

Those of you who attend regularly, note that there

PUBLIC HEARING - continued
Supervisor Smith continues

are about six resolutions when it comes to the payment of police salaries. The reasons that we have six different resolutions are that we are paying police officers salaries out of three different accounts. One being the regular tax burden, the second being federal revenue sharing and the third being a fund called countercyclical or anti-inflation funds as I stated at the time when we were paying police officers out of those funds, there would come a time when those funds were no longer available to us. That time is upon us. The countercyclical, anti-recessional funds have passed the Senate. It's an appropriation of half the size of prior years and the House has yet to act upon the bill and in any event, we do not, I and the people who advise me on such matters, do not advise us to take the chance as apparently some other Supervisors have done in the past, not here, but in some of our neighboring jurisdictions on these funds. The consequence is if we wish to keep the tax rate down, we have to move those police officers into a different budget. The only budget that we have in which to move them, is the federal revenue sharing general account. This again is an operating expense. If you look at public safety police salaries, you see six police officers. That is not the full amount that is required to pay six police officers on the Riverhead Force. There is a balance of funds available of ninety some thousand dollars in the countercyclical funding which we will use to pay the balance.

Now the other major difference between what we propose for general revenue sharing this year and what has happened in prior years is that we take the equipment request generally throughout general town budget, which is the town budget, which you pay your tax dollars for, and we move those into this revenue sharing budget. For instance, police vehicles is \$62,000. In this way at least for the year 1979, we can attempt to maintain as little as possible the tax increases that you will pay in your town portion of your tax bill. We do not include in this budget other than monies for drainage, litigation, essentially that would be LILCO litigation, although we don't show it there, litigation generally such that we use it either for the LILCO litigation or other litigation expenses. Drainage litigation and one last item which was the ambulance. These explain what we propose to use these funds for. What we've eliminated from the 1978 budget is those three items. The last three items that have not been funded to this date in the federal revenue sharing entitlement. For the year 1978 we had \$15,000 in for an ambulance. We leave \$5,000 there and take \$10,000 out of that fund. We had money in for a Wading River Community Center. We take that out and we had money in for an alarm system at the Riverhead Free Library. We have removed all of those or propose to remove all of those from the 1978 budget. With reference to the Wading River Community Center

PUBLIC HEARING - continuedSupervisor Smith continues:

and other projects that have been proposed which are not shown either in the budget or in the general budget, it is the intention of the Town Board should any of the projects come to fruition either in terms of design, location, etc., in that those items may be bonded, we have an almost non-existent debt, general town debt in the Town of Riverhead that we would do those projects by floating the requisite bonds. That explains what is proposed by the Town Board. Does anyone wish to address the Town Board on this general revenue sharing proposal?"

John Ottaviano, Highview Drive, Wading River; "Could you clear this up. Maybe I just didn't understand it? Now on the roads for 1979, there will be no federal funding? Do I understand that correctly?"

Supervisor Smith: "That's correct. You have an amount that has in the 1978 budget \$40,000 that's been the subject of some discussions between Mr. Horton and the Town Board. That amount has already been funded. We do not propose to remove that from the 1978 budget."

John Ottaviano: "Well if that's not used in '78, what will happen to that?"

Supervisor Smith: "It would be encumbered."

John Ottaviano: "Which means?"

Supervisor Smith: "It's an accounting term meaning that the appropriation does not lapse."

John Ottaviano: "It can be carried over, you mean?"

Supervisor Smith: "Yes Sir."

John Ottaviano: "Can I ask you one other thing please?"

Supervisor Smith: "Yes Sir."

PUBLIC HEARING - continued

John Ottaviano: "If this money for drainage, now is any of the \$40,000 in the '78 budget been used?"

Supervisor Smith: "Yes Sir. It's being used?"

John Ottaviano: "And this is . . ."

Supervisor Smith: "It was added to a lot more larger sum in the prior years budget so that doesn't reflect exactly how much the federal revenue sharing portion of the drainage being undertaken by the Town is. Yes it's being spent."

John Ottaviano: "Is this the appropriate time now to mention where you think federal funds should be spent?"

Supervisor Smith: "Yes Sir."

John Ottaviano: "Well I would just like to say that the Town has proposed certain drainage and road projects in the Town of Riverhead in the past couple of years and exactly what has been carried out, I don't know. However, I know some of the projects have not been carried out. Well with inflation and all, I would imagine that additional money should be allotted for roads and drainage somewhere along the line."

Supervisor Smith: "Thank you Sir. Anyone else on general revenue sharing?"

Robert Pekar, Calverton; "I don't really have any specific suggestions with exception that it seems lately we have a tendency to take these federal dollars and use them in areas that we should be supporting ourselves, police, salaries, and so forth. I think the federal revenue sharing money should be used mainly for capital improvements. Riverhead has enough problems with drainage, beautification program we want to do, some unsightly areas in the Town where these monies could be used. If we continue to put monies into things like salaries in the future, these major concerns that the Town has are still going to be there except at a higher dollar value at a future date. I think our monies that we get from federal government should go towards that and we should find a base and be able to support our Town as far as our day to day working needs from my tax rate."

PUBLIC HEARING - continued

Supervisor Smith: "Thank you Mr. Pekar. I don't know that you heard my initial statements, but it has been the philosophy of the Town Board to do exactly as you say with reference to these funds. We, however, find that in a situation of almost static tax base that we are attempting to hold the tax rate as low as possible in the hopes that either by some miracle or some hard work on everybody's behalf we can increase the tax base such that we can live within our means. Anybody else with reference to general revenue sharing?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:14 P.M.

Supervisor Smith recessed the meeting to hold another public hearing.

PUBLIC HEARING - 8:15 P.M.

Town Clerk submitted affidavits of publishing and posting of public notice on public hearing to be held on October 3, 1978 at 8:15 P.M., to hear all interested persons in suggesting possible programs of work for the "Small Cities" application.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Ladies and gentlemen, again I hate to bore you, but we're trying to lay out the ground rules on these federal programs, but we've had some people come in the last few minutes that didn't hear my initial statements. The ground rules with reference to the federal dollars are that we have two hearings. The first hearing, essentially allows anybody to address the Town Board on what they may or may want that is, of course, allowable under the particular program that's under consideration. Then subsequently, we have a second hearing where the Town Board says this is what we propose to do, would you kindly react to it. We are going to have now the first of the hearings on what is called "Small Cities" or Community Development Act and then one week from tonight, we'll have a specific program of work to bring before you for your comment or criticism.

This program has already been the subject of a number of public hearings, and the program has had some input from the community by a group called the Concerned Citizens Group.

PUBLIC HEARING - continued
Supervisor Smith continues

It resulted in our filing an application with the Department of Housing and Urban Development for a three-year program of work to do some of the things you see being done around Town at the moment.

This can result in the acquisition of a structure such as the Raspberry Hilton, and their demolition. Some of you have seen the little yellow brochures that provide for home improvement loans at a 3% rate. There are other activities that are eligible under this act. We submitted that application and we have approval. We, unfortunately, do not have approval for the entire dollars that we went after. We have approval for \$450,000 per year. We are going after a sum in excess of \$650,000 a year. So part of what's going to happen tonight, is we're going to listen to you and we're going to make up our minds which programs to trim from our initial application.

Mr. Scheiner, if you would give me that application, let me in detail refresh people's memories on what we have proposed to do. When we were applying for the entire \$1,900,000, we — it's a three-year program. We had proposed the acquisition of land and the improvement thereof for the purposes of housing subsidies. We continued the 3% loan which permits you to insulate your house, which would allow you to fix up the exterior, paint up your house. We were thinking about whether or not we might have direct grants to people who had handicap barrier, someone who has become old and is now in a wheel chair, can't get in and out of their house. We also proposed a Commercial Loan Program. We proposed Water Extension Project down on Horton Avenue. We proposed a Drainage Project for Horton Avenue. We proposed a Job and Development Program for the Town of Riverhead. We proposed a project of Capital Improvement to Town Parks. This includes Stotsky Park, Wading River, Jamesport School and what we call Vest Pocket Parks on Doctors Path and in the Greens. We've proposed certain work with reference to the Townscape Program which is now on going down street. We also proposed certain funds to continue the Administration and Valuation of the Program.

In Year II, we continued the Acquisition Program for housing. We included therein a Water Extension Project for the Bell Town Area on Hubbard Avenue. We provided for certain funds if needed with reference to houses on Horton Avenue that may be displaced by reason of the drainage project. We proposed a demolition fund similar to that which we acquired the Raspberry Hilton. We proposed a single-family Acquisition and Rehabilitation Program. Specifically if there's a particular neighborhood where a particular house is going to pot, we propose to have a fund whereby we can go in, acquire it, fix it up, put it back on the market through commitments with the Farmers Home Administration such that the blight did

PUBLIC HEARING - continuedSupervisor Smith continues:

not spread from the first home to others. We propose Commercial Parking for down town further Townscape Work, and the Job Training Program. Again administration and similar activities.

In Year III, Land Acquisition was again continued. A considerable amount of effort on Stotsky Park. An Industrial Site Acquisition right-down, such to improve Job Opportunity in the Riverhead area. Again the Loan Program and the Job Training Program.

I would add that our Land Acquisition in the third year was oriented towards a senior citizen project. Again there was Administration and like activities.

Again ladies and gentlemen, we did not get the entire \$650,000 per year. We got \$450,000 per year. We wish to hear from you this evening which of those projects you would like continued and we will then write up our opinion of what we've heard tonight and that will be the subject of a hearing next Tuesday.

Would anyone like to begin?"

John Langhorn, Box 71, Horton Avenue, Riverhead: "About the water drainage, when are you going to start to fix it?"

Supervisor Smith: "Mr. Langhorn can I assume, for the purpose of this hearing, that you want us to fix it?"

John Langhorn: "Yes."

Supervisor Smith: "I can't tell you specifically when we're going to fix it. Among other things, this fund, if we go through with the process, the Federal Government will give us the money to fix it. It may be that subject to the resolutions that will be introduced later on in this evening that the Town Board will be taking some steps with Town money such that we might be able to do something before the hard weather hits. But as far as the hearing goes tonight, you want us to fix the drainage problem right?"

John Langhorn: "Yes, but you made a promise and time is running out. The ground will be frozen up and then you can't do nothing."

Supervisor Smith: "I understand that."

PUBLIC HEARING - continued

John Langhorn: "We're waiting on you to do something."

Supervisor Smith: "Okay."

Marie Trent, Horton Avenue, Riverhead; "I would like to say something in reference to what he was talking about, not something nice. It's a handicap for people's health. It's like drinking water that's not drinkable. It can cause cancer or anything. It's not a luxury we are looking for on Horton Avenue. These are necessary things for day to day living, for the people up there to live by. You need proper drinking water and for all the water that's up there on the road, people up on the north and on Horton Avenue can't get through that way. We have to go around and sometimes on Osborne Avenue you can't get through. Sometimes we have to go around to Roanoke Avenue and all this stuff that we are looking for is not a luxury. We are looking for necessary things just to survive, because drinking improper water from day to day, it can cause a great deal of illness in a family. We want those things. They are not luxury things we are looking for, they are necessary things."

Supervisor Smith: "Yes Ma'am. Thank you. And for those of you from Horton Avneue that cooperated with us in the water sampling, it helped the application."

Robert Brown, Box 68, Route 2, Horton Avenue; "I'm talking about the same things she's talking about — drinking water. For two and a half months, you couldn't get to Horton Avenue. Drainage, ice, snow, women and kids up there. Some people on social security, old people 80 years old in the water. They got all wet. Help us up there if you can."

Supervisor Smith: "All right, Yes Sir. Anyone else choosing to address the Town Board on the "Small Cities" Application?"

Robert Pekar, Calverton; "Obviously a major concern and a major problem in the Town is Horton Avenue and areas like that. That has got to be given prime consideration. One of the things that concerns me though is the use of this money for individual sector community centers. We start with Jamesport, Wading River, pretty soon Calverton is going to wantone, maybe Northville, and Center Riverhead. Each time after the federal funds, we say it's federal funds."

PUBLIC HEARING - continuedRobert Pekar continues:

Who's going to support this? Who's going to maintain it? The staff is going to clean it and so forth. So when we spend money of this type with these types of funds, all we're doing is increasing our tax liabilities. You mention a third year priority? We're looking to increase our tax base. I should think this should be moved up. We should be operating or trying to do something about increasing this tax base as soon as possible, not waiting towards the end of a program. These are the kind of things that concern me."

Supervisor Smith: "Thank you Mr. Pekar."

James Karlin, Box 90, Horton Avenue; "I say this. I appreciate Mr. Smith, he came up Saturday morning. He talked about the water. I see Mr. Smith trying to do his best and so like you say I agree with the people. The water is really bad. I agree with them, but I do appreciate Mr. Smith coming up Saturday morning, coming up, talking with us and looking the problem over where the drainage and everything is supposed to go so as far as I can see, he's doing his best and I appreciate it."

Supervisor Smith: "It's very difficult for anybody, especially you out there to understand what goes into attempting to solve a problem such as this. Some of you who have been here regularly know that we have hired an engineering firm. What's hard for you to understand is the drilling rig has been into your area and has been getting the data and what you don't know is that they have recommended a sump opposite the east side of the road. It's hard for you to know that what happens and what part of your problem is that you're attempting to drain 4,000 acres into that one area. You couldn't build a sump big enough at that point to hold the drainage for 4,000 acres. You're getting all the drainage from the Talmage farm on east and west, come into your one area. There not only has to be a sump at that particular location, but there has to be sumps or dikes all the way along such the water never gets to you in the first place. We're working on the sump immediately. We're talking with the county people with reference to dikes up above etc. As I say, it's very difficult for you to understand what's going on because it takes a great deal of leg work and it's a lot slower than I'd like it to be.

Is there anybody else?"

Frank Thatcher, 370 Northville Turnpike; "I don't

PUBLIC HEARING - continued

live on Horton Avenue, but I have property and I had busted boilers, radiators, whatever, and I won't say the amount of dollars, but I'm still working up there and I need some of it taken care of before water comes in again and fills it up so you can't move — like the water bust another boiler. I hope somebody will do something for the drainage and for the water."

Supervisor Smith: "Yes Sir. Thank you Mr. Thatcher."

Vivian Bell, Hubbard Avenue; "I'm interested in direct grants to people on fixed incomes. My husband is a senior citizen and we were wondering about a direct grant. But then you're not such — there's only going to be twenty people getting this on fixed incomes?"

Supervisor Smith: "Mrs. Bell this is a proposal. What we encourage you to do is say that you are interested in that particular program . . ."

Vivian Bell; "Yes. My husband and I are very much interested in that."

Supervisor Smith: "Might I recommend maybe you don't have to wait to have us get through this procedure, if you would speak to Mr. Scheiner when we take a break. There are such grants available now in the present program and maybe he can help you get one."

Bob Tooker, Riverhead; "I would first like to say that I think that the Town Board and Mr. Scheiner should be especially complimented on the way you dealt with the matter of federal funds in the past. I think that the projects which have been proposed and many of them that have been accomplished have been thought through well in advance of the application being submitted and that they're in the main projects which are very beneficial to the Town. I particularly compliment Mr. Scheiner in his imagination in creating some of those programs, and we have already begun to see the affects in the appearance of our committee.

I agree whole heartedly with Mr. Pekar that we should not come to rely on federal funds to meet bills which otherwise should be met out of our day to day tax dollars. There is one project that is included in "Small Cities" application which I am particularly interested in. I think that

PUBLIC HEARING - continuedBob Tooker continues:

one of the great strengths of our community is that we, most of us, live in single-family homes, and most of us do the best we can to keep those homes in an attractive and safe fashion. That program that makes it possible to procure funds at a relatively low rate of interest for a home owner to up-grade the appearance of his home to make it more energy efficient, I'm sure, will in the long run, reap great benefits to our community.

I am also interested in the Town Board considering a project which is not included within the program. I believe that the central part of our down town area could be substantially improved by the elimination of the intersecting as it now exists between Roanoke Avenue, Peconic Avenue and Main Street. I know that that is a very difficult task to undertake, because of the many governmental agencies that are involved — the County, the State, and the Town. I would suggest that the Town Board might consider expending some modest sum of money for the design programs to come up with a layout which would make that a regular cross intersection, eliminate the need for police men on regular attendance at that place, and perhaps to also relieve some of the terrible traffic congestion we've suffered for many years and apparently we will be faced with in some years ahead. Again I'd like to compliment you on your imagination and the programs that have been so far proposed in, in particular, those that are included in the current "Small Cities" program.

I wish you well and on behalf of those of us who live here, I'd like to thank you for making it a more attractive and healthier community in which we can live. Thank you."

Supervisor Smith: "Thank you Mr. Tooker. Anyone else on "Small Cities"?"

Melkiah Bell, Hubbard Avenue; "I'm interested in the lights which we don't have in that area from the overpass 105 going from Westhampton to the north road. I would like to know if it's possible to have lights in that area?"

Supervisor Smith: "Mr. Bell one of the other young men from your area has been in attendance at the Concerned Citizens Meeting. He has given Councilman Lombardi a list of the phone poles where you've requested lights and in the course of the work that's currently being performed, lights will be erected on those poles."

Melkiah Bell: "Thank you."

PUBLIC HEARING - continuedSupervisor Smith: "Anyone else?"

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

PERSONAL APPEARANCES

Supervisor Smith: "We now come back to that portion of the agenda again where I will give anyone the opportunity to be heard who wishes to be heard. If no one chooses to address the Town Board on any subject, we will return to resolutions."

Martin Cooper, 882 Hubbard Avenue; "It seems to me that when your weighing acquisition for parks against people who are living in a drowning type of situation, I don't see how you can come anywhere near it. People who have, like this past winter it was very bad. Horton Avenue they got hit bad and Hubbard Avenue got hit very bad. People were being removed by boats and this here thing is saying something about parks when you're talking about people that had to be evacuated by the Fire Department. Now I think, personally, that the scales definitely tilt towards the people that had to be evacuated. The water that was contaminated."

Supervisor Smith: "Yes Sir. We'll consider that. Is there anyone else?"

No one else wished to be heard at this time.

RESOLUTIONS

#462 TOWN BOARD SETS \$10 FILING FEE APPLICATION TO RIVER-
HEAD ZONING BOARD OF APPEALS

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

WHEREAS, Section 108-77. Filing Fee., states as follows:

For each appeal to the Board of Appeals, there shall be a filing fee in the amount to be fixed by resolution of the Town Board and posted in the office of the Zoning Officer.

RESOLUTIONS - continued
 except appeals in accordance with New York
 State Town Law Article 16, § 280-a, for
 which no fee shall be charged.

and

WHEREAS, It has come to the Town Board's attention that said fee, as now established, should be amended to include a lesser fee with regard to structures less than one hundred (100) square feet in floor area and with regard to swimming pools with less than one hundred (100) square feet of surface area and less than a three (3) foot depth, and

NOW, THEREFORE, be it

RESOLVED, That the Town Board of the Town of Riverhead does hereby set a fee of ten dollars (\$10) for applications to the Zoning Board of Appeals concerning the aforementioned structures, they being structures being less than one hundred (100) square feet in floor area and with regard to swimming pools with less than one hundred (100) square feet of surface area and less than a three (3) foot depth.

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

The resolution was thereupon declared duly adopted.

#463 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE
 OF PUBLIC HEARING RE AMENDMENTS TO CODE OF THE
 TOWN OF RIVERHEAD

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

RESOLVED, That a Public Hearing be held before this Board on the 17th day of October, 1978 at 8:00 P.M., and the Town Clerk be, and she is, hereby authorized to publish and post the following Notice hereof.

PUBLIC NOTICE

PLEASE TAKE NOTICE That, on the 17th day of October, 1978, 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 those persons interested in the following proposed amendments to the Code of the Town of Riverhead: Section 108-56. Signs.; Section 108-86. Applicability of Article; Article VII, Business B District (Shopping Center); Article IX, Business C District (Neighborhood Business); Article X, Business D District (General Business); Article XI, Industrial A District (Light Industry), and Article XII, Industrial B District (General Industry).

1. By amending the first sentence of subsection K, which currently reads as follows:

RESOLUTIONS - continued

"K. Any owner of any such nonconforming billboard or flashing or moving sign, who alleges that the period herein provided for amortization of such sign is unreasonable as to a particular sign may apply to the Town Board for an extension of time for amortization of such sign."

to read in its amended form as follows:

"K. Any owner of any such nonconforming sign, who alleges that the period herein provided for amortization of such sign is unreasonable as to a particular sign may apply to the Town Board for an extension of time for amortization of such sign."

2. By amending subsection L, which currently reads as follows:

"L. Any sign not included in Subsection J above but violative of any section of this chapter, wherever located, shall become an unlawful structure on June 20, 1978, and shall thereupon be removed."

to read in its amended form as follows:

"L. Any sign not included in Subsection J above but violative of any section of this chapter, wherever located, shall become an unlawful structure on January 20, 1978, and shall thereupon be removed."

3. By amending section 108-86. Applicability of Article, which currently reads as follows:

"This article shall be applicable to land zoned for residential purposes in the Town of Riverhead and which is in Residence A District or Agriculture A District under this chapter."

to read in its amended form as follows:

"This article shall be applicable to land zoned for residential purposes in the Town of Riverhead and which is in Residence A, B, and C District; or Agricultural A District under this chapter."

RESOLUTIONS - continued

4. By amending each of the following Articles: Article VII, Business A District (Resort Business); Article VIII, Business B District (Shopping Center); Article IX, Business C District (Neighborhood Business); Article X, Business D District (General Business); Article XI, Industrial A District (Light Industry); Article XII, Industrial B District (General Industry) by adding the following additional use (by Sepcial Permit of the Town Board):

"Any other recreational use."

Before the vote Supervisor Smith stated: "We provided in the ordinance for the amortization. That's a fancy word to say for scaling out of large non-conforming signs. We make some changes in that we also allow what is called clustering in one zone in the Town of Riverhead run residential zone and we intend to amend that such that clustering can occur in all districts and lastly add as an additional use in many of the business zones of the Town of Riverhead under the special permit provisions and other recreational use. This specifically refers to the application of Pro-Putt on Route 58."

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

The resolution was thereupon declared duly adopted.

#466 APPOINTS SCHOOL CROSSING GUARD

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

RESOLVED, That Lillian Elizabeth West be and is hereby appointed School Crossing Guard, effective October 3, 1978, to be compensated at the rate of \$3.00 per hour, payable bi-weekly, to serve at the pleasure of the Town Board 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.

#467 BRUSH AIRPARK, INC., DEPT. OF TRANSPORATION DETERMINATION

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

WHEREAS, By letter dated August 24, 1978, the attorney for Brush Airpark, Inc., has submitted a survey to the Town Board showing a proposed relocated runway, and

WHEREAS, General Business Law section 249(3), provides

RESOLUTIONS - continued

that the Town Board shall request of the Commissioner of Transportation a decision determining whether or not the establishment of a privately-owned airport complies with his standards, and

WHEREAS, General Business Law section 249(6), provides that the Commissioner of Transportation may adopt rules and regulations to enforce said section, and

WHEREAS, Title 17 of the New York Code of Rules and Regulations, section 75.3(a), provides that the Town Board must by resolution request that the Commissioner of Transportation make such a determination, it is hereby

RESOLVED, That the Town Board of the Town of Riverhead requests that the Commissioner of Transportation of the State of New York make a decision determining whether or not the establishment of such privately-owned airport, including said survey, complies with his standards adopted pursuant to General Business Law section 249.

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

The resolution was thereupon declared duly adopted.

#468 AWARDS BID FOR PURCHASE OF TWO HYDRAULIC SPREADERS FOR HIGHWAY DEPARTMENT

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

WHEREAS, The Riverhead Town Board has duly advertised for sealed bids for the purchase of two (2) Hydraulic Spreaders for the Riverhead Highway Department, and

WHEREAS, Said bids were duly opened by the Town Clerk on September 18, 1978, at 11:00 A.M., which were as follows for the net price delivered for the two (2) spreaders:

1. Capitol Highway Materials, Inc. - \$12,200.00
2. Trius, Inc. - \$12,386.00
3. Municipal Machinery Co., Inc. - \$12,658.00

it is hereby

RESOLVED, That the Bid for the purchase of two (2) Hydraulic Spreaders for the Riverhead Highway Department be and is hereby awarded to the lowest bidder, Capitol Highway Materials, Inc., Route 6, Baldwin Place, New York 10505, for the total Net Price Delivered of \$12,200.00, and be it

FURTHER RESOLVED, That the acceptance of this Bid is subject to the Bid Forms and Bid Specifications as filed in the Town Clerk's and Highway Department's Office, including the delivery date as stated by the successful Bidder and the mounting specification.

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#470 RESOLUTION APPROVING PERFORMANCE BOND FOR WYL-LYN ESTATES

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

WHEREAS, Benjamin Karlin submitted a final plat to the Riverhead Planning Board entitled, "Wyl-Lyn Estates", located on Oakleigh Avenue, Baiting Hollow, Town of Riverhead, New York, and

WHEREAS, The Riverhead Planning Board approved said final plat pursuant to resolution adopted on September 1, 1977, subject to certain conditions, one of which being submission to the Riverhead Town Board for approval, a performance bond not exceeding two (2) years in the amount of \$75,000.00, and

WHEREAS, The amount required of said performance bond has been subsequently amended by the Planning Board first to \$42,000.00 by resolution adopted on March 2, 1978, and then to \$3,000.00 by resolution adopted on September 7, 1978, and

WHEREAS, Benjamin Karlin, as a proprietor of Woodcliff Park, has submitted a certified check drawn upon the account of Woodcliff Park for \$3,000.00 payable to the Town of Riverhead, as a performance bond in lieu of a surety performance bond, it is hereby

RESOLVED, That pursuant to Town Law section 277, the Riverhead Town Board hereby approves said certified check for \$3,000.00, submitted by Woodcliff Park, Ben Karlin, proprietor, as a performance bond for the final plat entitled, "Wyl-Lyn Estates", and be it

FURTHER RESOLVED, That the Town Clerk is to notify the Planning Board of said approval.

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

The resolution was thereupon declared duly adopted.

#471 RESOLUTION GRANTING ZONE CHANGE AND SPECIAL PERMIT TO CAROL AND MACE SOWINSKI

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

WHEREAS, Carol and Mace Sowinski have applied to the Riverhead Town Board for a change of zone from Residence C to Industrial B pursuant to Riverhead Code section 108-79, and for a special permit for a non-nuisance industry and

RESOLUTIONS - continued

and wholesale business (non-nuisance) pursuant to Riverhead Code sections 108-45(B) (5) and (6), for the purpose of doing autobody repair work upon property in Aquebogue, New York, near the intersection of Edgar and Hubbard Avenues, and

WHEREAS, A Public Hearing was held on September 19, 1978, at 8:15 P.M., wherein all persons wanting to be heard were heard, and

WHEREAS, Said application regarding the special permit was referred to the Planning Board which on August 3, 1978, recommended conditional approval,

NOW, Therefore, the Town Board does find as follows:

1. The property in question may be at least partially located in the Industrial B District.
2. After public hearing on October 5, 1978, the Town Board granted Carol Sowinski a special permit for a non-nuisance industry upon said property for a commercial refrigeration repair and occasional sales shop.
3. Nearby or adjacent property to the north is residential, property to the south is used as duck slaughterhouse, and thereafter by the Long Island Railroad, and property to the west across Edgar Avenue is an old body repair shop.
4. The primary work contemplated by the applicants is the painting of automobiles.
5. This use will not substantially impair the reasonable and orderly development of other neighborhood properties.
6. The disadvantages to the neighborhood will be minimized and the health, safety and welfare of the Town will not be adversely affected in that the applicants will be directed to take precautionary measures.
7. The proposed usage of this property will be advantageous to the Town in that previously abandoned commercial property will again become utilized.
8. The proposed use will be in harmony with the general purposes and intent of the Town's Zoning Ordinance;

NOW, THEREFORE, it is hereby

RESOLVED, That said property be rezoned from Residence C District to Industrial B District, and it is

FURTHER RESOLVED, That the application of Carol and Mace Sowinski for a special permit for a non-nuisance industry

RESOLUTIONS - continued

and wholesale business (non-nuisance) for the purpose of doing autobody repair work, particularly the painting of automobiles, be granted by the Town Board for a period of two (2) years subject to the following conditions to be met prior to actually beginning this use:

1. That a paint spray booth be installed of the type and size which complies with State Building Code requirements as to the actual versus anticipated number of vehicles, whichever is greater.

2. That any emission as defined in non-nuisance industry and wholesale business (non-nuisance) especially that which would constitute air or water pollution be self-contained.

3. That all work be done inside the building and that there be no open storage yard or outdoor processing of materials.

4. That the requirements of all other governmental entities be met including those for the reduction and elimination of air, soil and water pollution.

5. That the hours of operation be limited from 7:00 A.M. to 8:00 P.M.

6. That all vehicles on the premises be parked either in the parking area or in the building.

7. That the maximum number of cars awaiting repair or pick-up after repair not exceed ten (10) and that said cars shall be parked in the parking areas.

8. That said applicant comply with all pertinent sections of the Riverhead Code, including sections 108-60, Off-street parking, the Parking Schedule, and 108-64.1, Screening and buffer regulations, particularly 108-64.1(A.) (2.), and 108-64.1(B.), as directed and approved by the Building and Zoning Administrator.

9. That this special permit shall remain subject to the jurisdiction of the Town Board, and upon request, the applicants shall make such changes as are required by the Town Board.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#472 RATIFIES McDONALD'S SITE PLAN AND AUTHORIZES SUPERVISOR TO SIGN

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

WHEREAS, This Town Board has heretofore approved a site plan of McDonald's Corporation for a drive-in window at its establishment on Route 58, and

WHEREAS, A prior resolution of the Town Board provided for a change in the large display sign currently at this site, and

WHEREAS, This Town Board has, and intends to permit the amortization on conforming signs upon application by the affected owners, and

WHEREAS, McDonald Corporation has applied for amortization of its existing sign and has submitted to the Town Board data to substantiate a five-year amortization period,

NOW, THEREFORE, be it

RESOLVED, That the prior resolution of the Town Board approving the site plan of McDonald Corporation is hereby ratified, and be it

FURTHER RESOLVED, That the Supervisor is hereby authorized to execute an agreement with McDonald Corporation for the amortization of the existing sign for a period of five (5) years and that, at the end of that period, said sign shall be replaced with a sign as is set forth in the Town Board's prior resolution.

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

The resolution was thereupon declared duly adopted.

#473 AUTHORIZES SUPERVISOR TO TAKE STEPS FOR HORTON AVENUE DRAINAGE

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

WHEREAS, In the winter of 1977/1978, substantial flooding occurred on Horton Avenue north of its intersection with Middle Road, and

WHEREAS, Studies of this flooding problem have been conducted by Holzmacher, McLendon & Murrell, and said engineers have recommended the acquisition of certain lands on the easterly side of Horton Avenue north of Middle Road,

NOW, THEREFORE, be it

RESOLVED, That the Town Supervisor be, and he hereby is, authorized to take steps necessary to acquire by contract, deed, or other means, sufficient lands for drainage purposes at the recommended location, subject to the provisions of the Town Law, General Municipal Law, and Local Finance Law.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#474 ESTABLISHES UNEMPLOYMENT INSURANCE RESERVE FUND AND
PETTY CASH FUND FOR COMMUNITY DEVELOPMENT DEPARTMENT

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

RESOLVED, That the Town Supervisor be, and he hereby is, authorized to establish an unemployment insurance reserve fund to be funded from the various departments and districts of the Town, and to establish a petty cash fund in the Community Development Office in the sum of Fifty and 00/100 (\$50.00) dollars.

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

The resolution was thereupon declared duly adopted.

#475 AUTHORIZES OFFICERS TO ATTEND EMT FUNCTIONS

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

RESOLVED, That the officers of the Riverhead Volunteer Ambulance Corps are hereby authorized to attend seminars and classes on emergency medical services, and that the Town Board shall reimburse said officers for expenses actually incurred.

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

The resolution was thereupon declared duly adopted.

#476 APPROVES PRELIMINARY BUDGET AND CALLS PUBLIC HEARING
THEREON

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

RESOLVED, That this Town Board does hereby prepare and approve as the Preliminary Budget of this Town for the fiscal year beginning on the 1st day of January, 1979, the itemized statement of estimated revenues and expenditures made a part of this resolution, with appropriation #DM5130.400 increased from \$70,000 to \$120,000, and be it

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

FURTHER RESOLVED, That this Board shall meet at 8:15 P.M., on the 17th day of October, 1978, for the purpose of holding a public hearing upon such preliminary budget, and be it

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

RESOLUTIONS - continuedNOTICE OF HEARING UPON PRELIMINARY BUDGET

NOTICE is hereby given that the Preliminary Budget of the Town of Riverhead, for the fiscal year beginning January 1st, 1979, has been completed and filed in the Office of the Town Clerk, at the Town Hall, 200 Howell Avenue, Riverhead, N.Y. where it is available for inspection by any interested person at all reasonable hours.

FURTHER NOTICE Is hereby given that the Town Board of the Town of Riverhead will meet and review said Preliminary Budget and hold a public hearing thereon, at the Town Hall, at 8:15 P.M., in the 17th day of October, 1978, and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled or for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed salaries of the following town officers are hereby specified as follows:

| | |
|----------------------------|-------------|
| Supervisor | \$28,000.00 |
| 4 Councilman (each) | 11,000.00 |
| Town Clerk | 18,000.00 |
| Superintendent of Highways | 20,000.00 |

BE IT FURTHER RESOLVED, That such notice shall be published twice in the NEWS-REVIEW, the official newspaper of the Town of Riverhead, the first publication to be on the 5th day of October, 1978, and the second publication on any day subsequent thereto and before the day of such hearing.

Before the vote, Supervisor Smith stated: "What it says is on the 17th day of October at 8:15 we're going to hold a hearing on the budget. In doing that, gentlemen, in light of the resolution earlier on the budget note is the tax anticipation note. It is my understanding that you wish to incorporate that sum as an additional item in Item #3 for the year 1979 so that at some time during the year 1979, I can pay for it. So that as part and parcel of the motion to hold the hearing and make this the preliminary budget the item and I'll read it into the record DM5130.400, Repairs of Equipment should be increased in the preliminary budget from the figure of \$70,000 to the figure of \$120,000."

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued
#477 ACCEPTS RESIGNATION OF JESSIE TOMLINSON
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the resignation of Jessie Tomlinson, as secretary to the Superintendent of Highways, effective October 7, 1978, be and is hereby accepted with regrets.

Before the vote Supervisor Smith stated: "I personally regret seeing her leave the Town Employment. I hope, Jessie, that you continue with the concerned citizens and you continue with the Planning Board."

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

The resolution was thereupon declared duly adopted.

#478 ADJOURNS TOWN BOARD MEETING TO OCTOBER 10, 1978, AT 7:30 P.M.

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

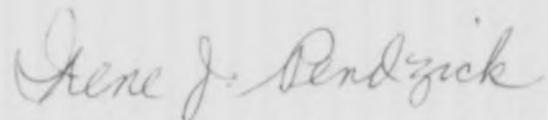
RESOLVED, That this general meeting of the Town Board be, and the same hereby is, adjourned to 7:30 P.M., on October 10, 1978.

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

The resolution was thereupon declared duly adopted.

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

IJP/vlv



Irene J. Pendzick, Town Clerk