

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, August 1, 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.

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

RESOLVED, That the Minutes of the Town Board Meeting held on July 18, 1978 and Minutes of the Special Town Board Meeting held on July 28, 1978, be approved as submitted.

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

The resolution was thereupon declared duly adopted.

BILLS

Bills were submitted on Abstracts dated August 1, 1978 as follows:

General Town	\$13,812.40
Capital Projects	\$ 9,188.18
Highway Item #1	\$ 915.46
Highway Item #3	\$ 1,827.06
Highway Item #4	\$ 565.87

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	\$13,812.40
Capital Projects	\$ 9,188.18
Highway Item #1	\$ 915.46
Highway Item #3	\$ 1,827.06
Highway Item #4	\$ 565.87

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

The resolution was thereupon declared duly adopted.

OPEN BID REPORT - MAIN STREET LIGHTING, PHASE I

After being duly advertised the following bid on Main Street Lighting, Phase I was opened Thursday, July 27, 1978 at 11:00 A.M.

8/1/78

ITEM NO.	DESCRIPTION	QUANTITY	Hinck Elect. Cont. W. Babylon, NY		Steve Nanna Inc. Brightwaters, NY	
			UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1A	F&I 215 Watt HPS Luminaires	16 UNITS	\$ 237	\$ *3,792	\$ 185	\$ 2,960
1B	F&I 215 Watt HPS Luminaires	16 UNITS	364	5,824	295	4,720
2	F&I 15 ft. Aluminum Poles	16 UNITS	520	8,320	425	6,800
3	F&I Precase Concrete Bases for Poles	16 UNITS	783	12,528	175	2,800
4	F&I Fuse Connections and Wiring	16 UNITS	42	672	35	560
5	F&I Underground Secondary Splice-boxes	12 UNITS	200	2,400	160	1,920
6A	Installation of Underground Splice - box	12 UNITS	574	6,888	175	2,100
6B	Installation of Underground Splice - box	20 UNITS	574	11,480	175	3,500
7	F&I Secondary Cable	1,200 LF	1.50	1,800	1	1,200
8	F&I 2" PVC Conduit	1,050 LF	3.60	3,780	3.50	3,675
9A	Trenching, Backfilling,	1,050 LF	9.20	9,660	2.25	2,362.50
9B	Trenching, Backfilling,	1,350 LF	9.20	12,420	2.25	3,037.50
10A	Sawcutting of Sidewalks	2,100 LF	2.76	5,796	3.50	7,350
10B	Sawcutting of Sidewalks	1,900 LF	2.76	5,244	3.50	6,650
11A	Rem. & Repl. Concrete Sidewalks	2,300 SF	3.20	7,360	4.50	10,350
11B	Rem. & Repl. Concrete Sidewalks	18,000 SF	2.50	45,000	3.75	67,500
12A	Rem. & Repl. Concrete Driveway Aprons	.40 SF	3.50	140	5.85	234
12B	Rem. & Repl. Concrete Driveway Aprons	350 SF	3.50	1,225	5.85	2,047.50

(CONTINUED)

FILED.

668

OPEN BID REPORT - MAIN STREET LIGHTING, PHASE I - continued

8/1/78

ITEM NO.	DESCRIPTION	QUANTITY	Hinck Elect. Cont. W. Babylon, NY		Steve Nanna Inc. Brightwaters, NY	
			UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
13A	Rem. & Repl. Cement Concrete Curb	10 LF	\$ 30	\$ 300	\$ 66	\$ 660
13B	Rem. & Repl. Cement Concrete Curb	100 LF	20	2,000	66	6,600
14	F & Sub. LILCO Energy Connection	LUMP SUM	L.S.	500	L.S.	500
15A	Installation of 3" PVC Conduit	550 LF	3	1,650	3.50	1,925
15B	Installation of 3" PVC Conduit	850 LF	3	2,550	3.50	2,975
	* Reported as \$ 3,797.00					
	** Reported as \$ 65,591.00					
	*** Reported as \$113,716.00					
	(SUM OF ALL ITEMS EXCEPT TOTAL BID 1B,6B,9B,10B, 11B, 12B, 13B & 15B)			\$ 65,586.00**		\$ 45,396.50
	(SUM OF ALL ITEMS EXCEPT TOTAL ALTERNATE BID #1 1B,6A,9A,10A,11A,12A,13A) (15A)			\$113,711.00***		\$112,725.00
	(SUM OF ALL ITEMS EXCEPT TOTAL ALTERNATE BID #2 1A,6B,9B,10B,11B,12B,13B) (15B)			\$ 67,618.00		\$ 47,156.50
	(SUM OF ALL ITEMS EXCEPT TOTAL ALTERNATE BID #3 1A,6A,9A,10A,11A,12A,13A) (15A)			\$115,743.00		\$114,485.00
				5% Bid Bond		5% Bid Bond
	PLANS AND SPECIFICATIONS RETURNED			NO		NO

FILED.

669

REPORTS

Conservation Advisory Council - Minutes of July 12, 1978 meeting. Filed.

Supervisor's Office - Financial Statement for the month of April, 1978. Filed.

Recreation Department - Monthly attendance report for month of June, 1978. Filed.

PETITIONS

Requesting that no new street lights be installed in the Green Slopes, (Long Pond Road), Wading River area - signed by 47 residents of the area. Filed.

Supervisor Smith then stated: "On that one if there is a listed chairman, we will send them a letter indicating that the job conference was on Monday, yesterday. The cessation of that installation of lights in that particular area was ordered and in examination of the lights that may or may not be up in that area is being undertaken and we will see that the proposed lights are moved to areas where they are acceptable to the residents."

COMMUNICATIONS

Alan Auckenthaler, 7/28/78 - copy of letter to Federal Communications Comm. re: Cablevision. Filed.

James Magee, 7/18/78 - regarding wetlands permit on Meetinghouse Creek. Filed.

N.Y.S. Dept. of Transportation, 7/14/78 - regarding shared costs for highway improvement. Filed.

Quail Hollow Civic Assoc., 7/3/78 - supporting the proposed amendment to Zoning regarding horses. Filed.

Transamerica Ins. Co., 7/20/78 - regarding release of funds to Broadway Maintenance Corp. Filed.

Fresh Pond Beach Assoc., 7/20/78 - referring to 3/15/78 letter to Highway Supervisor and 5/17/78 letter to Supervisor, regarding parking problems on North Edwards Avenue. Filed.

Supervisor Smith then stated: "On that one, Mr. Young, do you want to address that one?"

COMMUNICATIONS - continued

Councilman Young: "There was a foul up because of the return address given by a Mr. Roberts. He didn't get the first letter back that Allen wrote to him and then we got it back here again and it was remailed to him. I have written a letter to him answering most of his complaints. Mr. Horton is going to tar his road sometime this month in August and we can't paint any of the stripes on the road until it has been oiled. Mr. Grodski has been down there and fixed the launching ramp and I think the only other complaint that was voiced in the letter was that the people in that area don't want boat trailers to be parked and this was discussed by the Town Board and we felt that the road leading to a boat launching ramp about the only thing this beach can be used for is boat launching. We can't prohibit trailers from parking on the side of the road that leads down there. I think that after the road has been tarred, that all the other things that Mr. Roberts has asked for, will be done."

Supervisor Smith: "Thank you Mr. Young."

Mrs. Blasius stated from the audience: "All they wanted was a sign that said boat ramp, no parking on either side."

Supervisor Smith: "Ma'am, if we may, I'll give you an an opportunity in a few moments so that your comments are on the record such that we'll have them in the minutes."

N.Y.S. Society of C.P.A.'s - notice of meeting & seminar to be held on 8/2/78. Filed.

N.Y.S. Office of Advocate for the Disabled - Guidelines for determining eligibility for handicapped parking permits. Filed.

Town Attorney - Copy of letter from N.Y.S. Dept. of Transportation stating determination that airport runway location as described for Riverhead Airpark, Inc. does not meet Department standards. Filed.

Frank Kneski, 7/14/78 - Opposing proposed additional residence at Kent Animal Shelter. Filed.

COMMUNICATIONS - continued
Sheriff's Office, 7/26/78 - regarding inmate releases
remaining in community. Filed.

Joseph Barczak, 7/31/78 - requesting that permit
to extend junk yard along Kroemer Ave. be denied. Filed.

Supervisor Smith then stated: "I believe this matter
is pending before the Zoning Board of Appeals."

UNFINISHED BUSINESS

Special Permit Application - Kent Animal Shelter
(additional residence)

Site Plan Application - Longwood Realty (Pizza Hut
at Route 58 & Roanoke Ave.)

Special Petmit Application - Joseph Brush (airport)

Special Permit Application - Carol Sowinski (non-
nuisance industry, Edgar Ave., Aquebogue).

Zone Change Application - Doris Palmieri (Roanoke
Avenue).

Zone Change Application - Witschi & Hastings (Route
25, Aquebogue).

Special Permit Application - Leo Bekermus (Oil Tank
on West Main Street).

Special Permit Application - Irving Mack (Residence
on Elton Street).

Supervisor Smith: "Under unfinished business, the
special permit application of Kent Animal Shelter, we have
an appearance in that matter by the firm of Tooker and Esseks.
The Attorney, on the last time we spoke to him about this
particular matter and he has asked that no further action
be taken upon the application.

UNFINISHED BUSINESS - continuesSupervisor Smith continues:

The site plan application of Longwood Realty, there is a resolution to be considered by the Town Board later on in the evening.

The special permit application of Mr. Brush, his attorney, Mr. Arnoff, has contacted us and asked us to forebear subject to his filing modifications of his proposal.

The special permit of Sowinski is pending.

The application of Palmieri is the subject of a resolution later on this evening.

The application of Witschi and Hastings is the subject of a resolution later this evening.

The application of Bekermus and the application of Mack are the two public hearings that are scheduled for 8:00 and 8:30.

That brings us to that portion of the agenda where we will recognize anyone wishing to address the Town Board on any matter. I see some new faces in the audience. If you would like to address the Town Board with reference to any matter, we would like you to please come up and use this microphone here so that your comments will get onto the tape recorder and can be part of our minutes. This would aid us in the future, as we try to solve whatever problem you pose for us. Would anyone choose to address the Town Board on any matter which is not the subject of a hearing scheduled for 8:00 and 8:30? If you're here for those hearings, would you please hold your comments until that particular time."

Gertrude Blasius, Secretary Treasurer of Fresh Pond Beach Association; "I'm here in place of Mr. Roberts who wasn't able to come tonight. It seems that most of the requests that we've made are being taken care of by Mr. Young, except the one that doesn't seem to be quite clear to him. There's a short area, the boat ramp where we would like a sign, no parking on either side to be posted at the head of the boat ramp because what happens is the trailer and the cars park at the head of the boat ramp and it makes it impossible for people taking their jeeps or cars down to the water to turn around and go back up the street to find a parking space."

Supervisor Smith: "Mrs. Blasius, may I suggest the following. When we take a break in the very few moments, you meet with Mr. Young, exchange telephone numbers, pick a time when you can meet Mr. Young at the ramp, and you can show us exactly what you want. That's the easiest way rather than trying to have someone picture it in their mind."

PERSONAL APPEARANCES - continuesSupervisor Smith continues:

Mr. Young did make an attempt to meet with the other gentleman, somewhat unsuccessfully, so we'll try it again."

Mrs. Blasius: "All right fine. Thank you very much."

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

Lillian Miller, Wading River: "We have a peculiar situation in Wading River. We have one Street, Central Avenue that goes from Northside Road to Oak Street and it's a Town Street. There's public parking there. We have a beach that's a block away and it seems that all the fishermen and the bathers decide rather than park in the parking lot which may be close to them, because they're not residents of Riverhead, they park on our street. We'd like to know how we can avoid this?"

Supervisor Smith: "Doctor Menendez is the particular Councilman that's investigated this matter."

Councilman Menendez: "Ma'am yesterday, I had a phone call from a gentleman who lives on Central Avenue — Central Street speaking about the very problem you're speaking of. I talked to the Police Chief about it so we are aware of what's going on there. I told this gentleman that he should do the same thing the people in Jamesport did. Get a petition up in your area from both streets requesting no parking."

Lillian Miller: "Excuse me which streets do you mean by both streets?"

Councilman Menendez: "Central and Oak is the other one."

Lillian Miller: "Central and Oak."

Councilman Menendez: "The most streets that are the ones involved here, get a petition from the people who live on those streets, get it into the Town Board, and we can take action, the same as we did in Jamesport."

PERSONAL APPEARANCES - continued

Lillian Miller: "Something can be done. The reason this came to a head is that only the other day we had our car broken into and our battery stolen and there's incidents on the street we never had before. Ours isn't the only one, we've had several incidents on the street.

There's another thing I'd like to bring up. We have a snack bar on Creek Road which is the other side of Oak Street. They're only open three months out of the year. They have, it seems, they sell hard liquor there. I don't know how they got their liquor license. They do have minors in there all the time. They have pinball machines outside. I'd like to know if they have the right to have youngsters in there selling the liquor which they do do and when we send our children in for snacks, they find the place is full of men that are drinking and I don't understand how this in a zoned area like that can happen."

Supervisor Smith: "Lt. Robinson, would you please make note of this particular complaint and then get it to the ABC people to do a check or do it ourselves."

Lillian Miller: "I hate to be a pest, but there is one other thing I'd like to — we have no lights on our streets. I don't know what's happening. Are we going to have lights for us?"

Supervisor Smith: "If you would like Ma'am — you're going to take it down John?"

Lillian Miller: "All the lights seem to be out. I would say most of them. I know they're putting some new lights up there, but at the moment, you can't walk there."

Supervisor Smith: "Part of our difficulty Ma'am is that our particular contractor has come as close to going broke as you can go and when someone isn't paying his help to climb the poles, it's very hard to get the help to climb the poles."

Lillian Miller: "In the meantime, I did speak to Lt. Robinson, I believe his name is, and he was very kind and he did say that he would see to it that we had police patrols on the street. I have not yet seen a police car and that's now three days coming."

PERSONAL APPEARANCES - continued

Supervisor Smith: "Sometimes the best patrols are the ones you don't see."

Lillian Miller: "Possibly, but it would be nice to know that they are in the area."

Supervisor Smith: "Lt. Robinson, in fact, is there on the blotter an entry to give them special patrol?"

Lt. Robinson: "It's already been done."

Lillian Miller: "Thank you very much."

Kathleen Zappasodi, Wading River; "My biggest problem, Mr. Smith, is getting through Marge to get to you, most of the time. I also live in the area of the Millers and the other people back there. The snack bar as was said has become an increasing problem. We live directly off the parking lot and, consequently, we get the brunt of it. The police are very good and they've been very good about answering calls, but they're a small force and there is never anybody at the parking lot at 10:00 to say, hey it's closed.

Innumerable times we've had to call and the police come down with the PA and they got on it. Recently, it has been much better, but like the drinking with the kids we don't know if they get it at the snack bar or what, but we get a lot of kinds hanging out at the parking lot, breaking beer bottles and breaking the lights, that's how most of the lights got broken. I agree, the lights should be put in.

During the daytime, the boy that works in the parking lot, as far as stickers with Town of Riverhead Residents, he told me right plain point blank that unless he has a complaint from somebody, he's not telling anybody to move. I informed the police of this and I said to them, look if the kid would do his job, you wouldn't have to be called. There are numerable times that you can't get into the parking lot for people that don't belong there.

Mr. Mayo contacted me. I think my name was given to him from your office one day, and he said that it was going to be roped off and a stand was going to be put up because the boy himself said to me look if you want to complain, go to the Town Meeting and complain that there should be a booth where they have to drive past me so that I can see if they have a sticker. I have seen the kids themselves tell people to park up on Central and on Oak, because they don't belong in the parking lot, that is not right."

PERSONAL APPEARANCES - continued

Supervisor Smith: "It looks like we have to move that young man out of that particular area . . ."

Kathleen Zappasodi: "I don't want the kid, you know . . ."

Supervisor Smith: "People in there — one of our older people . . ."

Kathleen Zappasodi: "I heard when the senior citizens used to run it, it was a lot better run."

Supervisor Smith: "Then I'm suggesting to you Ma'am that that's exactly what we do. We have the young man go someplace else and we move someone else in there."

Kathleen Zappasodi: "Thank you."

Irving Miller, Wading River; "Speaking about the snack bar, this particular snack bar surrounded by a residential area of expensive homes, paying huge taxes, I personally feel that the snack bar doesn't belong in the area. How it got started, how the zoning law allowed that bar to be created or snack bar created, is a crime of the Town of Riverhead. I don't like to mince words, that's why I'm telling you exactly the way it is.

This area contains a lot of senior citizens that have been living on Central Avenue and Oak Street for as long as forty or fifty years. One particular resident is there for seventy years. His Aunt lived there, he lives there. So the area is a high tax area with lovely homes that range up to \$100,000.00. To find a fly-by-night snack bar in such an area, even though we know people love to have ice cream during the summer when they're at the beach, but why that snack bar has to have been on its menu or its premises is another story.

We know, for a fact, that hard liquor in an off-premise license is illegal, but it happens. Youngsters under the age of 18 are working in this bar. Innocently or otherwise, they are serving hard liquor. The man happens to have a wonderful reputation. We understand that his wife owns a bar near the race track called the Oak something or other Oak Willow or Willow Oak, but we don't see the connection why a summer area catering to the residents of Wading River and its environs just for the summer months

PERSONAL APPEARANCES - continued
Irving Miller continues

where people just go to the beach to have a cooling off period during the hot weather, should have to tolerate the birth of a snack bar that sells beer and hard liquor. I think against the law.

I don't know exactly what his license is because I never frequent the place. But I really think that the Town of Riverhead should see to it that the bar is — that this particular premise looses its zoning permit for the right even to sell snacks. It's not necessary. People that just come down for the day, the local area, can bring their sodas and their ice cream and their sandwiches along with them, but to have a snack bar that tolerates the increase of youths that don't have the time to find things to do in the evening, as a young lady a moment ago mentioned, she lives right on the corner of this parking lot and at times there's a lot of rawdyism. My car was just broken in the other day. A Mrs. Eterno had her car broken into a short time ago. Mr. Eterno died of a heart attack because when he came home one day, his house had been vandalized. I blame the Police Department. I think they're not doing a proper job. I know they don't have the help, but there's the talk of productivity, and that's what this Town has to look for.

Another resident tells me that they stole the connection for the row boat or motor boat or whatever she had from her car. They broke into my house and vandalized it. They broke into Mr. Davidson's house. This is all on the same T-formation of Oak Street and Central Avenue. I mean Mrs. Sackowitz' home was vandalized.

Now we know the complaint has been made and I know that it's on the docket. This goes back over several years. The Town is asleep, the Police Department is asleep. And I think that when an area is like that with a limit of probably 18 homes, this entire area should be the spector of all of this kind of vandalism, night riding, drag racing, mo-ped bikes, motorcycles, and cars parked in the public parking lot after 10:00 p.m. when the law says and so it's stated at the beach, no parking after 10:00, but I'm told by one of the officers in the Police Department that we can control everybody but fishermen.

There's also a sign that says you're allowed to ride on the beach with motor vehicles from 7:00 a.m., I think, to 10:00 p.m. and I don't see the necessity of that. If they need to ride their car on a sand place, let them go to the desert, but not in Wading River. Wading River is one of the most beautiful Towns in the entire area. To neglect it from this office is a crime and I'm looking forward to get the cooperation of this department, this counsel, the Police Department, you honored guests on the diocese, that you take care of a community that's 300 years old and to see it fall apart over a period of ten years.

PERSONAL APPEARANCES - continuedIrving Miller continues:

This is my first appearance.

I think there's neglect and the neglect comes from the public citizenry itself because they don't come down here in the body to scream at you gentlemen. That's the only way you're going to hear. Protesting is another method.

But I know or perhaps you've never been told before of all of these things, but of record they are, because my home was vandalized, and I got a call from the Police Department to New York City at the time, so now they have a record.

Mr. Davidson has been a resident here for about 40 years. His home was vandalized and his name is on the docket and of late, my car was stolen — rather broken in only the night before and I don't want to repeat the other cases. I told you about those, but I think, you're neglecting Wading River and it's one of the most beautiful fastest growing Towns in your entire community and I think you ought to look into the entire matter. Thank you very much."

Supervisor Smith: "Thank you Mr. Miller. With reference to the zoning matter, it would be nice depending upon how you look at it, if you could close down establishments that pre-existed zoning, but it runs afoul of the Federal Constitution in due process requirements and the particular establishment, although I do not know it for a fact, I imagine is pre-existing zoning in this particular jurisdiction. With reference to your complaints about vandalism, etc., when we take our break, Lt. Robinson will make an effort to see if we closed out any of the complaints about which you make mention.

I would mention what I have mentioned I believe at the last meeting or the meeting previously before, that we have given Wading River special consideration in the past, we will do it again and again. The kind of police enforcement for which you ask costs in the particular weekend that we did it last which was one of the latter weekends in June, the overtime costs were approximately \$1,400 for three days and maybe I'm like some other politicians we keep saying here that there is no longer any free lunch we can have a cop on every corner, we can have a light on every pole. It's a function of whether or not the people wish to pay for it. We do the best we can. We'll see if we can get you the answers to the particular problems that you have raised."

Supervisor Smith recessed the meeting to hold the public hearing.

PUBLIC HEARING - 8:00 P.M.

Town Clerk submitted affidavits of publishing and posting of public notice of public hearing regarding: special permit application of Leo Bekermus for a special permit to construct an oil storage tank at a site used by Long Island Ice and Fuel on West Main Street, Riverhead, New York.

The affidavits were ordered to be placed on file.

John Munzel, 548 Roanoke Avenue, Riverhead; "This is an application as the Board well knows for permission to use the area now known as the Long Island Ice and Fuel for substantially expanded oil storage facilities. At present, there's approximately a 500,000 gallon capacity at that location not basically one small tank. The proposal is to put a very substantial tank therefore another five million five hundred thousand plus storage capacity."

Supervisor Smith: "Are we talking about Long Island Ice and Fuel or the Coal Company? Which location are you — west of Blackman's or east of Blackman's?"

John Munzel: "I'm talking west of Blackman's."

Supervisor Smith: "Coal Company, Riverhead Coal Company."

John Munzel: "I was close. My apologies, I got the name screwed up. Anyhow there is an existing tank there. It's a small one. We plan on putting on a very substantially greater one in that location. The proposed tank is much smaller than anything up at Northville. Some of the questions, of course, in the application is, does it affect fire protection capacity, etc., and, of course, if we can handle Northville, we can surely handle that one tank or in that case it will be two tanks. The existing tank and one other.

The tank will be constructed, of course, in accordance with all the necessary engineering standards and will contain berm so that if the tank ruptures all at once, none of the oil will leave the immediate premises. It will be about a nine foot wall all around and according to the firm of Young and Young, that will hold all the oil that's in the premises.

Presently, the zoning on that particular parcel is somewhat complex. It happens to be bi-sected by three different zones. The front is Business A, on the rear for

PUBLIC HEARING - continued

John Munzel continues:

the most part is Industrial A and on the east side there is Industrial B. The property, of course, is bounded on the south by Route 25 and on the north by the Long Island Railroad.

It's anticipated that substantial deliveries and removal of oil from the area will be along the Long Island Railroad. There will be anticipated again some truck traffic also for the delivery of fuel oil. The premises — the roadway there, I think, the use will not be a burden to the existing traffic in that area as it is a very substantial — not a substantial, but it does have industrial capabilities now and we anticipate to fit within the framework of the area. If anybody has any questions, I'll try to answer them."

Supervisor Smith: "I've got five. You've mentioned the dikes. In my point of reference is the Northville applications in the past, soil barrier or some sort of barrier underneath for freshwater protection?"

John Munzel: "Yes it would have to be an impervious layer underneath the tank so that in the event there is a rupture, it will not seep down through the soil and into the River."

Supervisor Smith: "Type of oil?"

John Munzel: "Generally fuel oil. It's anticipated. We do not anticipate gasoline."

Supervisor Smith: "Floating roof? In other words we've got the odor problem and one of the methods have been used in the other application of Northville is as I understand it is an aluminum foil hyde that rides on cushions on top of the soil and thereby cuts down on the odor, if any."

John Munzel: "As I indicated within the engineering standard are four tanks, we'll construct them along those lines. Obviously, in order to avoid any odor and if that is a real problem, I'm quite sure a floating roof is no problem provided it doesn't sink."

Supervisor Smith: "Yes Sir. The last thing is on these and the applications like them in the past, we

PUBLIC HEARING - continued

take advantage of the provision of the special permit ordinance and we hire consulting engineers to examine and inspect the tanks during the phase of construction. I would assume that your client is prepared to pay for those inspections?"

John Munzel: "Provided they're not too horrendous, yes."

Supervisor Smith: "They're not too horrendous, but they're almost equal to lawyers fees."

Councilman Menendez: "John, has Riverhead Fire Department been consulted as to their ability to handle fires up there in that section, in case this burn you speak of should breach, and how would it affect the surrounding buildings? They're pretty close there."

John Munzel: "The buildings aren't that close. They're quite a bit a ways away. Personally not by me, but I would imagine that the Planning Board did consult with the Fire Department regarding that problem. In any event, if they can handle Northville, they can sure handle our little operation on west . . ."

Councilman Menendez: "Well Northville doesn't have a building within a couple hundred feet of it."

John Munzel: "It's got a lot of other tanks there."

Supervisor Smith: "The long and short of that is maybe we'll consult with the Fire District before we act."

John Munzel: "I should hope so because it's the last thing — what we want to do is put something in there that is to our benefit also and a rupture is not to our benefit. And any danger to that is not to our benefit."

Supervisor Smith: "There are some differences with Northville, John. They have high speed wells and all the rest of that that they provide for fire fighting. You, however, are in the water district which may make a difference."

PUBLIC HEARING - continued

Councilman Lombardi: "John, what size tank did you say it was?"

John Munzel: "About a little over five and a half million gallons."

Councilman Lombardi: "Five and a half million?"

Councilman Menendez: "How big a tank does Northville have on there average tank? Are they ten million?"

John Munzel: "Yes. They're way up there."

Supervisor Smith: "We'll consult with the Fire District."

Councilman Young: "How big is a five million tank?"

John Munzel: "140 feet in diameter and 40 feet high."

Supervisor Smith: "No liquid petroleum? With reference to the application of Mr. Bekermus for the facility that Mr. Munzel has described on West Main Street, is there anyone present that would choose to address the Town Board either in support of his position or in opposition to what he proposes?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:08 P.M.

Supervisor Smith: "We now come back to that portion of our agenda where we will listen to anyone who chooses to address the Town Board on any topic? Does anybody choose to do so."

Kathleen Zappasodi: "I don't necessarily agree with totally disbanding the snack bar, but with the sale of hard liquor because they're all minors there, I'll be honest with you."

PERSONAL APPEARANCES - continued

Supervisor Smith: "Mrs. Zappasodi we note your comments again with reference to the liquor at that particular location. It's a . . ."

Kathleen Zappasodi: "I think the snack bar serves some purpose. But when it comes to . . ."

Supervisor Smith: "We have done it with reference to the bar that is down by the ponds in the past, as you know, and we will do it again with reference to this guy if you're suspicions are founded and it can either be done through the local Police Department or it can be done with the aid of the ABC. Is there anyone else?"

No one else wished to be heard at this time.

Supervisor Smith recessed the meeting after which the meeting resumed.

Supervisor Smith: "We are still on that portion of the agenda should anyone choose to address the Town Board with reference to any item, other than the hearing that we will have at 8:30 with reference to the application of Mr. and Mrs. Mack, anything other than that if someone would choose to address the Town Board at this time?"

With reference to the complaints of Mr. Miller, Lt. Robinson will write up for me a brief report of the activity about which Mr. Miller makes the complaint and we will attempt to send him a copy of the report and hopefully he will see some of the things that have happened and possibly can happen with reference to his particular area."

Mike Esposito, Merritts Pond Road, Riverhead; "I wish to speak again before you people vote on the Pizza Hut on Route 58 and Roanoke Avenue. I've been accused of over-reacting and I've been accused of vendettas against the people that own the property. I've been accused of — because they're in the same type of business that I'm in, the food business. I've been accused of all sorts of things.

I'm involved in this on a personal basis or business basis. Actually I'm involved in this because of a Town basis. I'm interested in this Town. I live in this Town. I work in this Town. I try to do what I can for the Town because the Town has been very good to me. I have done very well in this Town.

PERSONAL APPEARANCES - continuedMike Esposito continues:

I'm not anti-business. I wish these people well. I wish they should live and make money like everybody else. But this particular corner these people own and want to put up a fast-food operation is the most critical corner in this Town. I've said it before and I'm going to say it again, it endangers the lives of so many people that in a year we will tear our hair out because we didn't stop this thing at the proper time.

The hospital is the only one from Greenport to St. Charles to Southampton. People must get in and out of there at a rapid rate. If we ever had a fire or a police emergency on the north side of that road, people would die and suffer in living pain until help got to them which would be almost forever.

The schools that are on Ostrander Avenue — Osborne Avenue, I'm sorry, would be doubled and tripled in their traffic because of people that would refuse to go up and down Roanoke Avenue because of this one installation.

Now we already have a fantastic problem there. We all travel it. I don't have to tell you people because you live in this Town. You know what goes on in the Town. All I say is that I want this corner protected for things like this. This is the most serious spot that we could be in and six months from now when this building is up and we're all saying we should have done something when we had the opportunity. If it takes buying that property or giving the man some sort of financial relief, I say do it. But get a low traffic medical building, anything at all, let the man use the property, but not for a fast-food operation. That Whopper Burger up there must do 100 cars, if not 200 cars an hour during peak business hours and it can happen any time, day or night and we're in a mess up there already and to continue to let the thing continue to deteriorate, it's just inconceivable to me that we don't react more strenuously, that the people of this Town don't react more strenuously and come forward and say this is what we're going to do for the rest of our lives.

It may be five to ten years before the County comes in and helps us. That, people are going to pay every time they need a loaf of bread or a quart of milk because our supermarkets are up there, our schools are in the north side of that road and you're going to pay everyday of your life in this Town for this one thing. Thank you very much."

Supervisor Smith: "Thank you Mr. Esposito. We appreciate your comments. I think that the Town Board when it gets around to voting, although it won't be immediately now, we're going into the hearing, has considered many of the things that you said. We also must weigh against that

PERSONAL APPEARANCES - continuedSupervisor Smith continues:

the reality that the property had laid vacant for a number of years. The prior records of the Town Board indicating that when Kentucky Fried Chicken landed on Main Street that the area wherein the planning and the zoning etc., said that these establishments should be up on 58 and that there be some return to the property and we do not treat what you say lightly. We, each considered it and each one of us will vote as we have considered what you said, but also are other responsibilities with reference to land use and tax bills and uses of land, etc."

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:30 P.M.

Town Clerk submitted affidavits of publishing and posting of public notice of public hearing regarding: special permit application of Irving and Gladys Mack for a special permit to construct a one-family dwelling on Elton Street, Riverhead, New York.

The affidavits were ordered to be placed on file.

Supervisor Smith: "What we have this evening, ladies and gentlemen is a procedure whereby we consider the establishment of a one-family residence in a business or industrial zone. There are circumstances in industrial areas where we would not necessarily want a one-family home next to different types of operations. This probably is not such an occasion. The property involved is on the northerly side of Elton Street. It is somewhat to the east of Saw Mill Brook. That locates it for most of you. I assume that Mr. and Mrs. Mack are here in the back of the room. Is there anyone else and I assume that if we asked you to come up here, you'd say you want to build a house there, right? Is there anyone else that chooses to address the Town Board with reference to this application, either for or against?"

No one wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:31 P.M.

Supervisor Smith: "Does anyone else want to get in any comments before resolution?"

RESOLUTIONS - continued

#361 APPROVES SITE PLAN OF "PROPOSED RESTAURANT-PIZZA HUT" SUBJECT TO MODIFICATIONS

Before offering the following resolution Councilman Young stated: "Mike, we don't do this lightly. We've really searched our soul on this thing and we've had some heated arguments amongst ourselves. The way I feel about it, the corner of Route 58 and Roanoke Avenue is the time square of Riverhead now and we can't stop it from being that. That's the main, most valuable, economic intersection in the Town. It's like Roanoke Avenue and Main Street used to be and if we're going to have a viable economy in the Town, you've got to have businesses where businesses are going to go and that seems to be the place that would be most prosperous for a business. A business in that area should prosper and pay taxes. And with every good thing, comes a few bad things. If you're going to have a city, you're going to have to have traffic. So I feel it's not perfect, but you can't stop progress."

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

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

WHEREAS, A site plan, entitled "Proposed Restaurant - Pizza Hut", drawn by Herman Schnepf, dated June, 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 changes that are further set forth in this resolution, which site plan will 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 chain link fence along the entire southerly lot line.
2. the perimeter areas along the westerly, southerly, and northerly perimeters shall be landscaped at the direction and approval of the Building and Zoning Administrator;
3. the exits onto Roanoke Avenue and County Road 58 shall be right-turn-only exits and shall include a traffic island of such size and design, as shall make left turns physically impossible,
4. the dump pad shall 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,

RESOLUTIONS - continued

5. this 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 to the east, the expansion of County Road 58, or other like changes in the parcel.

The vote, before voting Councilman Regula stated: I'd like to make a statement. I realize as the whole Town Board does that this is a permitted use for the Pizza Hut and there probably isn't a great deal this Town Board can do about it. However, I know, like Mr. Esposito has said the traffic is treacherous there and I feel that there are going to be accidents and there's going to be a great deal more congestion.

Eventually, we hope the County's going to take that traffic circle out and make four lanes and also take part of Roanoke Avenue and widen it. But this we might not realize for two, five or ten years. But I feel at this time, I'd just like to hold off for a while because I've spoken to a few people and just hoping that we can possibly get to the County and they can relieve us on the Roanoke Avenue exit on that. Whether anything can be done or not, I'm not sure. However, I feel that we should give it a try. I vote, No."

Lombardi: "Well before I vote, I'd like to say a few words too. I am not against the Pizza Hut. In fact, I am for new business in Town. What I am against is the exit road from the business coming into Roanoke Avenue. We now have a serious traffic problem with the exit from Harrows Shopping Center. With the exit across from each other, an ambulance, fire engines, and police cars trying to get through this is going to create a hazardous situation. So in good conscience, I vote No."

Menendez, Yes, Young, Yes, and Smith: "Similar to the other gentlemen, as I've stated, we've considered the thing a great deal. I think what the burden to the Town Board is the consideration of a fairness doctrine, if you will. In the past, I've heard complaints by the people of Riverhead Travel Bureau with reference to the parking congestion etc., of your establishment, Mr. Esposito.

I recognize that you were there, possibly before zoning, that you have an advantage that way. I also realize the congestion of Downtown Riverhead, I can't change that, especially at the intersection of Roanoke Avenue and Main Street. In my brief experience with the

RESOLUTIONS - continuedSupervisor Smith continues:

Fire Department we have not experienced great delays in getting the emergency apparatus through the intersection of Roanoke Avenue and Main Street which is certainly more congested than the situation that is proposed at the intersection of 58 and Roanoke Avenue. In fact, the very controls that we're examining this evening were instituted by this Town Board when prior Town Board's didn't enact site plan review as we have done with this particular Town Board. But for the actions of this Town Board you wouldn't have an opportunity to say what you're going to say, this evening. But weighing all those things, I'm going to vote for the site plan as modified. I vote, Yes."

The resolution was thereupon declared duly adopted.

#365 ADOPTING AMENDMENT OF RULES & REGULATIONS - POLICE DEPARTMENT - TABLED

Supervisor Smith stated: "We would like to table that one till the next meeting, Mrs. Pendzick. We wish to speak to Chief Palmer, the author of the resolution and he's in Rochester at the moment."

#366 AUTHORIZES THE PLANNING BOARD TO ATTEND CONFERENCE AND EXPENSES INCURRED THERETO TO BE PAID

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

BE IT RESOLVED, That the Chairman and Members of the Planning Board be and are hereby authorized to attend the New York State Federation of Planning Institute on October 15th, 16th, 17th, 1978 at Kutsher's Country Club, Monticello, New York and that all necessary expenses incurred thereto be paid.

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

The resolution was thereupon declared duly adopted.

#367 AUTHORIZES ZONING BOARD OF APPEALS TO ATTEND CONFERENCE AND EXPENSES INCURRED THERETO TO BE PAID

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

BE IT RESOLVED, That the Chairman and Members of the Zoning Board of Appeals be and are hereby authorized to attend the New York State Federation of Planning Institute on October 15th, 16th, 17th, 1978 at Kutsher's Country Club, Monticello, New York and that all necessary

RESOLUTIONS - continued
 expenses incurred thereto be paid.

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

The resolution was thereupon declared duly adopted.

Before resolutions #368, #369, & #370 were offered, Supervisor Smith stated: "Ladies and gentlemen we have working for us this summer, several young men from various graduate universities and they've worked on various matters one of which deals with pre-existing filed subdivisions which is very often much more of a topic in south side Towns. The second item I'll take up in a second. The third item #370 is the Town Health Code which has been the subject of some discussion in the press, and the intervening item in under my authorship and it deals with the application of Palmieri."

#368 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE
 OF PUBLIC HEARING RE: FILED SUBDIVISIONS

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

RESOLVED, That the Town Clerk be, and she hereby is, authorized to publish and post the following public hearing for the meeting of August 15, 1978, relating to: Filed Subdivisions.

PUBLIC NOTICE

PUBLIC HEARING TO AMEND CHAPTER 30, SECTION 1 AND CHAPTER 108, SECTION 95, SUBDIVISIONS A AND B OF THE RIVERHEAD TOWN CODE TO AUTHORIZE AND EMPOWER THE RIVERHEAD PLANNING BOARD TO APPROVE THE DEVELOPMENT OF PLATS ALREADY FILED WITH THE SUFFOLK COUNTY CLERK IF SUCH PLATS ARE ENTIRELY OR PARTIALLY UNDEVELOPED.

PLEASE TAKE NOTICE That pursuant to a motion of the Riverhead Town Board a public hearing will be held before the Riverhead Town Board on the 15th day of August, 1978 at 8:15 P.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York to hear all those persons interested in favor or against proposed amendments to Chapter 30, Section 1 and Chapter 108, Section 95, Subdivisions A and B.

Chapter 30, Section 1 of the Riverhead Town Code shall be amended to read as follows: "The Planning Board of the Town of Riverhead is hereby authorized and empowered to approve subdivision plats showing lots, blocks or sites, with or without

RESOLUTIONS - continued

streets or highways, and to approve preliminary plats, within that part of the Town of Riverhead outside the limits of any incorporated city or village. The Planning Board of the Town of Riverhead is further authorized and empowered to approve the development of plats already filed in the office of the Suffolk County Clerk or register of Suffolk County, if such plats are entirely or partially undeveloped.

Chapter 108, Section 95, Subdivision A of the Riverhead Town Code shall be amended to read as follows: By the authority of the resolution of the Town Board of the Town of Riverhead adopted on (date that chapter 30, section 1 is adopted) pursuant to the provisions of Article 16 of the Town Law of the State of New York, the Planning Board of the Town of Riverhead is authorized and empowered to approve plats showing lots, blocks or sites, with or without streets or highways, and to approve preliminary plats, within that part of the town outside the limits of any incorporated city or village. The Planning Board is further authorized and empowered to approve the development of plats already filed in the office of the Suffolk County Clerk or register of Suffolk County, if such plats are entirely or partially undeveloped. It is declared to be the policy of the Planning Board to consider land subdivision plats as part of a plan for the orderly, efficient and economical development of the town (the remainder of chapter 108, section 95, subdivision A is unchanged).

Chapter 108, Section 95, Subdivision B of the Riverhead Town Code shall be amended to include the following definition.

Undeveloped -- A plat as defined by subdivision 1 of §276 of the Town Law of the State of New York.

PLEASE TAKE FURTHER NOTICE that all persons interested in the above described proposals should appear at the above stated time and place and they shall be heard.

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

The resolution was thereupon declared duly adopted.

#369 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: EXISTING STRUCTURES IN PROFESSIONAL SERVICE BUILDING USE DISTRICT

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

RESOLVED, That the Town Clerk be, and she hereby is, authorized to publish and post the following public hearing for the meeting of August 15, 1978, relating to: Existing Structures in Professional Service Building Use District.

PUBLIC NOTICE

AMENDMENT TO CODE OF RIVERHEAD AMENDING THE PROFESSIONAL SERVICE BUILDING USE DISTRICT AS IT APPLIES TO EXISTING BUILDINGS

RESOLUTIONS - continued

PLEASE TAKE NOTICE, That the Town Board of the Town of Riverhead will hold a public hearing on the 15th day of August, 1978, at the Town Hall, 200 Howell Avenue, Riverhead, New York, at 8:00 o'clock, P.M., to hear all persons wishing to be heard on the following amendments or additions to Chapter 108 of the Code of the Town of Riverhead, Zoning, as follows:

FIRST: By adding a new section to Article XXII, Business PB District, to read as follows:

"§ 108-115. EXISTING STRUCTURES.

"The Town Board, pursuant to the terms of this Article, Section 108-3, SPECIAL PERMITS, and the standards set forth in Section 108-76 B. may issue a special permit for the reconstruction, renovation, or occupancy of existing structures situate in the Professional Service Building Use District. In granting a special permit for the reconstruction, renovation, or occupancy of an existing structure, the Town Board may, upon the proper findings of fact, include in the special permit variances to the Zoning District Use Schedule and the Parking Schedule.

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

The resolution was thereupon declared duly adopted.

#370 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: TOWN HEALTH CODE

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

RESOLVED, That the Town Clerk be, and she hereby is, authorized to publish and post the following public hearing for the meeting of August 15, 1978, relating to: Town Health Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE That, on the 15th day of August 1978, at 8:30 P.M. o'clock, 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 in connection with the enactment of Local Law No. 2 for 1978, to be included in the Code of the Town of Riverhead", a complete copy of which is available at the Town Clerk's Office, during regular office hours.

RESOLUTIONS - continuedSUMMARY OF PROPOSED LOCAL LAW NO. 2

The purpose of the law is to prevent conditions hazardous to the health and to provide an effective mechanism to abate those hazards that do exist. This would be done by establishing rules and regulations, enforceable by the Town Board in its capacity as a local board of health.

The Health Board would designate a "Town Health Officer" who would be the Board's chief executive Officer, and charged with the primary responsibility of enforcing the Code. The Health Officer would be a competent physician, whose compensation would be fixed by the Health Board at no less than \$1,200 per annum. The Health Officer would have all of the powers, duties and responsibilities delegated to him by the New York State Public Health Law and other applicable laws.

SUBSTANTIVE PROVISIONS OF THE CODE

1. Prohibit improperly contained "offensive material" which create a health hazard.
2. Require owners and tenants of a building, each to the extent of his responsibility, to maintain the sanitary facilities.
3. Prohibit the owner of any rented or leased dwelling from shutting off any service facility, equipment or utility required by law, except for an emergency or necessary repairs.
4. Prohibit occupancy of dwelling units that violate the Health Code, or other applicable laws.
5. Prohibit pollution of the atmosphere.
6. Prohibit interference with notices.

In addition, the Code lays out enforcement procedures to be followed in abating nuisances.

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

The resolution was thereupon declared duly adopted.

#371 ADOPTION OF ZONING AMENDMENT TO RIVERHEAD TOWN ZONING MAP

Before the resolution was offered Supervisor Smith stated: "This is the professional business town zoning on Board and Linda Avenue. It's placing the professional service building zoning on the area from County Road 105 to Shade Tree Lane in Aquebogue."

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

RESOLUTIONS - continued

WHEREAS, Pursuant to Riverhead Code Chapter 108, Zoning, and Town Law sections 264 and 265, notice was duly published and posted to amend the Riverhead Town Zoning Map, to add the Business PB District (Professional Service Building), Chapter 108, Article XXII, as an overlay, in addition to the current Agriculture A District in an area in the hamlet of Aquebogue, Riverhead, New York, bounded on the west by the easterly side of County Road 105, on the north by the southerly side of Route 25, on the east by the westerly side of Shade Tree Lane and on the south by an imaginary line parallel to the southerly side of Route 25 and set back from the same 500 feet being the same imaginary line separating the Agricultural A District from the Residence C District, and

WHEREAS, A public hearing was held on July 18, 1978, at Riverhead Town Hall at which time and place all persons wanting to be heard, were heard, and

WHEREAS, Said matter was referred to the Town Planning Board, which on July 6, 1978, recommended approval and that said aforescribed area be extended easterly to the existing Business B District and be exclusively zoned Business PB District and excluding Agricultural A District uses, and

WHEREAS, Said area is an area along a major artery, which provides a transitional use between business and residential development in accordance with the master plan, it is hereby

RESOLVED, That the area in the hamlet of Aquebogue, Riverhead, New York, bounded on the west by the easterly side of County Road 105, on the north by the southerly side of Route 25, on the east by the westerly side of Shade Tree Lane and on the south by an imaginary line parallel to the southerly side of Route 25 and set back from the same 500 feet being the same imaginary line separating the Agricultural A District from the Residence C District, as on the Riverhead Town Zoning Map be amended to adopt the Business PB District as an overlay, in addition to its current Agriculture A District status, and be it

FURTHER RESOLVED, That the Town Clerk publish and post this resolution in its entirety and that this amendment become effectual ten (10) days after publishing and posting, thereof.

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

The resolution was thereupon declared duly adopted.

#372 AUTHORIZES PUBLIC SALE OF ABANDONED AND USED SURPLUS
POLICE VEHICLES

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

RESOLVED, That after duly publishing and posting, the

RESOLUTIONS - continued
 following unclaimed or abandoned vehicles and used surplus
 police vehicles were publicly sold at public auction on
 July 29, 1978:

SALE OF ABANDONED & SURPLUS AUTOMOBILES

AV-1	1966 Chevrolet	Color Tan	VIN 163396T235906
	Sold to Walter McKay, 209-A Middle Road, Riverhead for \$45.00		
AV-2	1970 Volkswagon	Color Tan	VIN 3602272770
	Sold to East Island Auto Parts, Kroemer Ave., Riverhead for \$25.00		
AV-3	1968 Chevrolet	Color Blue	VIN 166478T194709
	Sold to Fred Gallo, Hubbard Ave., Riverhead for \$25.00		
AV-4	1969 Pontiac	Color Brown	VIN 252699E155038
	Sold to East Island Auto Parts, Kroemer Ave., Riverhead for \$50.00		
AV-5	1974 Chevrolet	Color Brown	VIN 1V15A42104491
	Sold to Fred Gallo, Hubbard Ave., Riverhead for \$70.00		
AV-6	1966 Chevrolet	Color Blue	VIN 153116F178910
	Sold to East Island Auto Parts, Kroemer Ave., Riverhead for \$15.00		
AV-7	1969 Buick	Color Brown	VIN 452399Y213842
	Sold to Fred Gallo, Hubbard Ave., Riverhead for \$50.00		
AV-8	1956 Ford Pick Up	Color Blue	VIN F10V6H34698
	Sold to Gregory O'Frias, Bayview Rd., Southold for \$175.00		
AV-9	1966 Mercury	Color White	VIN 6H01T589491
	Sold to East Island Auto Parts, Kroemer Ave., Riverhead for \$20.00		
AV-10	1969 Ford	Color Red	VIN 9E53D218761
	Sold to East Island Auto Parts, Kroemer Ave., Riverhead for \$20.00		
AV-11	1970 Pontiac	Color Maroon	VIN NONE
	Sold to Fred Gallo, Hubbard Ave., Riverhead for \$50.00		
AV-13	1975 Kawasaki	Motorcycle	VIN H1F33889
	Sold to Arnold Vollmoeller, 44 Evergreen Rd., Flanders for \$150.00		
AV-14	1966 Ford	Color Tan	VIN 6B12T212687
	Sold to East Island Auto Parts, Kroemer Ave., Riverhead for \$10.00		
AV-15	1953 Chevrolet	Color Green	VIN 31635309580
	Sold to East Island Auto Parts, Kroemer Ave., Riverhead for \$10.00		
AV-16	1969 Plymouth	Color Green	VIN PE41F9F235595
	Sold to Fred Gallo, Hubbard Ave., Riverhead for \$30.00		

RESOLUTIONS - continued

AV-18 1966 Ford Color Maroon VIN 5E66C292272
Sold to East Island Auto Parts, Kroemer Ave., Riverhead for \$50.00

AV-19 1971 Dodge Color Green VIN WH41N1A150283
Sold to Fred Gallo, Hubbard Ave., Riverhead for \$60.00

Total monies received for the sale of 17 abandoned vehicles - \$855.00

PD Vehicle #1 1977 Ford LTD VIN 7B63C209147
Sold to East Island Auto Parts, Kroemer Ave., Riverhead for \$475.00

PD Vehicle #2 1977 Ford LTD VIN 7B63C209148
Sold to Fred Gallo, Hubbard Ave., Riverhead for \$100.00

PD Vehicle #3 1976 Plymouth Fury VIN RK41K6A19087
Sold to Robert G. DeNyse, Edwards Ave., Calverton for \$725.00

Total monies received for the sale of 3 surplus police vehicles -
\$1,300.00

Total monies received for entire sale - \$2,155.00

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

The resolution was thereupon declared duly adopted.

#373 TOWN BOARD GRANTS SPECIAL PERMIT TO IRVING AND
GLADYS MACK

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

WHEREAS, Irving and Gladys Mack have made application
to the Town Board for a special permit to construct a single-
family residence, pursuant to Riverhead Code Section 108-48
(B.) (8.), upon property located in the Industrial B District,
in Riverhead, bounded southerly by Elton Street and property
now or formerly of Jesse and Harold Goodale, westerly by
property now or formerly of Jesse and Harold Goodale and the
center line of Saw Mill Brook, northerly by property now or
formerly of Joseph Celic, and easterly by property now or
formerly of Fletcher Booker, and

WHEREAS, Said application was referred to the
Planning Board which on July 6, 1978, recommended approval,
and

WHEREAS, A duly authorized notice of public hearing
was published, posted and hearing held wherein all persons
wanting to be heard were heard, and

RESOLUTIONS - continued

WHEREAS, This lot has been used as a residential lot and adjacent parcels are used for residential purposes, it is hereby

RESOLVED, That the application of Irving and Gladys Mack for a special permit to build a single-family residence on the aforescribed property in the Industrial B District pursuant to Riverhead Code Section 108-48 (B.) (8.) be granted, subject to the plans and specifications filed in the Town Clerk's Office.

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

The resolution was thereupon declared duly adopted.

#374 ADOPTION OF PARKING AMENDMENT TO RIVERHEAD TOWN CODE
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Town Board of the Town of Riverhead has duly published and posted public notice regarding the following proposed amendment to the Riverhead Town Code, and

WHEREAS, A Public Hearing was held on said amendment wherein all interested persons wanting to be heard were heard, and

WHEREAS, Local Law No. 3-1977 of the Town of Riverhead allows summary publication of adoptions of amendments to ordinances of the Riverhead Town Code, it is hereby

RESOLVED, That the amendment to the Code of the Town of Riverhead, Chapter 101., Vehicles and Traffic, by adding the following new section 101-18. Parking prohibited, seasonal." which follows is hereby adopted, and be it

FURTHER RESOLVED, That copies of this amendment to the ordinance is available for inspection at the Town Clerk's Office during normal business hours and that this amendment of the ordinance shall take effect ten (10) days after publication and posting:

Notwithstanding section 101-12., and subject to section 101-10., the parking of vehicles will be prohibited annually from May 15 through September 15, except for vehicles with a valid Riverhead resident parking permit pursuant to section 48-13., on West Street, South Jamesport Avenue, Point Street, Willow Street, and Green Street, all south of 2nd Street to the beach, Center Street south of 2nd Street to a line 100 feet north of its intersection with the northerly side of Front Street, and Front Street near its intersection with Green Street, west to its intersection with the easterly side of Center Street.

§101-18. Parking prohibited, seasonal.

Notwithstanding §101-12., and subject to §101-10., the parking of vehicles is hereby prohibited annually from May 15, through September 15, upon the following described streets or

RESOLUTIONS - continued
 portions thereof, except for vehicles of Riverhead residents displaying a valid resident parking permit pursuant to §48-13.:

<u>Street</u>	<u>Side</u>	<u>Location</u>
West Side	Both	Beginning at the south side of the 2nd Street intersection and thence southerly to the southerly terminus of West Street
Center Street	Both	Beginning at the south side of the 2nd Street intersection and thence southerly to an imaginary line 100 feet from and parallel to the northerly side of Front Street at the Front Street intersection with Center Street
South Jamesport Avenue	Both	Beginning at the south side of the 2nd Street intersection and thence southerly to the southerly terminus of South Jamesport Avenue
Point Street	Both	Beginning at the south side of the 2nd Street intersection and thence southerly to the southerly terminus of Point Street
Willow Street	Both	Beginning at the south side of the 2nd Street intersection and thence southerly to the southerly terminus of Willow Street
Green Street	Both	Beginning at the south side of the 2nd Street intersection and thence southerly to the southerly terminus of Green Street
Front Street	Both	Beginning at the easterly terminus of Front Street to the easterly side of the Green Street intersection and thence westerly to the easterly side of Center Street at the Center Street intersection with Front Street

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

Mr. Miller stated from the audience: "What happens to visitors and people who live on that street? Will they be allowed to park?"

Supervisor Smith: "You see that's your problem. Your problem, Mr. Miller, it's very difficult to have it all ways at all times. We will issue beach parking stickers for you resident taxpayers. The problem arises when grandma shows up with the car with Jersey plates and you don't have a driveway in which to put grandma."

Mr. Miller: It was explained to me that the owners of the property would be given visitors permits for the guests. Now either there's something wrong on my side of the fence, or on yours, but that's the way it was told to me."

Supervisor Smith: "You can get temporary stickers Sir for \$5.00. I'm just pointing out to you that very often these things are a double edge sword. And be aware of it from the beginning."

Mr. Miller: "Well then it would seem to me that you're penalizing the residents."

Supervisor Smith: "The taxpayer, he gets his sticker. He comes to the Recreation Department, he says here's my tax bill. That proves that I'm a resident and it's free of charge. He gets it and sticks it on his car. His car, under the format that we have proposed, does not get towed."

Mr. Miller: "I have six children."

Supervisor Smith: "Yes."

Mr. Miller: "Are they each entitled as a member of the family . . ."

PERSONAL APPEARANCES - continued

Supervisor Smith: "Do you have six cars all registered to your address either here or in the city?"

Mr. Miller: "They're my children."

Supervisor Smith: "You see Mr. Miller, you give me some workable way for the police officer to distinguish the Jersey plates on grandma's car from the Jersey plates on the guy that wants to go fishing and I'll work miracles."

Mr. Miller: "I'll have the sticker you're going to give me to put in that car."

Supervisor Smith: "I don't think that works. I don't think that's fair. We'll work with anything that's fair and reasonable. But know when you get this kind of a regulation that people that do not have stickers who may be, in fact, your guests should park in your driveways because it causes problems."

Mr. Miller: "Up until this moment, we were misled in getting the wrong information."

Supervisor Smith: "I just straightened it out?"

Mr. Miller: "You certainly did. And it raises a hornets nest."

Supervisor Smith: "I don't doubt that Mr. Miller."

Mr. Miller: "Because it doesn't help the member of the community either."

Supervisor Smith: "Mr. Miller."

Mr. Miller: "I have to take it that's it."

Supervisor Smith: "No you don't have to take it."

PERSONAL APPEARANCES - continued

Mr. Miller: "It's a ticklish situation here."

Supervisor Smith: "Well Mr. Miller, I think you're asking me to respond in kind, and I tried to avoid that this evening."

Mr. Miller: "You've gotten what's corrected. The information that's given to me originally. It wasn't given to me that clearly."

Supervisor Smith: "It's clear?"

Mr. Miller: "You've made it so clear that I didn't want it anymore."

Supervisor Smith: "All right."

RESOLUTIONS - continued

#375 AUTHORIZES ADVANCE TO SUPERVISOR FOR UPCOMING TRIP
Councilman Young offered the following resolution
which was seconded by Councilman Regula.

RESOLVED, That the Supervisor be, and he hereby is, authorized to draw the sum of One hundred (\$100.00) Dollars as an advance for attendance with bond counsel with members of the Board of Directors of the Riverhead Housing Development Corporation.

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

The resolution was thereupon declared duly adopted.

Mr. Miller: "I just want to take exception to some of the things that were passed a few moments ago."

Supervisor Smith: "Yes Sir."

Mr. Miller: "Because you told me about the hornets nest that I was creating by — you're allowing the members of the Board . . ."

Supervisor Smith: "Mr. Miller why don't you come up

PERSONAL APPEARANCES - continuedSupervisor Smith continues:

and talk into the microphone that way we'll get your comments on the record?"

Mr. Miller: "I'll think about it."

Supervisor Smith: "Okay. I think I know what your complaint was with reference to Kutsher's."

Mr. Miller: "I didn't make any complaint."

RESOLUTIONS - continued

#376 AWARDS CONTRACT FOR MAIN STREET LIGHTING IMPROVEMENTS -
PHASE I

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

WHEREAS, The Town Board of the Town of Riverhead has duly advertised for bids for Main Street Lighting Improvements - Phase I, Project No. RIVT 77-02, and

WHEREAS, The Town Clerk has opened all sealed bids, which are as follows:

	<u>Hinck Electrical Contractor, Inc.</u>	<u>Steve Nanna, Inc.</u>
Total bid	\$ 65,586.00	\$ 45,396.50
Total Alternate Bid #1	\$113,711.00	\$112,725.00
Total Alternate Bid #2	\$ 67,618.00	\$ 47,156.50
Total Alternate Bid #3	\$115,743.00	\$114,485.00

and

WHEREAS, Said bids and bidders have been reviewed and investigated by H2M Corp., the consulting engineers on this project, and pursuant to its findings, and recommendations in its letter dated July 31, 1978, it is hereby

RESOLVED, That the Town Board does hereby award the Main Street Lighting Contract - Phase I, RIVT 77-02, to the lowest responsible bidder, Steve Nanna, Inc., P.O. Box 166, 151 Orinoco Drive, Brightwaters, New York 11718 for Total Alternate Bid #3, of \$114,485.00, and be it

FURTHER RESOLVED, That the awarding of said contract is conditioned upon approval of the Department of Housing and

RESOLUTIONS - continued

Urban Development, and conditioned upon compliance with all of the plans, terms, conditions and specifications, etc., filed in the Town Clerk's Office and the consulting engineer's offices, H2M Corp., including those contained in the Invitation for Bidders, the bid documents, the contract, addendums, Bid for Site Preparation, Bid Conditions, Agreement for Site Preparation, General Specifications, and addendums thereto, Technical Specifications, and such other and further conditions as this Town Board may impose during the course of construction and be it

FURTHER RESOLVED, That the Supervisor be and hereby is authorized to execute said contract with said bidder, and be it

FURTHER RESOLVED, That the successful bidder be accordingly notified and noticed that time is of the essence for this project.

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

The resolution was thereupon declared duly adopted

#377 RESOLUTION GRANTING SPECIAL PERMIT TO DOCTORS
WITSCHI AND HASTINGS

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

WHEREAS, Doctors Thomas Witschi and Richard Hastings, contract vendees of property described hereafter, have applied to the Town Board for a special permit to construct a professional center pursuant to Riverhead Code, Section 108-112 (A), in an area in the Hamlet of Aquebogue, bounded westerly by Broad Avenue, northerly by Route 25, easterly by Linda Avenue, and southerly by property now or formerly of Joseph Celic, Sr., and

WHEREAS, A duly authorized notice of public hearing was published, posted, and held, wherein all persons wanting to be heard were heard, and

WHEREAS, Said application was referred to the Town Planning Board which, on July 6, 1978, recommended that the property referred to in the aforementioned application be included in that zoned as Business PB District without the accompanying Agricultural A District uses, and

WHEREAS, This Town Board hereby makes the following findings:

1. The applicants are physicians who wish to construct a professional center for physicians.

2. The applicants need to submit a site plan to the Town Board to show compliance with the area requirements of Section 108-113, including height, and the additional requirements of Section 108-114, including planting and buffer zone, drainage and lighting and minimal parking spaces.

RESOLUTIONS - continued

3. The property to which the applicants refer is along a major artery which provides a transitional use and provides a buffer between business and residential development in accordance with the Master Plan, and is in harmony with and promotes the general purpose and intent of Code Chapter 108.

4. The herein application will enhance the use and development of neighboring property, in turn, enhancing the attractiveness of the Riverhead community to others.

5. The proposed use of the premises as a professional center for physicians is more desirable than some of the presently permitted uses in the Agricultural A Use District.

NOW, THEREFORE, be it

RESOLVED, That the application of Doctors Witschi and Hastings, prusuant to Riverhead Code, Section 108-112 (A), for the construction of a professional center for physicians be conditionally granted subject to a further resolution of this Town Board to be made after the submission by the applicants of a detailed site plan and elevation of the proposed professional center and that no work may be done on said site without the further resoution of this Town Board.

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 9:00 P.M.

Irene J. Pendzick

Irene J. Pendzick, Town Clerk

IJP/vlv