

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, July 18, 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 Menendez offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the Minutes of the Town Board Meetings held on June 6, 1978, June 20, 1978, July 5, 1978, and Minutes of the Adjourned Town Board Meeting held on July 13, 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

Supervisor Smith: "We have present the various department heads of the Town and should occasion arise that a question is brought forward concerning their department, we'll attempt to get you an answer."

#### BILLS

Bills were submitted on Abstracts dated July 18, 1978 as follows:

|                                  |             |
|----------------------------------|-------------|
| General Town, 1977 Encumbered    | \$ 1,593.50 |
| General Town                     | \$55,099.18 |
| Capital Projects                 | \$35,179.94 |
| Community Development            | \$ 7,798.08 |
| Ambulance                        | \$ 32.50    |
| Special Districts                | \$ 511.08   |
| Highway Item #3, 1977 Encumbered | \$ 92.00    |
| Highway Item #1                  | \$43,379.74 |
| Highway Item #3                  | \$ 1,280.11 |
| Highway Item #4                  | \$ 2,214.80 |

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, 1977 Encumbered    | \$ 1,593.50 |
| General Town                     | \$55,099.18 |
| Capital Projects                 | \$35,179.94 |
| Community Development            | \$ 7,798.08 |
| Ambulance                        | \$ 32.50    |
| Special Districts                | \$ 511.08   |
| Highway Item #3, 1977 Encumbered | \$ 92.00    |
| Highway Item #1                  | \$43,379.74 |
| Highway Item #3                  | \$ 1,280.11 |
| Highway Item #4                  | \$ 2,214.80 |

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

The resolution was thereupon declared duly adopted.

#### REPORTS

Supervisor - monthly report for the month of March, 1978.  
Filed.

Recreation Department - monthly report for May, 1978.  
Filed.

#### OPEN BID REPORT - RECEIPTING MACHINE - TAX RECEIVER'S OFFICE

After being duly advertised the following bid on the Receipting Machine for the Tax Receiver's Office was opened on Monday, July 17, 1978 at 11:00 A.M.

BURROUGHS CORPORATION  
474 Fulton Avenue  
Hempstead, New York 11550

FIGURES: \$3,216.50

WORDS: Three Thousand Two Hundred Sixteen Dollars and Fifty Cents

|  |                   |
|--|-------------------|
| -One (1) Burroughs TT102 Transaction Terminal (Receipting Machine) | \$3,250.00        |
| -Less 5% Government discount                                       | - 162.50          |
| -One (1) XT 142 AD1 Validating Receipting Program+                 | 100.00            |
| Delivery   | + 29.00           |
| TOTAL BID PRICE: *   | <u>\$3,216.50</u> |

Filed.

OPEN BID REPORT - ACCOUNTING AND COMPUTER IMPROVEMENTS -  
ELECTRICAL - TOWN HALL

After being duly advertised the following bids on the Accounting and Computer Improvements, Electrical for the Town Hall were opened on Monday, July 17, 1978 at 11:30 A.M.

BARTRA ELECTRIC  
 227E. Breakwater Road  
 Mattituck, New York

WORDS: Five Thousand Five Hundred & Eighteen 00/100

NUMERALS: \$5,518.00

Filed.

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MEEKER ELECTRIC CO. INC.  
 375 Portion Road  
 Lake Ronkonkoma, New York

WORDS: Fourteen Thousand Four Hundred Seventy

NUMERALS: \$14,470.00

Filed.

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CAVALIERE ELECTRIC CONTR. LTD.  
 28 Kejaro Court  
 Centereach, New York 11720

WORDS: Fifteen Thousand Dollars

NUMERALS: \$15,000.00

Filed.

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PERFORMANCE BOND  
 G.A.P.K. Enterprises - \$20,000 (Heatley Acres) Filed.

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

Special Permit - Serota & Sons (sign at Wading River Plaza). Filed.

Referred to the Planning Board for recommendation and report.

Supervisor Smith: "Ladies and gentlemen at 8:00 and 8:15 we have published hearings with reference to some zoning matters and some parking matters. When those two times arrive, we'll throw the meeting open for your comments."

#### COMMUNICATIONS

New York State Commission - advising that hearing on problems of Real Property Tax will be held at Hauppauge on July 27, 1978 at 2:00 P.M. Filed.

Planning Board, 7/10/78 - recommending no action at this time regarding special permit application of Dennis Palmer (gas tank, West Main Street). Filed.

Planning Board, 7/10/78 - recommending area be zoned Business PB without accompanying Agriculture A uses (Witschi & Hastings, Route 25, Aquebogue). Filed.

Planning Board, 7/10/78 - recommending denial of special permit application (Kent Animal). Filed.

Planning Board, 7/10/78 - recommending approval of special permit applicatin (Irving and Gladys Mack). Filed.

Brookhaven Town, 7/3/78 - notice of adoption of amendment to Chapter 85, Code of Town of Brookhaven, Art. I, Section 85-1 & Art. XXXIII, Sec. 85-222, Swimming Pools. Filed.

Brookhaven Town, 7/3/78 - notice of adoption of amendment to Chapter 85 of Code of Town of Brookhaven, Art. XXVI, Sec. 85-188. Filed.

Suffolk County Dept. of Planning, 7/5/78 - if no objections received by July 25th regarding amended zoning ordinance, Sec. 85-1 & 85-222, Town of Brookhaven; it will be assumed there are none. Filed.

Suffolk County Dept. of Planning, 7/5/78 - if no objections received by July 25th regarding amended zoning ordinance, Sec. 85-188, Town of Brookhaven, it will be assumed there are none. Filed.

COMMUNICATIONS - continued

Holzmacher, McLendon & Murrell, 7/12/78 - copy of letter to Town Attorney regarding timetable for Main Street Lighting Improvements. Filed.

Holzmacher, McLendon & Murrell, 7/12/78 - copy of letter to Community Development Supervisor regarding drawings and specifications on Main Street Lighting Improvements. Filed.

Catherine Miller, 7/17/78 - requesting maternity leave as of 8/8/78. Filed.

Kaufman, Bannon & Kaufman, 7/14/78 - regarding resolution approving site plan for McDonald's. Filed.

UNFINISHED BUSINESS

Special Permit, Joseph Brush - (Airport)  
 Special Permit, Joseph Bartasi - (Restaurant at Rte. 58 & Roanoke Ave.)  
 Special Permit, Leo Bekermus - (Oil tank on West Main Street).  
 Special Permit, Dennis Palmer - (Gas tank on West Main Street).  
 Special Permit, Irving Mack - (Residence on Elton Street).  
 Special Permit, Carol Sowinski - (Non-nuisance industry, Edgar Ave., Aquebogue).  
 Zone Change, Witschi & Hastings - (Route 25, Aquebogue).

Supervisor Smith: "Under the unfinished business section, we have the special permit of Mr. Brush where we wait for the action of the State of New York Department of Transportation.

With reference to Mr. Bartasi, there is a site plan that is subject to review later in the evening.

Mr. Bekermus, Mr. Palmer, and Mr. Mack have been sent to the Planning Board and you heard the reports. Those will be the subject of hearings.

Sowinski is the subject of a Planning Board Review that has not yet occurred and it's listed as a zone change. It's not really a zone change, it's a zone addition, I would guess, with Witschi and Hastings.

For the next fifteen minutes, we come to that portion of our agenda where we will recognize anyone that chooses to address the Town Board with reference to any matter. We would

PERSONAL APPEARANCESSupervisor Smith continues:

ask that if you are here to speak to the Town Board with reference to the proposed professional business use on Route 25 in Aquebogue that you would wait for the hearing at 8:00 or if you are interested in the parking proposals for South Jamesport that you wait for the hearing at 8:15.

Would anyone like to address the Town Board on any other matter is welcome to do so at this time? If you choose to, would you please give your name and address at the microphone here on our right?"

Joseph Kelly, 45 Sound Avenue, Riverhead; "We want to address you on a matter issue."

Mary Kelly, 45 Sound Avenue, Riverhead; "I'll read it to you. I would like to bring to your attention the condition of a private dirt road on which I live. It is off Sound Avenue between Horton and Roanoke Avenue. A Mobil Gas Station is at the beginning and it ends in two gravel pits. According to my tax bill, the owner of the road is a Zdunko and another. Zdunko is dead and the person who bought his house a (Mr. Marvin Warner) told my neighbor that he doesn't own the road, but only has title to it, and does nothing to keep the road in condition. Someone must own it or at least someone must be responsible to make it and keep it useable. During the past winter there was a time when for five days people who live on the road couldn't get out.

My complaint is that the town should take over the road or if not, they should see that the owner is made to maintain it.

Also wish to make known that because of a mistake made in laying out the property at the beginning of the road, a recent owner of this property has started to claim part of the road, which has been used by all the people therefore to my knowledge, at least fifteen years, by putting up a fence, thereby in places the road is not the required 30 feet and is now in such an awkward shape that I don't believe services could have access to the rest of road if it were ever necessary."

Supervisor Smith: "Mr. and Mrs. Kelly, I realize that you're not regular attenders at the Town Board . . ."

Mary Kelly: "We have come on occasions,"

PERSONAL APPEARANCES - continued

Supervisor Smith: "Okay. You may know then about the continuing saga with reference to private roads and taking over the same by the Town Board. I would suggest to you that you make an appointment with Mr. Fishbein during the week, obtain the — at least as the Town Board sees it until we're overruled by some court, the petition for a waiver of the highway specifications and circulate it amongst your neighbors and bring it back to us for our action."

Joseph Kelly: "Some neighbors aren't interested in the road because they claim they don't use it. There's a gas station at the beginning of the road, he has about 100 feet. He's not interested in it at all. He says he doesn't use it."

Supervisor Smith: "Let's see how many of your neighbors you can get. Sir please speak to the Town Attorney, follow the procedure he lays out and get us as many of the signatures so we can attempt to judge whether or not, in fact, you are along in this effort or whether some of the other people are interested in seeing it become a public highway."

Mary Kelly: "Who is the Attorney?"

Supervisor Smith: "Mr. Fishbein. If you call the Town Hall during ordinary business hours and ask for his number, that appointment will be arranged for you."

Michael Esposito, 152 Merritts Pond Road, Riverhead; "I'm here to speak again about the development plans of Route 58 and Roanoke Avenue. We have another plan, I assume, that Mr. Bartasi and the Longwood Realty Corp. are trying to put a Pizza Hut on Route 58 and Roanoke Avenue. I objected very strongly when it was supposed to be Long John Silvers. I feel that people dying over a piece of fish is just as irrelevant as people dying over a piece of pizza. The traffic problems are the same, if not worse — at the time that the other application was submitted.

I feel that the people of the Town deserve the protection and the consideration of the Town Board for what this one corner will do to the entire population in this community. The same problems remain, fire, ambulance, police, the normal every day service and traffic that the citizens of this community use that intersection for, for their shopping, for their school, children and for every other thing that is conducted in

PERSONAL APPEARANCES - continued

the normal days business.

And I would ask the consideration of the Town Board to not approve any kind of plan for any kind of a fast-food operation on that corner because we have Central Suffolk Hospital which is the life's blood of this Town and anybody who is in need of their services knows the urgency of which you must get to and from that hospital. And anything that would hinder traffic flow to that place is going to be disasterous at any given time to any given person in this community. It's not just me, it's not just you, it's all of us and I feel that we deserve the protection of what this Town Board can do for us. Thank you."

Supervisor Smith: "Thank you Mr. Esposito. Does anyone else choose to address the Town Board on any matter?"

Yvonne Strickland, Chairwoman for the '78 Women's Day Committee of the First Baptist Church of Riverhead; "The '78 Women's Day Committee of the First Baptist Church of Riverhead is requesting a permit allowing us to have a "Block Party" on Grove Street, Riverhead, New York, on August 12, 1978 at 4:00 P.M. until 12 Midnight (rain date: August 26, 1978).

Verbal approval from all of the residents of Grove Street, regarding the above, has been obtained by Mrs. Thelma White, '78 Women's Day Captain and, also, a resident of Grove Street.

Proceeds from this event will be donated to the First Baptist Church of Riverhead, New York.

Yours truly,  
Yvonne M. Strickland"  
(End)

Supervisor Smith: "Thank you Miss Strickland, We will try to act upon it this evening. We will show it to Lieutenant Robinson before the evening's out.

Does anyone else choose to address the Town Board on general business prior to the public hearings that are scheduled for 8:00?"

Bill Nohejl, Wading River; "First of all I'd like to ask that the light be taken down in front of my house before it's ever lit up. I don't want it, I wish it would be put into a place where it would be of more service. In reference to this here lighting, where does this money come from? Federal Revenue?"

PERSONAL APPEARANCES - continued

Supervisor Smith: "This was again one of the subjects of multiple hearings. The Economic Development Administration (EDA) monies. It was a stimulous program that you may recall. Most of the discussions were around the Ostrander Avenue #5 Sewer. It's the same program."

Bill Nohejl: "I feel as though a lot of those lights could be put to a better purpose at a dangerous intersection then what's on Long Pond Road."

Supervisor Smith: "Well one of the difficulties sitting up here to get people involved in advance to try to impress upon people what can happen with zoning before it happens and that's why we try to do with the public hearings. I know it's difficult to understand this."

Bill Nohejl: "If you would have said to the people of Long Pond Road, do you want lights? They would respond yes or no. They were just put up. Nobody asked for it."

Supervisor Smith: "We use our best guess and if there are ones that are in the wrong places, we will attempt to move them to other places."

Bill Nohejl: "Now that you'll understand, I request that light be taken out in front of my house before it's even lit up."

Now in reference to Barneswoods, the road, I presume that the road and the sump is taken over by the Town because the roads are plowed during the winter time and the sump is all enclosed. It's a beautiful sump. Now at present, Long Pond Road is getting an upgrading with — it's going to be tarred and filled in in the low spots and what not. At the bend coming around my property there, they raised the road maybe three or four inches. There's a natural water hole there and this water hole is about 200 feet away from this mass of sump which at any given time at the heaviest rains that we've had, I've checked it, there isn't a foot of water in it.

Now the road is being raised and naturally with the road raised, it's going to push more water over into my property until it gets loaded up so much that it's going to come up over the crest of the road as it had been before. It's been always a dangerous spot with ice in the winter time. Now while the upgrading of this road is going on I'm not an engineer, but I can see how it can be done very easily to eliminate that, with a manhole, a pipe under the road to that sump which the Town

PERSONAL APPEARANCES - continued  
already owns which is within 200 feet."

Supervisor Smith: "I am unfamiliar that Mr. Horton is upgrading your particular road. Mr. Young will take it up with him and make the suggestions that you have made. I can't get him to upgrade the road in other places where I think it might be needed."

Bill Nohejl: "Well this road is in terrible shape."

Supervisor Smith: "Mr. Young will attempt to resolve it."

Bill Nohejl: "But what I'm saying is to have a beautiful sump sitting there not doing anything and yet we have a dangerous situation 200 feet away."

Supervisor Smith: "I'll ask Mr. Young to take care of it if I can."

Bill Nohejl: "Will you George?"

Councilman Young: "Yes, I'll talk to Alex 7:00 tomorrow morning."

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 on public hearing regarding: Application of Dr.'s Witschi & Hastings for a zone change from Agriculture "A" to Business "PB" on Route 25, Aquebogue, N.Y. The affidavits were ordered to be placed on file.

Supervisor Smith: "Ladies and gentlemen this is not a new story. It is one that we've been working on for a period of time. The Master Plan calls for certain transitional areas. The particular one that is being considered tonight is specifically recommended in the Master Plan with reference to Roanoke Avenue.

PUBLIC HEARING - continued  
Supervisor Smith continues:

The idea of such use districts are to provide a transitional area between certain high use roads such as Roanoke Avenue or Route 25 and the surrounding residential areas. That type of an ordinance, that's called an overlay district which means that these would be additional uses, was the subject to several public hearings and the particular uses that would be added are as follows and these are what we call special permitted uses which means in part, before any of these could be built, they would be the subject of a public hearing on notice such as we're having this evening with reference to the two doctors and the professional offices involved would be those of accountants, architects, artists, attorneys, audiologists, bookkeepers, chiropractors, dentists, draftsmen, engineers, income tax preparer, insurance agent, interior decorator, journalists, medical doctor, optometrists, osteopath, podiatrist, photographer, physical therapist, real estate agent or broker and surveyor. There are very strict controls with reference to parking, lighting, fences, and screening and things of that nature. Things specifically excluded from this district are wholesale sales, retail sales, warehousing, in-patient care diagnosis, window or outside displays, hospitals or nursing homes, adult care facility, mortician, druggist, or delight, that's what it says.

Now I think what may shed some light on what is proposed this evening and one of the things that is said by the Planning Board is considering what is proposed and, in fact, what they say is to rescind the current zoning which is agricultural and make the only uses that may be permitted in this particular area, those that are specified in the professional business area.

I would point out to you that in the agricultural zone which particular property is currently zoned and you may have agricultural uses, you may have certain other uses, but you may also have a cold storage plant, greenhouses, plant nurseries and gardens, clubs or philanthropic organizations, golf-driving range, archery, out-door swimming pool, riding academy or a corral, vegetable or fruit grading section and or storage. I assume in listening to the comments of the Planning Board that they feel that some of those were unwise and I might concur in that feeling.

So the purpose of the hearing is to consider whether it is a good idea at this particular area to use a transitional use, professional offices specifically of the type of an account, an architect, a chiropractor, a dentist, a doctor, etc. Is there someone present that would choose to begin the discussion with the Town Board with reference to this application?"

George Stankewich, Attorney; "I represent Dr. Hastings and Dr. Witschi. They are the applicants in the contract purchases of the property between Broad and Linda to which a portion

PUBLIC HEARING - continuedGeorge Stankewich continues:

of this hearing is directed and is their intention if this zoning is granted to proceed before the Planning Board and the Building Department of this Town with the purpose of constructing a professional center for physicians and possibly other professionals. I think the key word is transitional and overlay.

As a Town Board you can look forward to increasing traffic and road hazards and the like along the major thoroughfares, this being one of them. That being the case, it's not an ideal place for residential growth, or residential living. If you give a viable alternative for the development of this property, tightly controlled for professional uses for the type of users that can afford screening and proper construction, I think that you would look forward to five years down the road and of having some very fine thoroughfares regardless of the fact that the main arterial thoroughfares.

The alternative, I think, is that you will ignore the problem now. You won't plan for the problem now and that five years down the road you are going to have Route 25 in Smithtown where you will be bombarded by small piece meal change of zone applications or Zoning Board of Appeals will be bombarded with use variance applications. Naturally, we speak from the point of having an interest in this, the people who wish to buy the property and develop it, along the lines that this zoning would permit. We do think though, that that is also beneficial to the neighbors and the communities as a whole. I'm sure the people in the audience recognize that more than just the property that my clients are interested in has been included in the notice that it was published. This we don't speak to, but we assume that that was so because you have an anchor on the east end with the Church, and you've got the by-pass on the west end of the proposed change of zone area. Thank you very much."

Supervisor Smith: "Would anyone else choose to address the Town Board or ask questions? There's nothing wrong with asking questions and we'll try to give you the answers."

Mr. Lamendola, Broad Avenue, Aquebogue; "My main concern is not the building that is going up, but what has been done or what can be done, if anything, to alleviate the congestion that is here now and the congestion that will get there. Now, we are talking about one professional building which I have no qualms about, nevertheless there has been nothing stated as to other than generally the other areas.

What is to preclude other types of business to go in these areas and assume that they do then — that leaves them one outlet to get to 58 and that is Broad or Linda coming

PUBLIC HEARING - continued

around there which is now miserable. I have never seen anything in the Master Plan or heard of any widening of 58 or of any re-routing of traffic so that we can get there. So I, as one, feel that before any permission should be granted to anyone in that area, that the traffic situation for the safety of the children at that particular point has to be taken into consideration first."

Supervisor Smith: "Thank you Mr. Lamendola. The part of what Mr. Stankewich mentioned and in part of the consideration of the Town Board is that if an area remains un-economic, in other words you cannot sell those parcels to a one-family home owner because he doesn't wish to live in that kind of a traffic pattern that you have mentioned. There comes a point whether it is five years from now or ten years from now that the owner begins to develop a legal argument that the zoning is confiscatory, that it cannot be used for the uses that it is zoned, that is the kind of thing Mr. Stankewich mentions with reference to Smithtown and some of the other areas. If you wait that long to consider some of what we call the special permitted uses and you don't encourage those special permitted uses. Sometimes you run into a different kind of use, a different kind of economic use such as a highway oriented use, say a farm stand. What we're talking about, Mr. Lamendola, are the choices between uses, such as farm stands and retail sales and what we hold for public hearing this evening.

I think what might be helpful, Mr. Lamendola, is for me to keep the hearing open, take a brief break before we begin the second hearing which deals with South Jamesport and for me to give you a copy of the enabling legislation for you to read such — in with the other people from Broad and Linda Avenues such that you can examine it and see the kinds of things that we're talking about here and specifically probably a copy of the site plan that Mr. Stankewich's proposal and we'll give you the opportunity after we get through the other hearing to make additional comments if you choose to do so.

Is there anyone else that would like to address the Board now with the understanding that we're going to keep this particular hearing open for a while?"

Supervisor Smith recessed the hearing for four minutes.

Supervisor Smith recessed the 8:00 public hearing in order to hold the 8:15 public hearing.

PUBLIC HEARING - 8:15 P.M.

Town Clerk submitted affidavits of publishing and posting of public notice regarding the proposed amendment to Chapter 101, Vehicles & Traffic, Code of the Town of Riverhead.

The affidavits were ordered to be placed on file.

COMMUNICATIONS

William Coster III, dated 7/9/78 - expressing wholehearted approval of "No parking" signs south of 2nd St. as printed in the public notice.

Supervisor Smith made an explanatory statement in reference to the 8:15 public hearing on Chapter 101, Vehicles & Traffic.

David Fishbein, Town Attorney; "Basically what we're doing is that we're adding a new section called Parking Prohibited Seasonally and the purpose of this is we will prohibit all parking seasonally from May 15 through September 15, the height of the tourist season on the particular streets noted on the maps with the exception of those people who have procured resident summer parking permits and anyone in the Town of Riverhead is, in fact, eligible to obtain these particular permits. You must be a resident, or you have to be a tax payer or you must be a tenant in the Town of Riverhead.

The purpose for allowing residents to come there or park there, if you do have this parking sticker, was that we found after perusing the area, Chief Palmer and myself, we went together once, and then I went out again on my own on another time and we found that some of the individuals in the area do not, in fact, have driveways. So if we were just merely to prohibit parking where we had felt was proper, it would, in fact, eliminate some residents in the particular area.

The reason why Second Street was arrived at and everything south of Second Street, was if we merely had one or two different streets which would prohibit parking near the beach, it would just merely throw the traffic back a block, by putting it back two blocks like you see here on the maps, hopefully, it will make the people who would not — who might do so or change their minds about it.

There are a couple other parking sections in the code which pertain to this. There's one that says Not Withstanding Section 101-12. This deals with particularly seasonal parking between the hours of 10 p.m. and I believe, 6 a.m. on the southern part of West Street, and I also, I believe, the southern part of South Jamesport Avenue. This particular ordinance, in fact, will supercede that one. So in other words

PUBLIC HEARING - continuedDavid Fishbein continues:

you must have a parking permit to park at all in the shaded area.

Secondly, where parking is prohibited will be one block on the west side of South Jamesport Avenue which would be between Second Street and Front Street on the west side. That would be prohibited at all times even to people with your resident parking sticker. In order to simplify matters, signs will, in fact, be posted, but we hope that this would be a meeting of the minds and hopefully the petition from which this arose — we had a petition with 60 or 80 signatures. This will, in fact, embody the thoughts and wishes of the people in the area to allow residents to use the area and the beaches and, in fact, hopefully, there will be no litter problem or anything of that nature. That's basically it."

Supervisor Smith: "Does anyone choose to address the Town Board on this issue?"

Eileen Shuot, Corner of Front & Center Street, Jamesport; "I have a business there. I have had it there for thirty-four years. If you have no parking — I do not derive my business just from Riverhead Residents. Particularly this time of year, I have them from all outside the area and this would be harmful to me. Now what are we going to do about this?"

Supervisor Smith: "That's the purpose of public hearings, Mrs. Shuot, to hear persons like yourself and for the Town Board to consider what you have to say. Your particular business ma'am — the name of it?"

Eileen Shuot: "The Port Tavern."

Supervisor Smith: "We will take your comments into consideration as we act on the ordinance. Thank you. Does somebody else wish to address the Town Board with reference to what is proposed?"

William Coster, Dunlookin' Lane, South Jamesport; "Mr. Smith, Mrs. Pendzick, Town Board and Neighbors, the reason I'm in favor of no parking as described on that map is that I have noticed over the last couple of years that the beaches have become littered and overcrowded and I feel that if the community wants to end this type of problem, then they have to make a certain amount of sacrifice as proposed here

PUBLIC HEARING - continuedWilliam Coster continues:

would be a limiting access to the beach.

One of the ways that's proposed is by limiting the parking. No one likes to be restricted. I live south of Second Street, so I, myself, am restricted somewhat. But I think overall this type of restriction is not unreasonable. On the beaches on the north shore, there are tow-a-way signs in the Town of Riverhead. If you go over to the Hamptons there's restrictions there. If you go east and west of us, there's restrictions. It stands to reason that if other beaches are restricted ours become more crowded and littered. I think if people realize that, then they have really no alternative but to try and protect their home and their property values with proposals like this. I really don't know what else could be done.

If you can say parking for residents only, fine, that would be great, but apparently you can't do things like that. That's basically all I have to say. Just reiterate, the reason I'm for it again is for the overcrowding of the beaches, by basically non-residents and the littering and that's basically it.

As far as Mrs. Shuot's opposition, I can understand that and I think that this is a public hearing as Mr. Smith mentioned, and certainly it would be my wish that the Town Board try to accommodate people as best they can. If someone has a business and it's their livelihood, no one wants to restrict them from earning their living. Thank you very much."

Supervisor Smith: "Thank you Mr. Coster. Anyone else with reference to the parking proposal in South Jamesport?"

Steven Swiatocha, South Jamesport; "The one reason that I'm here is beaches have been mentioned. But the one thing that I would like to get clarified — I live west of West Street. I would just like to get a clarification on what in that area is designated as public beach and what is designated as private beach?"

Supervisor Smith: "What you're asking me to do is put on my old lawyer hat and give you a title opinion off the top of my head. I can't do that for you off the top of my head."

Steven Swiatocha: "Well is any area down in there? I read the minutes from last years meeting when we proposed for West Street only. No parking and tow-away signs and there had been a police investigation and it did reveal the fact that

PUBLIC HEARING - continued

in this area the public beach is very limited. There are no bathroom facilities, no garbage facilities, no lifeguard, no anything. So I just wanted to know what became of last year's hearing with the Police Report that Mr. Robinson had turned in?"

Supervisor Smith: "Mr. Swiatocha you're asking again for a title opinion and I nor the Town Attorney would be prepared to give that to you. If you're interested in persuing that separate, apart from this parking ordinance, I'll attempt to give you some sort of idea what one person happens to feel the rights are.

I would give you the same caution that I've in the past given to some people in Wading River, who didn't listen to that caution, very often you don't like the answers on such things especially on these old file subdivisions, and sometimes those rocks are best left unturned. But if you'd like me to turn it over, I'll take a look."

Steve Swiatocha: "Okay, thank you."

Supervisor Smith: "Anyone else with reference to parking in South Jamesport."

Councilman Regula: "If I may ask, David, would you explain that business thing? What you had in mind on the business thing."

David Fishbein, Town Attorney: "What we would do in one or two places where there are businesses, we could pass the ordinance except delete the immediate area around it where that particular business would have to have or derive its customers in the parking where there would be parking for it, we could do that. Or alternatively, there's less viable means would be to pass it as is and maybe not enforce it as astringently as possible, but that's probably not a viable alternative. The former is the better tactic to take."

Supervisor Smith: "Thank you Mr. Fishbein."

An unidentified woman in the audience asked when the parking ordinance would take effect.

PUBLIC HEARING - continued

Supervisor Smith: "It depends upon whether we would vote upon it this evening or the next meeting."

No one else wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the hearing closed at 8:29 P.M.

Supervisor Smith re-opened the hearing with reference to the business professional use classification.

Supervisor Smith: "If anyone would now choose to address the Town Board again with reference to what is called an overlay technique. We would be more than happy to listen to you about what is proposed?"

Bill Nohejl, Wading River; "Surely the person who has made the application has presented a plan to the Planning Board and naturally I think there should be some kind of a — similar to this presented up on the Board to show the public as to what is — what type of building, where, how the location would be on Broad or Route 25 or Linda, how it would affect it? I mean when a person makes an application to the Planning Board, he should have with him something similar to this and . . ."

Supervisor Smith: "That's what we have here."

Bill Nohejl: "Who can see that in the back of the room?"

Supervisor Smith: "I will take another break and I will let anyone that would like to come up to look at it. I offered it to people during the last break. I forward as many opportunities as people might wish to look at what is proposed."

Bill Nohejl: "I feel as those should be part of an application when the person makes an application to the Planning Board to have something that is legible at the far back of the room, part of an application."

PUBLIC HEARING - continued

Supervisor Smith: "Well Bill you've done all right in getting us to put the map in the paper . . ."

Bill Nohejl: "I've also stated this a number of times before."

Supervisor Smith: "You run the extremes. You sat here and watched us try to deal with Mr. Tyte on his problems on East Main Street and we tried to do it as cautiously and as fairly as we can and think I've heard you talk about getting people to do title reports and some of the other things if we strictly construed some of the ordinances would force people always to have a lawyer, an architect, a planner and everybody come along with him."

Bill Nohejl: "Why I'm saying this is, I've attended many a meeting in Brookhaven and they will not have a hearing unless a map or description or picture of the proposed is presented to the people. And I feel as though if the applicant, if he's making an application to the Town, he'll go through all the expense to inform the public as to what is what. If it was presented and I'm going to make an example. Aquebogue Square, I think is about one of the most beautiful buildings put into a residential areas that there is. Now could — this is what I'm asking. How it would be placed on property and shown and would it affect the neighborhood??"

Supervisor Smith: "The site plan — the general layout of where the building would go is shown there with reference to the intersection of Broad and Linda Avenues. I would point out that exactly what you are talking about, a type of architectural review, if you will, is the kind of thing that is permitted where you have a special permitted use and I will pick the extreme. A riding academy wished to come into this site. If that riding academy met the side yard requirements, the set back requirements, and everything, they would merely walk into the Building Department tomorrow morning on this parcel, file their building permit fee, and walk out. They can do it under the ordinance as it sits today, without this amendment."

Councilman Young: "They can do it with this amendment too. They can still do that tomorrow or the next day so it behooves us to go one step further and think about changing the zone underneath this thing to something other than farm, because there's no farms there. It's all residential in a farming area . . ."

PUBLIC HEARING - continued

Bill Nohejl: "I'm not disputing that."

Councilman Young: "And they can do all their farm uses."

Supervisor Smith: "But Bill some of the concerns that you're evincing are the kind of technique — zoning use technique that are proposed by something like we're doing tonight. I don't believe that we saw to all the problems of the Town of Riverhead in the last two years nor will we in the next ten. But maybe what you suggest is in order and we'll consider it."

Bill Nohejl: "I feel as though that I am not going to the extreme."

Supervisor Smith: "Okay. When Mr. Mack, I think was his name, shows up with his special permit application for a one-family house in a business zone two weeks from now, I think you'll see a different type of client than the two doctors and to require Mr. Mack to hire an architect to do up his front elevation of his proposed houses, it's just not fair."

Bill Nohejl: "Well I say it's just not fair to the public not knowing just what's going there, how it's going to be laid."

Supervisor Smith: "All right. Anyone else with reference to the proposal between Board and Linda Avenues?"

Ken Ball, Broad Avenue, Aquebogue; "I'd like to know if there's going to be a type of study as far as the traffic in that area by the Town Board for consideration of the special district."

Supervisor Smith: "What the Town Board is faced with in reality are some choices. On a day to day basis we have to either in this location or as Mr. Esposito is dealing with it another place. The choices between some of the uses, permitted uses that we have announced for you and a real possibility of this particular use if we do not pursue it with reference to these two doctors. They will not go through with the contract. It's quite obvious that if it's not permitted then, of

PUBLIC HEARING - continued

Supervisor Smith continues:  
course, they will not build there.

Then we really have the choices of whether or not someone will in the foreseeable future build one-family houses there or whether at some point along the way, we are going to be faced with an application by some of these other uses. For instance, we do not have a Town Engineer as such. We are not Brookhaven. We do not as a usual course of events hire traffic engineers to consider these applications. What we try to do is weigh the potential of the area in this particular use, the doctors against what might occur there and try to make our best judgment as what is best for the area and that's why we have public hearings."

Ken Ball: "I'm thinking of a safety angle as far as the people that are concerned with people trying to get in and out of the area. This is my main concern."

Supervisor Smith: "All right and we recognize that. Part of the thinking, at least on my own mind and I travel those roads myself to and from work is whether or not the safety angle is created by the traffic or lack of the same on Broad and Linda Avenues or it has been newly created with reference to 105 and the intersection of 25 at that particular location over which we have absolutely no control."

George Stankewich, Attorney: "I think that it should be brought to the attention of the public that this particular piece of property was granted a variance already for model homes. So that if this sale didn't go through, the present, or the builder may very well end up selling it to another builder and you have two model homes which could generate as much or more traffic that's one and number two in your present ordinance, hospitals are permitted in residential zones and I think you've had a case on Roanoke Avenue where one slipped into a residential neighborhood with far less controls than you would have on this type of overlay."

Supervisor Smith: "Thank you Mr. Stankewich. Is there anybody 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.

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

RESOLUTIONS#337 AUTHORIZES RECALL PAY (SPECIAL ASSIGNMENT) FOR  
POLICE OFFICERS

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

BE IT RESOLVED, That the following Police Officers be paid recall pay (Special Assignment) from June 1, 1978 to and including June 30, 1978, as per P.B.A. Contract.

|       |               |         |        |               |          |
|-------|---------------|---------|--------|---------------|----------|
| 1.    | Alexander, F. | 6-16-78 | 8 hrs. | \$108.00      |          |
|       |               | 6-17-78 | 8 hrs. | <u>108.00</u> | \$216.00 |
| 2.    | Troyan, P.    | 6-16-78 | 8 hrs. | 108.00        |          |
|       |               | 6-17-78 | 8 hrs. | <u>108.00</u> | \$216.00 |
| TOTAL |               |         |        |               | \$432.00 |

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

The resolution was thereupon declared duly adopted.

#338 AUTHORIZES RECALL PAY (SPECIAL ASSIGNMENT) FOR  
DETECTIVES

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

BE IT RESOLVED, That the following Detectives be paid recall pay (Special Assignment) from June 1, 1978 to and including June 30, 1978, as per P.B.A. Contract.

|       |                 |         |         |              |            |
|-------|-----------------|---------|---------|--------------|------------|
| 1.    | Boden, H.       | 6-20-78 | 4 hrs.  | \$59.36      |            |
|       |                 | 6-21-78 | 5 hrs.  | 74.20        |            |
|       |                 | 6-22-78 | 5½ hrs. | <u>81.62</u> | \$215.18   |
| 2.    | Palmer, W.      | 6-20-78 | 4 hrs.  | 60.00        |            |
|       |                 | 6-21-78 | 5 hrs.  | 75.00        |            |
|       |                 | 6-22-78 | 5½ hrs. | <u>82.50</u> | \$217.50   |
| 3.    | Summerville, A. | 6-20-78 | 4 hrs.  | 60.00        |            |
|       |                 | 6-21-78 | 5 hrs.  | 75.00        |            |
|       |                 | 6-22-78 | 5½ hrs. | <u>82.50</u> | \$217.50   |
| 4.    | Grattan, L.     | 6-17-78 | 4 hrs.  | 67.56        |            |
|       |                 | 6-18-78 | 4 hrs.  | <u>67.56</u> | 135.12     |
| 5.    | Underwood, R.   | 6-20-78 | 4 hrs.  | 65.32        |            |
|       |                 | 6-21-78 | 5 hrs.  | 81.65        |            |
|       |                 | 6-22-78 | 5½ hrs. | <u>89.82</u> | \$236.79   |
| TOTAL |                 |         |         |              | \$1,022.09 |

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#340 RESCINDS RECREATION AIDES - RECREATION DEPARTMENT  
Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Brendan M. Lynch and David W. Snyder were appointed Recreation Aides effective July 3, 1978 to and including August 11, 1978 and

WHEREAS, Brendan M. Lynch and David W. Snyder have indicated their inability to serve,

BE IT THEREFORE, RESOLVED, That the appointment of Brendan M. Lynch and David W. Snyder made in a Town Board Resolution under date of June 20, 1978, be and is hereby rescinded.

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

The resolution was thereupon declared duly adopted.

#341 APPOINTS SECRETARY FOR THE BOARD OF ASSESSMENT REVIEW  
Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

BE IT RESOLVED, That Katherine Johns, be appointed as Secretary for the Board of Assessment Review, effective July 12th, 1978, at an hourly rate of \$4.00.

FURTHER RESOLVED, That payment will be taken from the Board of Assessment Review budget.

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

The resolution was thereupon declared duly adopted.

#342 AUTHORIZES COURT PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, That the following Police Officers be paid Court pay from June 1, 1978 to and including June 30, 1978, as per P.B.A. Contract.

|    |                |         |            |              |              |
|----|----------------|---------|------------|--------------|--------------|
| 1. | Hughes, J.     | 6-01-78 | 7½ hrs.    | \$101.25     |              |
|    |                | 6-02-78 | 4 hrs.     | <u>54.00</u> | \$155.25     |
| 2. | Mickoliger, L. | 6-22-78 | 4 hrs.     |              | 54.00        |
| 3. | Romaniello, F. | 5-04-78 | 9 hrs.     |              | 121.50       |
| 4. | Zaleski, J.    | 6-01-78 | 4 3/4 hrs. |              | <u>64.13</u> |
|    |                |         | TOTAL      |              | \$394.88     |

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#343

AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, That the following Police Officers be paid overtime pay from June 1, 1978 to and including June 30, 1978, as per P.B.A. Contract.

|                  |         |            |              |
|------------------|---------|------------|--------------|
| 1. Curven, E.    | 6-22-78 | 5 hrs.     | \$ 70.20     |
| 2. Dorfer, T.    | 6-28-78 | 1½ hrs.    | 20.25        |
| 3. Dunleavy, J.  | 6-12-78 | 1 hr.      | 14.04        |
| 4. Foote, F.     | 6-12-78 | 1¼ hrs.    | 16.88        |
| 5. Kurpetski, J. | 6-28-78 | 1 3/4 hrs. | 24.57        |
| 6. Psaltis, Jr.  | 6-29-78 | 1 hr.      | <u>13.50</u> |
|                  |         | TOTAL      | \$159.44     |

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

The resolution was thereupon declared duly adopted.

#344

AUTHORIZES COURT/RECALL PAY FOR DETECTIVES

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

BE IT RESOLVED, That the following Detectives be paid Court/Recall pay from June 1, 1978 to and including June 30, 1978, as per P.B.A. Contract.

|                   |         |         |                |
|-------------------|---------|---------|----------------|
| 1. Boden, H.      | 6-29-78 | 4 hrs.  | \$ 59.36       |
| 2. Palmer, W.     | 6-18-78 | 4 hrs.  | 60.00          |
| 3. Summerville, A | 6-16-78 | 5½ hrs. | \$82.50        |
|                   | 6-30-78 | 4½ hrs. | <u>\$67.50</u> |
|                   |         | TOTAL   | \$269.36       |

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

The resolution was thereupon declared duly adopted.

## RESOLUTIONS - continued

#345 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS TO BE PAID FROM REVENUE SHARING

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

BE IT RESOLVED, That the following Police Officers be paid Overtime pay from June 1, 1978 to and including June 30, 1978, to be paid from Federal Revenue Sharing.

|    |                 |         |         |              |              |
|----|-----------------|---------|---------|--------------|--------------|
| 1. | Cheshire, D.    | 5-06-78 | 1 hr.   |              | \$11.82      |
| 2. | Woods, K.       | 6-30-78 | 45 min. |              | 10.13        |
| 3. | Pleickhardt, J. | 5-26-78 | 2 hrs.  | \$27.00      |              |
|    |                 | 6-26-78 | 1 hr.   | <u>13.50</u> | <u>40.50</u> |
|    |                 |         |         | TOTAL        | \$62.45      |

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

The resolution was thereupon declared duly adopted.

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

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

BE IT RESOLVED, That the following Police Officers be paid Recall/Court pay from June 1, 1978 to and including June 30, 1978, to be paid from Federal Revenue Sharing.

|    |                 |         |         |               |              |
|----|-----------------|---------|---------|---------------|--------------|
| 1. | VonVoigt, R.    | 6-02-78 | 4 hrs.  | \$ 54.00      |              |
|    |                 | 6-12-78 | 9 hrs.  | <u>121.50</u> | \$175.50     |
| 2. | Pleickhardt, J. | 6-29-78 | 5½ hrs. | 74.25         | <u>74.25</u> |
|    |                 |         |         | TOTAL         | \$249.75     |

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

The resolution was thereupon declared duly adopted.

#347 ADOPTION OF AMENDMENT TO RIVERHEAD TOWN CODE

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

WHEREAS, The Town Board of the Town of Riverhead has duly published in its entirety the following proposed amendment to the Riverhead Town Code, and

WHEREAS, A public hearing was held on July 5, 1978, at 8:00 P.M., at which time all interested persons wanting to be heard were heard, it is hereby

## RESOLUTIONS - continued

RESOLVED, That the following amendment of Riverhead Code Chapter 103, Waste Disposal, section 103-3., Definitions and word usage., A., LICENSE, is hereby adopted, and be it

FURTHER RESOLVED, That this amendment shall take effect ten days after publication and posting as follows:

LICENSE -- Due authorization, in writing, as provided herein, which permits a person to engage in the business of collecting garbage, refuse, rubbish or trash from the premises of any person or of carting or transporting the same through or upon any street within the Town of Riverhead or to deposit the same on any authorized dumping ground within the Town of Riverhead.

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

The resolution was thereupon declared duly adopted.

#348

REPEALS PREVIOUS BIDS

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

WHEREAS, Sealed bids for the purchase of One (1) New Two-door Sedan for the Riverhead Highway Department were duly advertised for and said bid was duly awarded to the lowest net price bidder, J.J. Hart, Inc., subject to Bid Specifications, and

WHEREAS, J.J. Hart, Inc., cannot furnish said vehicle pursuant to said Bid Specifications, and the other bidder, Otis Ford, Inc.'s bid opened July 5, 1978, does not meet said Bid Specifications, it is hereby

RESOLVED, That Resolution number 290, dated June 13, 1978, awarding said bid to J.J. Hart, Inc., is hereby repealed and all bids (J.J. Hart, Inc., and Otis Ford, Inc.) are hereby rejected.

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

The resolution was thereupon declared duly adopted.

#349

AUTHORIZES TOWN CLERK TO PUBLISH NOTICE TO INTERESTED PERSONS CONCERNED WITH RELEASE OF FEDERAL FUNDS UNDER TITLE II OF HOUSING & COMMUNITY DEVELOPMENT ACT

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

WHEREAS, Publication of a legal notice on the decision of the Town of Riverhead not to prepare an environmental impact statement, as it is not required (EIS) because no Federal, State, or Local standards will be violated by any of the proposed projects,

RESOLUTIONS - continued

THEREFORE, BE IT RESOLVED, That the Town Clerk, be and is hereby authorized to publish and post a legal notice of finding of no significant effect on the environment.

Before the vote, Supervisor Smith stated: "What we have here ladies and gentlemen is one of the — what Mr. Nohejl sees is the lights going up on his streets. This is one of those miles and miles of red tape that proceed lights going up on somebody's streets. This is with reference to the discretionary grant that we previously received."

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

The resolution was there upon declared duly adopted.

#350      AUTHORIZING PUBLIC HEARING RE: APPLICATION OF LEO BEKERMUS FOR SPECIAL PERMIT

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 Notice of Public Hearing to the application of Leo Bekermus for a Special Permit for a non-nuisance industry, pursuant to Riverhead Code Section 108-45 (B) (5).

PUBLIC NOTICE

PLEASE TAKE NOTICE, That a Public Hearing will be held on August 1, 1978, at 8:00 P.M., o'clock, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time and place all persons wanting to be heard will be heard in the application of Leo Bekermus for a special permit to construct an oil storage tank for primarily wholesale purposes as a non-nuisance industry, pursuant to Riverhead code Section 108-45(B) (5), on that part of the property located in the Industrial A District (Light Industry), at a site presently used by the Long Island Ice and Fuel Company, on, and bounded southerly by West Main Street; westerly by property now, or formerly of Gillette Realty Corp., northerly by the Long Island Railroad; and easterly by property now, or formerly of Dennis and Judith Palmer.

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

The resolution was thereupon declared duly adopted.

#351      AUTHORIZING PUBLIC HEARING RE: APPLICATION OF ADA HOWE KENT ANIMAL SHELTER FOR SPECIAL PERMIT

Supervisor Smith: "Mr. Tooker has asked me if we will forbear publishing the public notice #351 until such time as he can get back to us."

RESOLUTIONS - continued

#352

AUTHORIZING PUBLIC HEARING RE: APPLICATION OF  
IRVING AND GLADYS MACK FOR SPECIAL  
PERMIT

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 notice of public hearing to the application of Irving and Gladys Mack for a Special Permit for a single-family residence, pursuant to Riverhead Code Section 108-48 (B) (8).

PUBLIC NOTICE

PLEASE TAKE NOTICE, That a public hearing will be held on August 1, 1978, at 8:30 P.M., o'clock, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time and place all persons wanting to be heard will be heard in the application of Irving and Gladys Mack of 608 Elton Street, Riverhead, New York, 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 (General Industry), bounded southerly by Elton Street and property now or formerly of Jesse and Harold Goodale; thence westerly by property now or formerly of Jesse and Harold Goodale and Saw Mill Brook; thence northerly by property now or formerly of Joseph Celic; thence southerly by property now or formerly of Fletcher Booker.

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

The resolution was thereupon declared duly adopted.

# 353

AUTHORIZING PUBLIC AUCTION FOR SALE OF ABANDONED  
VEHICLES AND USED SURPLUS POLICE VEHICLES

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

WHEREAS, The Riverhead Town impound area is overcrowded with unclaimed or abandoned vehicles, pursuant to Vehicle and Traffic Law Section 1224, and rules and regulations, pursuant thereto, and

WHEREAS, The Riverhead Police Department has three (3) used, surplus police vehicles,

NOW, THEREFORE, be it

RESOLVED, That the Town Clerk is hereby authorized to publish the following Notice of Public Auction for the sale of said vehicles, and conspicuously post said Notice in at least three (3) public places in Riverhead, at least six (6) days before said sale on July 29, 1978, at 10:00 A.M. o'clock, at Nielson's Garage, Mill Road, Riverhead, New York.

RESOLUTIONS - continuedRIVERHEAD POLICE DEPARTMENT AUCTION

Abandoned Vehicles to be Sold at Public Auction on July 29, 1978, pursuant to Section 1224 Vehicle and Traffic Law, State of New York.

|         |      |             |              |                   |
|---------|------|-------------|--------------|-------------------|
| AV-1    | 1966 | Chevrolet   | Color Tan    | VIN 163396T235906 |
| AV-2    | 1970 | Volkswagon  | Color Tan    | VIN 3602272770    |
| AV-3    | 1968 | Chevrolet   | Color Blue   | VIN 166478T194079 |
| AV-4    | 1969 | Pontiac     | Color Brown  | VIN 252699E155038 |
| AV-5    | 1974 | Chevrolet   | Color Brown  | VIN 1V15A42104491 |
| AV-6    | 1966 | Chevrolet   | Color Blue   | VIN 153116F178910 |
| AV-7    | 1969 | Buick       | Color Brown  | VIN 452399Y213842 |
| AV-8    | 1956 | Ford Pickup | Color Blue   | VIN F10V6H34698   |
| AV-9    | 1966 | Mercury     | Color White  | VIN 6H01T589491   |
| AV-10   | 1969 | Ford        | Color Red    | VIN (E53D218761   |
| * AV-11 | 1970 | Pontiac     | Color Maroon |                   |
| AV-12   |      | CLAIMED     |              |                   |
| AV-13   | 1975 | Kawasaki    | Motorcycle   | VIN H1F33889      |
| AV-14   | 1966 | Ford        | Color Tan    | VIN 6B12T212687   |
| AV-15   | 1963 | Chevrolet   | Color Green  | VIN 31635T309580  |
| AV-16   | 1969 | Plymouth    | Color Green  | VIN PE41F9F235595 |
| AV-17   |      | CLAIMED     |              |                   |
| AV-18   | 1966 | Ford        | Color Maroon | VIN 6E66C292272   |
| AV-19   | 1971 | Dodge       | Color Green  | VIN WH51N1A150283 |

\*AV-11 May be sold only to a Vehicle Dismantler.

## ALSO TO BE AUCTIONED:

|     |      |                            |                  |
|-----|------|----------------------------|------------------|
| 1.  | 1977 | Ford LTD (Police Car)      | VIN 7B63C209147  |
| *2. | 1977 | Ford LTD (Police Car)      | VIN 7B63C209148  |
| 3.  | 1976 | Plymouth Fury (Police Car) | VIN RK41K6A19087 |

RESOLUTIONS - continued

\* No. 2 - Damaged and stripped of motor, transmission and parts.

Auction will be held on Saturday, July 29, 1978, at 10:00 A.M. at Nielson's Garage, Mill Road, Riverhead, N.Y. Vehicles will be open to inspection on Friday July 28, 1978 from 10:00 A.M. to 3:00 P.M. All items sold as is. All Sales "Cash" only. Vehicles must be removed from the sales premises no later than 4:00 P.M. on the date of the auction.

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

The resolution was thereupon declared duly adopted.

#354 AWARDS BID FOR RECEIPTING MACHINE FOR TAX RECEIVER'S OFFICE

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

WHEREAS, After being duly advertised, pursuant to law, that sealed bids be accepted for the purchase of One (1) Receipting Machine for the Tax Receiver's Office, which were opened by the Town Clerk on Monday, July 17, 1978, at 11:00 A.M., o'clock,

NOW, THEREFORE, be it

RESOLVED, That said bid for One (1) Receipting Machine is hereby awarded to the lowest responsible bidder, Burroughs Corporation, 474 Fulton Avenue, Hempstead, New York 11550, for the total bid price of Three thousand two hundred sixteen and 50/100 (\$3,216.50) Dollars, and it is

FURTHER RESOLVED, That the acceptance of this bid is subject to the Bid 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.

#355 AUTHORIZING TOWN ATTORNEY TO DEFEND TOWN IN LAWSUIT  
Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

RESOLVED, That the Town Attorney is authorized to defend and protect the interests of the Town in Miles High Building Corporation vs. Town of Riverhead, filed in the Riverhead Town Justice Court.

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

The resolution was thereupon declared duly adopted.

## RESOLUTIONS - continued

#356 AUTHORIZING TERMINATION OF XEROX CONTRACT

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

RESOLVED, That the rental contract with Xerox for the Model 4000 Copier be terminated on September 30, 1978, and that the Town Attorney and the Town Purchasing Officer take the necessary steps to do so.

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

The resolution was thereupon declared duly adopted.

#357 CONMENDATION OF RIVERHEAD FIRE DEPARTMENT & PROCLAIMING "RIVERHEAD FIRE DEPARTMENT RECOGNITION DAYS"

Councilman Young offered the following resolution which was seconded by the Entire Board and Unanimously Adopted.

R E S O L U T I O N

WHEREAS, It is just and fitting that this Town Board recognize and commend the several Fire Departments that comprise the volunteer fire service in the Town of Riverhead, and

WHEREAS, The men of the volunteer fire service stand ready to risk their lives to save other people's lives and property - twenty-four hours a day - three hundred and sixty-five days a year - in good weather and bad, no matter how large the danger, and

WHEREAS, Once a year, during the months of July and August, these men ask for your support and recognition, and

WHEREAS, The men of the Riverhead Fire Department will be asking for your support by mail and by a door-to-door canvass of the homes and businesses they protect,

NOW, THEREFORE, be it

RESOLVED, That the days from July 30th to August 13th are hereby proclaimed to be

## RIVERHEAD FIRE DEPARTMENT RECOGNITION DAYS

and each homeowner and business person in the Riverhead Fire District is asked to contribute to help support the Riverhead Fire Department and its many worthwhile activities.

#358 AWARDS ELECTRICAL CONSTRUCTION CONTRACT FOR IMPROVEMENT OF RIVERHEAD TOWN HALL FOR ACCOUNTING AND COMPUTER DEPARTMENT

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

WHEREAS, The Town Board of the Town of Riverhead has advertised for bids for the Improvement of Town Hall for

RESOLUTIONS - continued

the Accounting and computer Department which includes an electrical construction contract, and

WHEREAS, The Town Clerk has publicly opened all sealed bids with regard to said electrical construction contract, which are as follows:

1. Cavaliere Electric Contracting, Ltd.  
Total Bid \$15,000.00
2. Meeker Electric Co., Inc.  
Total Bid \$14,470.00
3. Bartra Electric  
Total Bid \$ 5,518.00

it is hereby

RESOLVED, That the Town Board does hereby award the electrical construction contract for the Improvement of Town Hall for the Accounting and Computer Department to the lowest responsible bidder, Bartra Electric, P.O. Box 1016, 227 East Breakwater Road, Mattituck, New York 11952, for the total bid of Five thousand five hundred eighteen and 00/100 (\$5,518.00) Dollars, and be it

FURTHER RESOLVED, That the acceptance of said bid is conditioned upon compliance with all of the terms conditions, and specifications, etc., filed in the Town Clerk's and Building Department's Offices, including those contained in the Advertisement for Bids, the bid documents, the contracts, addendums, General and Supplemental General Conditions, Bid Conditions, Contractor's Responsibilities 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 he hereby is, authorized to execute said contract with said bidder, and be it

FURTHER RESOLVED, That the Town Clerk be, and she hereby is, authorized to notify the successful bidder accordingly.

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

The resolution was thereupon declared duly adopted.

#359

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS ON PLOW  
BLADES (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 for the purchase of Plow Blades for Good Road Snow Plows for the use of the Town of Riverhead Highway Department, and be it

## RESOLUTIONS - continued

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 August 7, 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 August 7, 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, "Bids on Plow Blades".

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

The resolution was thereupon declared duly adopted.

#360 DESIGNATES RICHARD J. CAREY TO ARBITRATION PANEL ON BEHALF OF TOWN OF RIVERHEAD

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

WHEREAS, The Riverhead Chapter of the Policemen's Benevolent Association has petitioned the New York State Public Employment Relations Board for institution of arbitration proceedings, and

WHEREAS, This Board wishes to designate its member of the Arbitration Panel,

NOW, THEREFORE, BE IT

RESOLVED, That this Board does designate as its member of the Arbitration Panel, Mr. Richard J. Carey, and be it

FURTHER RESOLVED, That Mr. Carey be paid for his services, upon claim, on an hourly basis.

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

The resolution was thereupon declared duly adopted.

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

Supervisor Smith: "Resolution #361 is tabled."

#362 TRANSFER OF FUNDS

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

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

|                               | FROM        | TO          |
|-------------------------------|-------------|-------------|
| A1990.400 Contingency Account | \$25,000.00 |             |
| A1620.490 Barn Renovations    |             | \$25,000.00 |

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#363

AUTHORIZE USE OF GROVE STREET FOR BLOCK PARTY

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

WHEREAS, The 1978 Women's Day Committee of the First Baptist Church of Riverhead wish to sponsor a community block party on Grove Street, Riverhead,

THEREFORE, BE IT RESOLVED, That this Town Board hereby authorizes the use of Grove Street for a block party, on the date of August 12, 1978, from 4:00 p.m. until midnight, or in the event of rain, on August 26, 1978; subject to one of the representatives of the sponsoring agency obtaining the necessary form from the Riverhead Police Department and complying with the requirements of the Police Department.

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.

IJP/vlv

*Irene J. Bendzick*  
Irene J. Bendzick, Town Clerk