

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, June 20, 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.

Supervisor Smith: "Ladies and gentlemen, we have present this evening various department heads and should occasion arise that you have a question that pertains to their particular department, we will see if we can obtain an answer to your question this evening. If we can't, we'll attempt to find an answer and get it to you at some future date."

BILLS

Bills were submitted on Abstract dated June 20, 1978 as follows:

General Town	\$59,893.70
Community Development	\$ 641.91
Capital Projects	\$ 2,177.45
Highway Item #1 - Enc.	\$ 578.13
Highway Item #1	\$ 4,427.06
Highway Item #3	\$ 3,568.54
Highway Item #4	\$ 1,393.37

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

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

RESOLUTION - continued

General Town	\$59,893.70
Community Development	\$ 641.91
Capital Projects	\$ 2,177.45
Highway Item #1 - Enc.	\$ 578.13
Highway Item #1	\$ 4,427.06
Highway Item #3	\$ 3,568.54
Highway Item #4	\$ 1,393.37

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

The resolution was thereupon declared duly adopted.

REPORTS

Tax Receiver's, Final Report dated June 15, 1978. Filed.

COMMUNICATIONS

Diana's Travel, 6/12/78 - advising Board of inauguration of "Bus Sightseeing Tour", starting July 9th, and inviting all Board members on first trip. Filed.

Riverhead Raceway, 6/9/78 - Application for fireworks display on June 20, 1978. Filed.

Boy Scouts, Troop 645, 6/9/78 - Thanking Board for use of Town Hall, and asking for use of Town Hall on regular monthly basis. Filed.

Transamerica Ins., 6/8/78 - continue Insurance Policy until 8/1/78 (Broadway Maintenance) Filed.

Catherine Miller, 6/9/78 - rescinding request for disability leave of absence. Filed.

Suffolk County Department of Planning, 6/7/78 - regarding adoption of amended zoning ordinance #26, Town of Southampton - if no objections by 6/26/78, it will be assumed there are none. Filed.

Wading River Civic Association, 6/13/78 - requesting

COMMUNICATIONS - continued

strict law enforcement in their area and requesting they be informed as to what action will be taken to alleviate deplorable conditions (drag racing, noise, vandalism, drinking, harassment by young people) Filed.

Supervisor Smith then stated: "With reference to this, I'll be confirming what I want to say in writing to Mr. Murtha. This past week, there was an additional Lieutenant and two additional cars solely assigned to the Wading River 60⁴ Sector. It obviously does very little good to tell vandals that you're going to put the extra police enforcement in advance, and then they won't show up. We have done it and we will do it again as occasions warrant. We are going to get a detailed report from Mr. Murtha outlining among other things the cost of the additional protection this past weekend."

Department of Agriculture & Markets, 6/15/78 - regarding revised State Dog Law, effective 1/1/1980. Filed.

Holzmacher, McLendon & Murrell, 6/19/78 - copy of letter to Suffolk County Engineer requesting County Topography for drainage study. Filed.

APPLICATIONS

Ada Howe Kent Shelter, 6/9/78 - for special permit: to erect building for storage, office & caretaker's quarters. Filed. Referred to Planning Board for recommendation and report.

UNFINISHED BUSINESS

Special Permit, Joseph Brush (airport)
Special Permit, Joseph Bartasi (restaurant at Rte, 58 & Roanoke Avenue)
Special Permit, Leo Bekermus (oil tank on West Main Street)

Supervisor Smith then stated: "We have under unfinished business Mr. Brush's application for the airport. Everybody keeps telling me, including the press, that there's something come down on that. We haven't received anything.

Mr. Bartasi's application for the restaurant on 58 is sitting quietly, as is Mr. Bekermus' application for an oil tank.

Supervisor Smith continues:

This brings us to the portion of the agenda where we will listen to anyone that chooses to address the Town Board on any issue. Does anyone choose to address the Town Board?"

Claudio Bonfilio, P.O. Box 437, Wading River; "I got three questions to ask you. Number one, what is going to be done about the glass that's on all the beaches?"

Supervisor Smith: "Why don't you give me all three questions and then I'll try to answer them all at one time."

Claudio Bonfilio: "Number two, what about the parking on town roads? I mean we've got enough Town parking signs up there. We don't need any more in Wading River. I mean two years ago we sent cars that totaled out and two people went to the hospital in that exact location. And when I went up and told these people, you know you got a back yard why don't you use it, and the next time I went by they had three cars there."

Supervisor Smith: "Which specific area are you concerned with?"

Claudio Bonfilio: "Hulse Landing. And number three, since this is a political game, Mr. Smith, I want you to know, if you could promise me one thing. When you run for re-election in 1979, why don't you move your headquarters into Wading River and I'll find you a nice spot for your office. Now you can answer my three questions."

Supervisor Smith: "With reference to the upkeep of the beaches during the summer months as soon as the public schools let out, there is a — what we call Youth Conservation Corp with a leader that comes in a truck and what not and they're assigned to pick up glass, bottles, cans, etc., along the beaches.

Number two, with reference to the parking problem, we will refer it to the Chief of Police and he will get back to us on that one.

And you don't know that I'm even running, so let's see what happens next year."

PERSONAL APPEARANCES - continued

G. Wilber Selleck, Wading River: "Mr. Supervisor, Members of the Board, I'd like to ask a couple of questions please. With reference to Century Farms on North Country Road, I was wondering whether or not the builder indeed was within his rights to stop up the drainage by plugging the culvert and erecting a barrier so that the natural flow of water from north to south was prevented?"

Supervisor Smith: "That is a tactic that the builder has undertaken with the consent or advice of his attorney pending the completion of his subdivision. As you know, Sir, we have hired, in part, in response to one of your prior appearances, the firm of Holzmacher, McLendon & Murrell to do the study that is necessary to solve that particular drainage problem. They were, in fact, out here today working on several different problems, not specifically yours, but the authorization was made approximately a month ago and we will begin to get some of the results of that effort later on this summer.

At that time, Dr. Selleck, what will happen is a resolution by this Board for a bond resolution to if in fact, in your particular instance, Capital Expenditures are necessary to do some of these projects. That brings you up to date with your particular problem."

G. Wilber Selleck: "Could I ask one more please?"

Supervisor Smith: "Sure."

G. Wilber Selleck: "Since winter when the highway department broke through that barrier and really saved the situation, the barrier has been re-erected and I'm wondering as the same question whether this individual has that right to so do."

Supervisor Smith: "All I can tell you is that it is his attorney's position that he has that right. I have discussed it with the principal and the Attorney on a couple of occasions and I don't have a ready answer for you."

G. Wilber Selleck: "Thank you Mr. Smith."

Supervisor Smith: "Anybody else wishing to address the Town Board on any topic?"

PERSONAL APPEARANCES - continued

Vincent J. Imperato, Box 188, Wading River; "I'd like to speak at this time about the Wading River Fire District for the purchase of the Community Center. I believe the price is \$38,500 or thereabouts, more or less?"

Supervisor Smith: "That is the amount of the appraisal that has been given to the Fire District Commissioners."

Vincent J. Imperato: "Have any of the members of the Board physically visited this particular site to see whether or not it's feasible? Whether or not it's worth this kind of money?"

Supervisor Smith: "I happen to have been there, yes Sir."

Vincent J. Imperato: "And do you feel that \$38,500 is a fair price for this building?"

Supervisor Smith: "Well Sir I'm not in the business of doing appraisals and the point is the actions of the Commissioners and the actions of this Town Board to a greater or lesser degree, are governed by the rules and regulations of the State Comptroller and although quite possibly, the price might be negotiated. I don't know at this particular point we're in position to question the appraisal."

Vincent J. Imperato: "I happen to be there about a month ago. I attended a scout meeting. It's a house of racoons. The ceilings are all coming down. Rain and snow has warped the floors, the walls of the building. As far as I'm concerned, it's utterly worthless and I can't see spending good money to improve or to put this building into shape. I think it's throwing good money into bad. That's my personal opinion and what I'd like to propose is that instead of the Board voting on this, could this be put to a vote of the people. Let the people see the building for themselves, give them a couple of days to inspect it. . ."

Supervisor Smith: "Precisely what the resolution calls for."

PERSONAL APPEARANCES - continued

Vincent J. Imperato: "Oh I'm sorry. Thank you very much."

Marie Hoff, Wildwood Hills, Wading River; "In the wake of California's tax revolt, the message is clear. People want tax burdens eased by elimination of wasted time, effort and money, but necessary services must not be eliminated. They want economy, dependability, integrity, reliability and services.

I was author of the plan presented to the Wading River Fire Commissions in Sept. 1976. We in Wading River were sending a similar message. Attacked as being the wrong thing, in the wrong place, at the wrong time was the proposed inappropriate siting of a dual purpose fire and recreational facility on the Wildwood Upstreet Schoolhouse Community Center grounds. We proposed that a safer and better location for firematic work could and should be found. We proposed that the Community Center should be given or sold at modest cost to the Town, and that the building on site be structurally rebuilt, or modernized inside with the schoolhouse facade being preserved since this was aesthetically pleasing and compatible with the surrounding residential area. Ours was an honest concern for the Fire Department, the Community Center users and for the character of the Wildwood-Wading River area. There was much support for this position.

After researching the Landmarks Ordinance, a committee presented a request for Landmark designation for the Upstreet Schoolhouse Community Center. It would, we realized, still be possible under the Ordinance to preserve the facade facing the main road and to rebuild the interior. Historic designation would add meaning. The Landmarks Commission gave due consideration to the matter, but ruled out Landmark status at that time. We can reapply. Nevertheless, without formal historic designation, historic value still attaches to the structure.

This Fire Substation - Community Center plan had been carefully thought out. It would be a complete undertaking. But, if the Fire District could get a new substation site and would transfer the Community Center title to the Town for a modest figure, we the people would be well-served and could be relied and depended upon to support these undertakings. We asked for help from the Town Board; we elected Fire Commissioner Franz who would campaign this cause. It would mean work and dedication by Town Board Members, the Fire Commissioners, the State Legislature, the State Park Commission and others. An intricate process takes time. Acquisition of State Park acreage for the substation involved subtle and careful negotiation; but all parties seemed to be working at it. At the Town budget hearing on October 30, 1977, when \$40,000 of Federal Funds were allocated for Community Center purchase, I made note to the Board that although the appraisal might indicate

PERSONAL APPEARANCES - continuedMarie Hoff continues:

a figure of this order, factors of appraisal basis, deed restriction, and Parkland acquisition cost might dictate a lower price, so that a good part of the \$40,000 could be used for renovation of the building. Supervisor Smith notes these remarks. It was appropriate to let the subtle and difficult negotiations continue to proceed without interference or comment. The process could not be rushed; it was complex - not a simple 1:1 - cause and effect matter.

Conservation with some of the Fire Commissioners suggested that the Community Center cost to the Town would be largely conditioned by the cost of Parkland acquisition. This would be fair and in keeping with sound financial practice. Even from remarks made by Fire Commissioner Boenig as far back as February 3, 1977 (News-Review) when the appraisal of the property was ordered, one can reasonably infer this intention. Commissioner Boenig said, "If we can sell it to the Town for an equitable price, enough to buy another piece of property, then that's what we'll do."

The State Parkland price is only now starting to come into view.

If the cost figure was held down to say \$6,000, then the Town would have allocated Federal funds available to make improvements.

The Town, State and Fire Commissioners have all collaborated and performed with integrity and reliability as one party to the informal plan we people submitted to them by letters and petition. As the other party to the plan, it is now time for the people to show their integrity and reliability by responding favorably to reasonable presentations. It is most certainly not the time to propose a plan, new location for a community center with new and larger costs, - and in addition to lose an historic site and the aesthetic enhancement of the eastern end of the Wading River Community. Any supporters of the original plan who are being wooed that way at this time, should realize that such a move lacks integrity, reliability and dependability, the very qualities we desire so much in our elected officials. Support of a new suggestion at this time would waste taxpayers money by rendering futile all the time and energy expended by Town, State and District officials to bring the matter to resolution. The new suggestion appears to be but a hasty reaction to a single item in a long and as yet unfinished complex process. Not only would it destroy the work that has been carefully done, but worst of all it would deprive the Wildwood end of Wading River of an aesthetically pleasing modest-cost structure which would be in keeping with the area and continue the vista of charm along the Main Road to the east; the beautiful flowering cherry trees and work at the Twin Ponds already enhance the west end. This benefit would come to us at no additional cost. We would have a fine community center and

PERSONAL APPEARANCES - continuedMarie Hoff continues:

the Fire District would not be left with a structure which could become, at worst, another Raspberry Hilton and cost us more money.

Therefore, Board Members, I urge you to be satisfied with the work you and others have done. Buy the Community Center from the Fire District. The price will be reasonable. Remodel it with the schoolhouse facade retained. We do not need a large costly structure on secluded Bayberry Road. You have been hard at work in Riverhead proper attending to historic renovation. Continue to recognize these values in the Wading River area. Do not throw away all that has been done in favor of a new scheme. Federal Funds also come out of our tax pockets. Siting a recreation center at the present location will further historic value, and it will add to the east end of Wading River a structure in which we may take pride. I feel certain that current fury is but a hasty reaction to a poorly understood aspect of the entire Community Center acquisition process.

There are many of us who can be relied upon to act with integrity and dependability and to do our part in support of the Community Center and the Fire Substation." (End)

This statement is filed in the Office of the Town Clerk.

Supervisor Smith: "Mrs. Hoff part of what you laid before us remains true that if in fact there is a firm figure that eventually comes out of the negotiations between the State and the Fire District. There maybe an adjustment of the price of the contract."

Tammy Wendelken, Timber Park, Calverton; (read statement), "I am here to speak for the Girl Scouts and Brownies who have to use the present community center. The center is in terrible shape. Many times we cannot have our meetings because of the conditions there. I think that the Town Board should either build a new community center, or buy another building, such as those at Camp Grant. Children are often a group not spoken for, and I am here tonight to speak for them, and say we do not want the Wildwood-Wading River Community Center. Thank you." (End)

Filed in the Office of the Town Clerk.

Supervisor Smith: "Thank you. Ladies and gentlemen we have time for another speaker before the 8:00 hearing."

Mike Peretta, Wading River; (read statement), "I wish to thank the Supervisor, Allen Smith and the Town Board

PERSONAL APPEARANCES - continuedMike Peretta continues:

for postponing the signing of the Resolution #281 from last June 6th to today's date.

On June 6th, Wading River had not received notification of #281 and therefore, representation was insufficient for so important a matter concerning Wading River and its surrounding area.

As you can see today's meeting is an altogether different story. Wading River and others are present in good order.

The Resolution is for a mandatory referendum to purchase the Community Center in Wading River for \$36,885. We are appealing to Supervisor Smith and the Town Board to reconsider and to rephrase the Resolution to read that the Mandatory Referendum be subject to public inspection of the Community Center, and that the Center be open on a Saturday and a Sunday with permission of the Fire District in order that the people may inspect the premises, and that they may vote in good conscience for the benefit of the community.

We also would like to have on the record that we have an alternate plan in case the Fire District loses the referendum." (End) That's all he read from his letter.

Mr. Peretta continued saying: "I'd like to point out that at the present time we have an Advisory Committee set up and that we have plans all plotted up and that the purchase of the Community Center which is \$36,885 plus the additional \$12,000 or \$15,000 that will cost to repair the Old Community Center will set the Town back at quite a figure. Therefore, we feel that our plans will be Wading River, a new Community Center Building on Town property and the cost of the building will amount no more than what the Town will invest in the present circumstances. I thank you very much."

Supervisor Smith: "And we understand from last time, Mr. Peretta, that it is subject to the referendum and there is a vote and I said to you last time, that I thought you had spoken in favor of this acquisition in the past."

Mike Peretta: "Never did."

Supervisor Smith: "November 16, 1978, an exchange between Supervisor Smith and yourself Sir. It's a shame that such a thing should happen in Wading River because it's very much needed and it's too bad they don't cooperate with the people and with the Town Board, and we were discussing the acquisition of the premises at that time Sir. I'll give you a copy later on. You've appeared about four or five times on

PERSONAL APPEARANCES - continued
the agenda on this matter."

Mike Peretta: "I would also like to say that at that time on October 4th Meeting of 1976 you also quoted that I'll give the Fire District exactly \$1.00 which is all it's worth and these are your words."

Supervisor Smith: "If you want to read what the Minutes say, I'll make sure you get a copy.
Is there anyone else that chooses to address the Town Board on any issue?"

Paul Baker, P.O. Box 4R, Cedar Road, Wading River; "I reside in the Town of Riverhead now for about seven years and since I came here I've experienced 100% increase of my property taxes, about 80% increase in my social security withheld from my pay check and a number of other taxes I've paid. I'd like to speak right now in reference to resolution #281 and simply state that we already have a structure right now that I think is very suitable, perhaps renovations are in order — proposals to spend more money, I find very upsetting. When the school budget fails, as ours did, it is accepted as a mandate to spend less. Proposals by residents to spend more for themselves while our children are deemed not worth it is astounding and is an atrocity. If a tax revolt is to be forthcoming, then let it be, but let it affect everyone. I support the resolution and I ask you to support it by voting for the resolution. Thank you."

Supervisor Smith: "Thank you Sir. Does anyone else choose to address the Town Board?"

Dick Benedict, Fanning Blvd, Riverhead; "Concerning private roads, I haven't heard anything since last October when we supposedly turned the deed over to the Town Board to get a limited amount of maintenance and they said the roads would be taken over if we got revenue sharing. Since then, I haven't heard anything except building something for pleasure. What about all the residents living on private roads? Are we going to get our roads fixed or not?"

Supervisor Smith: "Mrs. Benedict, you've been here many meetings and you're probably going to hear it again."

PERSONAL APPEARANCES - continuedSupervisor Smith continues:

What I've said before most specifically with reference to the people in Timber Park that this lawsuit that was — is now somewhat ancient has been submitted to the Judge approximately two months ago and we are waiting for a decision whether or not the procedures we have followed for the acceptance of those private highways into the town road system as an acceptable means of approach."

Dick Benedict: "Is that all private roads?"

Supervisor Smith: "No Sir. It is . . ."

Dick Benedict: "Ours, I don't believe was mixed up in that. We had a lawyer which we paid for. The deed was accepted by the Town . . ."

Supervisor Smith: "Your situation and resolutions with reference to Fanning Blvd. are probably identical to all the others and the procedure that we waived, for instance, the installation of curbs and drainage and things of that nature."

Dick Benedict: "So what exactly is the litigation?"

Supervisor Smith: "The litigation is to — by Mr. Haugaard to declared the procedure that we follow invalid and to prohibit us from spending any money in that regard."

Dick Benedict: "The taxes keep going up and up and we're not counted."

Supervisor Smith: "Well Mr. Benedict, I think you know that this particular Board has made an effort to do something in this regard. There is a lawsuit pending. We're waiting for a decision by the Judge and we'll have to abide by what he says."

Dick Benedict: "Well maybe we should submit to get our lawyer fees back from the Town then?"

PERSONAL APPEARANCES - continued

Supervisor Smith: "Mr. Benedict I have no control over the Judges of the Supreme Court of Suffolk County."

Dick Benedict: "Thank you."

Supervisor Smith: "Thank you. Anyone else on any subject?"

Arthur Greenberg, Wading River; "Mr. Smith, regarding that trial, could you tell me if that's on the calendar? When will the Judge -- does the Judge have to give an edict or report or whatever he has to give by a particular date? Can this go on forever or does he have to give it in a week or two weeks. Isn't there a set time on that?"

Supervisor Smith: "It has been submitted to the Judge Sir. It's not a matter of waiting trial. The matter in your parlance has been tried. We are waiting a verdict. I believe the statute says that decisions will be handed down in sixty days. If you are at all familiar with actual practice in this County, they don't necessarily hand down verdicts in sixty days."

Arthur Greenberg: "In other words, it might be more than the sixty days?"

Supervisor Smith: "Yes Sir. I had one that I tried once that we waited for about a year and three months."

Arthur Greenberg: "And there is no way pressuring it in some fashion?"

Supervisor Smith: "I have always found that pressuring Judges very often has an adverse affect."

Arthur Greenberg: "In other words we have nothing? Just to wait?"

Supervisor Smith: "I would suggest to you that you've got to wait."

PERSONAL APPEARANCES - continued
Arthur Greenberg: "Thank you."

Supervisor Smith: "Is there anybody else that would choose to address the Town Board?"

No one else wished to be heard at this time.

RESOLUTIONS

#295

RESOLUTION AUTHORIZING CLERK TO PUBLISH AND POST
NOTICE OF AMENDMENT TO RIVERHEAD CODE CHAPTER 103
WASTE DISPOSAL

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

RESOLVED, That the Clerk be and hereby is authorized to publish and post the Notice of Public Hearing regarding the amendment of Riverhead Code Chapter 103, Waste Disposal.

NOTICE

PLEASE TAKE NOTICE, That a Public Hearing will be held on July 5, 1978, at 8:00 P.M., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons wanting to be heard with regard to the following amendment of Riverhead Code Chapter 103, Waste Disposal, by amending section 103-3., Definitions and work usage., A., LICENSE, which currently reads 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 and to deposit the same on any authorized dumping ground within the Town of Riverhead.

shall be amended to read 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.

(Underline denotes change or additions, deletions by ~~strikeout~~)

RESOLUTIONS - continued

Before the vote Supervisor Smith stated: "We're amending certain provisions of our waste disposal ordinance with reference to use of the Town Dump and there will be a public hearing on that should you be interested in such things."

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

The resolution was thereupon declared duly adopted.

#297 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 May 1, 1978 to and including May 31, 1978, to be paid from Revenue Sharing.

1.	Cheshire, D.	5-25-78	1 hr. 15 min.		\$14.78
2.	Pleickhardt, J.	5-16-78	15 min.	\$ 3.38	
		5-19-78	1 hr. 30 min.	<u>\$20.25</u>	\$23.63
3.	Swiatocha, J.	5-27-78	2 hrs. 15 min.		\$26.60
.4	VonVoigt, R.	5-14-78	40 min.		\$ 9.00
				TOTAL	\$74.01

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

The resolution was thereupon declared duly adopted.

#298 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 May 1, 1978 to and including May 31, 1978, as per P.B.A. Contract:

1.	Densieski, A.	5-14-78	26 min.	\$ 5.85
2.	Dunleavy, J.	5-05-78	8 hrs.	\$112.32
3.	Foote, F.	5-05-78	8 hrs.	\$108.00
4.	Gianni, V.	5-16-78	1 hr.	13.50
		5-27-78	2½ hrs.	30.38
				\$ 43.88

RESOLUTIONS - continued

5.	Keller, B.	4-09-78	1½ hrs.	16.88	
		5-26-78	1½ hrs.	<u>16.88</u>	\$ 33.76
6.	Zaleski, J.	5-20-78	1½ hrs.		<u>\$ 16.88</u>
TOTAL					\$320.69

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

The resolution was thereupon declared duly adopted.

#299 AUTHORIZES COURT PAY FOR POLICE OFFICERS
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officer be paid court pay for May, 1978, from Revenue Sharing.

1.	Cheshire, D.	4-13-78	4 3/4 hrs.	\$56.15
----	--------------	---------	------------	---------

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

The resolution was thereupon declared duly adopted.

#300 AUTHORIZES COURT PAY FOR POLICE OFFICERS
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid court pay from May 1, 1978 to and including May 31, 1978, as per P.B.A. Contract.

1.	Alexander, F.	5-10-78	4 hrs.	\$54.00
2.	Foote, F.	5-01-78	4 hrs.	54.00
3.	Keller, B.	4-13-78	4 3/4 hrs.	64.13
4.	Yakaboski, D.	5-11-78	4 hrs.	54.00
5.	Zaleski, J.	5-10-78	4 hrs.	<u>54.00</u>

TOTAL \$280.00

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#301 AUTHORIZES RECALL PAY FOR DETECTIVES

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

BE IT RESOLVED, That the following Detectives be paid recall pay from May 1, 1978 to and including May 31, 1978, as per P.B.A. Contract.

1. Palmer, W.	5-23-78	4 hrs.		\$ 60.00
2. Summerville, A.	5-12-78	4 hrs.	\$60.00	
	5-14-78	4 hrs.	\$60.00	
	5-21-78	4 hrs.	<u>\$60.00</u>	\$180.00
3. Underwood, R.	5-21-78	4 hrs.		\$ 65.32
TOTAL				\$305.32

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

The resolution was thereupon declared duly adopted.

#302 AUTHORIZES THE APPOINTMENT OF RECREATION SPECIALISTS TO RECREATION DEPARTMENT

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

RESOLVED, That the following be and are hereby appointed to serve as Recreation Specialists (Swim Instructor) effective June 26, 1978 to and including August 18, 1978, to be paid at the hourly rate of \$3.00 and to serve at the pleasure of the Town Board:

Sally L. Jayne

Barbara A. Scudder

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

The resolution was thereupon declared duly adopted.

#303 AUTHORIZES THE APPOINTMENT OF RECREATION AIDES TO THE RECREATION DEPARTMENT

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

RESOLVED, That the following be and are hereby appointed to serve as Recreation Aides effective July 3, 1978 to and including August 11, 1978, to be paid bi-weekly at the hourly rate of \$2.65 and to serve at the pleasure

RESOLUTIONS - continued
of the Town Board:

Sandra A. Amerson
Sylvester Gilliam
David W. Snyder
Donna M. Pevney
Albert D. Smith
Brendan M. Lynch
Lisa A. Romaine
Matt B. West
Marysa A. Cooper
Karen L. Scott
Lisa A. Carlson
Andrea Messina

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

The resolution was thereupon declared duly adopted.

#304 AUTHORIZES APPOINTMENT OF BEACH ATTENDANTS TO
THE RECREATION DEPARTMENT

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

RESOLVED, That the following be and are hereby
appointed to serve as Beach Attendants effective June 24,
1978 to and including September 4, 1978, to be paid bi-weekly
at the hourly rate of \$2.75 and to serve at the pleasure of
the Town Board:

Arthur Harrison
Russel J. McGoey
James M. Gocha
Andrea Odell
Mark Cooper

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

The resolution was thereupon declared duly adopted.

#305 AUTHORIZES APPOINTMENT OF LIFEGUARDS TO THE
RECREATION DEPARTMENT

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

RESOLVED, That the following be and are hereby
appointed to serve as Lifeguards effective June 24, 1978 to
and including September 4, 1978, to be paid bi-weekly at the
following hourly rate and to serve at the pleasure of the

RESOLUTIONS - continued

Town Board:

Thomas A. Brady	\$4.00
James J. DeCarle	\$3.35
James Q. Hirsch	\$4.00
Thomas M. Mullings	\$3.10
Mary Patrick	\$3.25
Emily Ebbitt Stewart	\$3.10
Frank F. Heimroth	\$3.00
Christopher E. Gevinski	\$3.00

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

The resolution was thereupon declared duly adopted.

#306 AUTHORIZES APPOINTMENT OF PARK ATTENDANT TO
THE RECREATION DEPARTMENT

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

RESOLVED, That Thomas O. O'Shea be appointed Park Attendant effective June 28, 1978 to and including September 8, 1978, to be paid bi-weekly at the hourly rate of \$2.65 and to serve at the pleasure of the Town Board.

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

The resolution was thereupon declared duly adopted.

#307 CHANGE JULY 4th, 1978 MEETING DATE

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

WHEREAS, The first regularly scheduled meeting for July falls on Tuesday, July 4th, 1978, and

WHEREAS, July 4th is a legal holiday,

HEREBY, BE IT RESOLVED, That the regularly scheduled Town Board meeting for July 4th, 1978 be, and is hereby changed to be held on Wednesday, July 5, 1978, and,

FURTHER RESOLVED, That the Town Clerk is hereby authorized to publish and post notice of change of meeting date.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#308 GRANTS FIREWORKS PERMIT TO TWIN MOTORDOME, INC.
Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Twin Motordome, Inc., has applied to the Town of Riverhead pursuant to Article 405 of the New York State Penal Law for a permit for a public display of fireworks to be held at Riverhead Raceway, Route 58, Riverhead, New York, after dark on the evening of the 10th day of June, 1978, and

WHEREAS, Twin Motordome, Inc., has filed with the Town Clerk an application for said permit stating that the fireworks are to be discharged by Zambelli Fireworks Mfg. Co., Inc., along with an unauthorized Certificate of Insurance naming the Town of Riverhead under a "Blanket" policy for combined single limits totaling \$1,000,000., and

WHEREAS, The Town Attorney has read and approved all filed papers, it is hereby

RESOLVED, That the Town Clerk be and is hereby authorized to issue a permit for the public display of fireworks to Twin Motordome, Inc., P.O. Box 145, Lindenhurst, N.Y., 11757, for the evening of June 30, 1978, and be it

FURTHER RESOLVED, That the issuance of said Permit is subject to the following conditions:

1) A diagram of the grounds in compliance with Penal Law Section 405 (2) (g).

2) An appropriately authorized Certificate of Insurance as stated above.

3) Compliance with Article 405 of the New York State Penal Law, particularly the requirements stated in Penal Law Section 405 (3).

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

The resolution was thereupon declared duly adopted.

#309 ENDORISING RESOLUTION FOR PUBLIC REFERENDUM TO AMEND COUNTY CHARTER TO RE-ESTABLISH BOARD OF SUPERVISORS
Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

WHEREAS, County Legislator, Denis Hurley, has introduced a resolution before the County Legislature which would permit a referendum on a proposition to amend the County Charter and re-institute the Board of Supervisors, with weighted voting, in place of the current Legislature, and

WHEREAS, This Town Board has considered Mr. Hurley's

RESOLUTIONS - continued

resolution and finds that there is sufficient interest by the voters of the Town of Riverhead to justify the holding of such a referendum,

NOW, THEREFORE, be it

RESOLVED, That the Riverhead Town Board does hereby endorse the resolution of County Legislator, Denis Hurley, calling for a public referendum upon a proposition to amend the County Charter, so as to re-establish the Board of Supervisors, with weighted voting, in place of the County Legislature.

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

The resolution was thereupon declared duly adopted.

#310 TERMINATES SCHOOL CROSSING GUARD

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

RESOLVED, That the appointment of Mary Joe McCarthy as school crossing guard be terminated as of May 24, 1978.

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

The resolution was thereupon declared duly adopted.

#311 APPOINTS SCHOOL CROSSING GUARD

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

RESOLVED, That Yvonne Jackson be and is hereby appointed School Crossing Guard, effective May 25, 1978, to be compensated at the rate of \$3.00 per hour, payable bi-weekly and to serve at the pleasure of the Town Board.

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

The resolution was thereupon declared duly adopted.

#313 ADOPTION OF AMENDMENTS TO RIVERHEAD TOWN CODE

Before the resolution was offered, Supervisor Smith stated: "We have had a series of hearings that change various aspects of a zoning ordinance to provide for site plan review. Site plan review might mean, for instance, one of the examples in Wading River was the shopping center that is being built on 25A at the moment. In that particular location, site plan review was required which meant we had certain say about parking, planting of trees, erection of fences, and things of that particular nature and there are, however, other areas of it were differently zoned where we might not have had that kind of control and we've decided after a public hearing that that kind of control is applicable, not only to shopping centers,

RESOLUTIONS - continued

but to also industrial areas and to other areas that might for historic reasons or otherwise. Say for instance about residential areas where you might want screening and what not. That's one half of the resolution.

The other half of the resolution deals with a proposal that we've had up for a hearing last time which dealt with a professional zone as a transitional area between urbanized areas of the Town of and the more rural areas of the Town. This resolution would adopt both of those amendments. Is that correct Mr. Fishbein?"

David P. Fishbein, Town Attorney: "Yes."

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 their entirety the following proposed amendments to the Riverhead Town Code, and

WHEREAS, Public Hearings were held on said amendments 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 to the Riverhead Town Code, it is hereby

RESOLVED, That the amendments of ordinance to the Riverhead Town Code which follow are hereby adopted, and be it

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

- 1) For new sections 1a) and 1b) stated below. Prior to issuing a building permit, each application together with the accompanying site plan shall be referred by the Zoning Officer within seven (7) days to the Town Board for its review and recommendation of its approval, disapproval or modifications within sixty (60) days. New sections also allow the applicant to subsequently modify and obtain a building permit without further submission to the Town Board.
 - a) New section to be added to Article XI, Industrial A District (Light Industry). Section 108-47.1. Review of site plan.
 - b) New section to be added to Article XII, Industrial B District (General Industry). Section 108-49.1.

RESOLUTIONS - continued

- 2) New article added to Chapter 108, Zoning, Article XXII, Business PB District (Professional Service Building):
 - a) Section 108-111. Purpose. To provide a transitional use between intensive business and residential development in accordance with the master plan.
 - b) Section 108-112. Uses. Uses of a building structure or premises in this zoning use district shall be granted by special permit of the Town Board. Certain types of professional offices are enumerated and other similar professional offices may be allowed by the Town Board. Also, the Town Board may specifically grant an accessory use to the special permitted use.
 - c) Section 108-113. General lot, yard and height requirements. Incorporates into this Chapter the aforementioned requirements specified in the Zoning Use District Schedule for the Business PB District.
 - d) Section 108-114. Additional requirements. A planted buffer strip of specified type and size is required along any lot line in this district abutting a residential district or use. No signs are permitted except one sign per lot by special permit of the Town Board or Board of Appeals which must meet certain size and location requirements. The site plan shall show proposed stormwater drainage, lighting, and water supply and sewage disposal meeting Health Department requirements. Parking shall conform to that specified for the Professional Service Building Use in the Parking Schedule and Section 108-60 of this Chapter. Finally, there is a list of specifically prohibited uses for this District.
 - e) By amending and adding to the Zoning Use District Schedule specific area and distance requirements for the Business PB District.
 - f) By amending and adding to the Parking Schedule specific parking requirements for a Professional Service Building use.

RESOLUTIONS - continuedNew Section to be added to Article XI, Industrial A District (Light Industry):

§103-47.1. Review of site plan.

Before issuing a building permit, each application, together with the accompanying site plan, shall be referred by the Zoning Officer within seven (7) days to the Town Board for its review and its recommendation. Within sixty (60) days of receipt of said application, the Town Board shall approve, modify or disapprove said site plan and shall state its reason for any modifications or disapproval. If the Town Board takes no action within sixty (60) days of receipt of the application from the Zoning Officer, the plan shall be deemed approved. The Zoning Officer shall not issue a permit for any plan which does not have Town Board approval; however, if the applicant consents to any modifications made by the Town Board, the Zoning Officer may thereupon issue a permit conforming to such modified plan without further submission to the Town Board.

RESOLUTIONS - continuedNew Section to be added to Article XII, Industrial B District (General Industry):

§108-49.1. Review of site plan.

Before issuing a building permit, each application, together with the accompanying site plan, shall be referred by the Zoning Officer within seven (7) days to the Town Board for its review and its recommendation. Within sixty (60) days of receipt of said application, the Town Board shall approve, modify or disapprove said site plan and shall state its reason for any modifications or disapproval. If the Town Board takes no action within sixty (60) days of receipt of the application from the Zoning Officer, the plan shall be deemed approved. ~~The Zoning Officer shall not issue a permit for any plan which does not have Town Board approval; however, if the applicant consents to any modifications made by the Town Board, the Zoning Officer may thereupon issue a permit conforming to such modified plan without further submission to the Town Board.~~

RESOLUTIONS - continued

FIRST: By adding a new article to read as follows:

ARTICLE XXII

Business PB District (Professional Service Building)

§108.111. Purpose

It is the purpose of this article to implement the recommendations of the Master Plan to permit the construction and reconstruction or renovation of existing structures for the uses set forth below. This Use District designation is to be applied consistent with the standards set forth below in transitional areas between intensive business development and residential development, primarily along major arteries. This Use District designation may be imposed by the Town Board in conjunction with or to the exclusion of all

RESOLUTIONS - continued
other Use Districts shown upon the Official Map of the
Town of Riverhead.

§108-112. Uses

In the Business PB District (Professional Service Building), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered or occupied, unless otherwise provided in this chapter for one (1) or more of the following special permit uses or accessory uses:

A. Special permit uses. All special permit uses set forth herein shall be subject to the approval of the Town Board, pursuant to Section 108-3. Special Permit, of this Chapter.

1. Professional offices of an:

- (a) Accountant
- (b) Architect
- (c) Artist
- (d) Attorney
- (e) Audiologist
- (f) Bookkeeper
- (g) Chiropractor
- (h) Dentist
- (i) Draftsman
- (j) Engineer

RESOLUTIONS - continued

- (k) Income tax preparer
- (l) Insurance agent or broker
- (m) Interior decorator
- (n) Journalist
- (o) Medical doctor
- (p) Optometrist
- (q) Osteopath
- (r) Podiatrist
- (s) Photographer
- (t) Physical therapist
- (u) Real estate agent or broker
- (v) Surveyor

2. Professional offices of a person or persons determined by the Town Board to be engaged in a profession similar to those set forth in paragraph sub. 1. above.

B. Accessory uses. Accessory uses shall include those uses customarily incident to any of the above special permitted uses when located on the same lot and specifically granted by the Town Board as accessory to the special permitted use.

§103-113. General lot, yard and height requirements

No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning

RESOLUTIONS - continued

Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

§108-114. Additional requirements

A. There shall be a protective planting strip or buffer, not less than ten (10) feet in width, along any lot line abutting a residential district or use. No structure, storage, or parking or other uses shall be permitted within this strip or buffer. Said buffer or strip will be planted with evergreens or similar vegetation which, when planted, shall be at least six (6) feet tall and when mature shall be maintained at a height of not less than eight (8) feet, so as to provide an effective natural screen between districts. The maintenance of this strip or buffer, any parking area, or any green area shown on a site plan submitted as a part of an application for a special permitted use under this article, during the continuance of said use is hereby a condition of said special use and the failure to maintain said areas shall operate to revoke said special permit in addition to all other penalties provided by this Chapter.

B. No signs shall be permitted upon any land or structure within the Business PB District with the exception of one sign per lot by special permit of the Town Board or Board of Appeals, which shall bear only the name and occupation of the resident. Such sign shall have a maximum area of eight (8) square feet and may be located on the building wall or in the required front yard, provided that it is set back not less than twenty-five (25) feet from any side line, that it is set back not less than fifteen (15) feet from the front lot line, and that it is not more than six (6) feet above the natural ground at its location.

C. The site plan shall show, in addition to all other requirements of this Chapter, the proposed method of collection and disposal of stormwater, designed so as not to interfere with adjoining properties or burden public facilities; the proposed lighting facilities for the safety of pedestrian and vehicular traffic, with exterior spotlighting of buildings or grounds to be from shaded sources and located so that the light beams are not directed toward any lot in a residential district or toward a public highway; and the method of water supply and of sewage disposal, conforming to Health Department requirements.

RESOLUTIONS - continued

D. Parking shall be provided in conformity with the "Parking Schedule" and Section 108-60 of this Chapter. For each parking space required, there shall be provided thirty (30) square feet of landscaped island or green area. Such areas shall be not less than eight (8) feet in width, measured on the shortest side. Said areas shall be contained by curbs conforming to the Town of Riverhead highway specifications. Said areas shall be landscaped with not less than one (1) tree every thirty (30) feet. Said areas shall be maintained as set forth in paragraph A above.

E. No building, structure, premises or lot in the Business PB District (Professional Service Building) shall be used or occupied for any of the following uses:

1. Wholesale sales
2. Retail sales
3. Warehousing
4. Inpatient care, diagnosis or treatment
5. Window or outside displays
6. Hospital
7. Nursing home or adult care facility
8. Mortician
9. Druggist

RESOLUTIONS - continued

SECOND: By adding to and amending the Zoning District Use Schedule to include a new line to be added to the existing language as follows:

Zoning District Use Schedule

Use District	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Maximum Building Area (%)	Maximum Height (feet)	Minimum Front Yard Depth (feet)	Minimum Either Side Yard Width (feet)	Minimum Both Side Yards Total Width (feet)	Minimum Side Yard Width Abutting Street (feet)	Minimum Rear Yard Depth (feet)
Bus PB (Article XXII)	40,000	50	30	15	50	25	50	50	50

THIRD: By adding to and amending the Parking Schedule to include a new line to be added to the existing language as follows:

Parking Schedule

Use	Minimum Number of Parking Spaces
Professional Service Building	1 per 100 square feet of floor area

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#312

RESOLUTION APPROVING RESERVE SUPPLY CORP. SITE PLAN
WITH MODIFICATION

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

WHEREAS, Reserve Supply Corp. has applied for a building permit to erect a wholesale metal warehouse on its present location at Mill Road, Riverhead, New York, near the intersection of Mill Road and J.T. Boulevard, northerly bounded by the property now or formerly of Burnet Harris, Julius Bland and William Jackson, and southerly bounded by the Long Island Railroad, and

WHEREAS, Said application was referred to the Town Board for site plan review pursuant to Riverhead Code Section 108-47.1., and

WHEREAS, The Town Board has reviewed and considered the site plan, it is hereby,

RESOLVED, That the Town Board approves said site plan to Reserve Supply Corp. for the erection of a wholesale metal warehouse at Mill Road, Riverhead, New York, in accordance with the plans and specifications filed in the Building Department's Office, with the modification that a twenty-five foot (25') planted buffer be placed along its northerly boundary parallel to J.T. Boulevard and abutting the property now or formerly of Burnet Harris, Julius Bland and William Jackson, to be specified and marked on said site plan by the Zoning Officer, which shall include the number, spacing, and type of plants such as spruces and black pines required therein.

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

The resolution was thereupon declared duly adopted.

Supervisor Smith recessed the meeting afterwhich the meeting resumed.

Supervisor Smith: "All right ladies and gentlemen we're a little later than we had planned. Resolution #281 is in order."

#281

AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT WITH WADING
RIVER FIRE DISTRICT FOR PURCHASE OF COMMUNITY CENTER,
SUBJECT TO MANDATORY REFERENDUM

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

WHEREAS, The Town of Riverhead formerly used certain premises owned by the Wading River Fire District as a community center, and

RESOLUTIONS - continued

WHEREAS, This property has been appraised by its owner, the Wading River Fire District, for the sum of Thirty-six thousand eight hundred fifty-five and 00/100 (\$36,855.00) Dollars, and

WHEREAS, The Wading River Fire District has offered to sell said premises to the Town of Riverhead for use as a community center for the amount of appraisal, and

WHEREAS, The sale of said premises will be the subject of a mandatory referendum of the qualified voters in the Wading River Fire District,

NOW, THEREFORE, be it

RESOLVED, That the Town Supervisor be, and he hereby is, authorized to sign a contract for the purchase of a sum to be negotiated, subject to a mandatory referendum to be held in the Wading River Fire District, and be it

FURTHER RESOLVED, That the Town Clerk and the Town Attorney are hereby authorized to take those steps necessary to effect this purchase, as the same is provided by law.

Before the vote, Supervisor Smith stated: "You note we have changed and we will attempt to negotiate consistent with what our prior understandings were with reference to the acquisition of the parcel by the Fire District Commissioners in the State Park and still the proposition will be subject to a vote of the residents of the Wading River Fire District and further we will make arrangements such that the premises may be inspected prior to vote."

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

The resolution was thereupon declared duly adopted.

#314 RESOLUTION AUTHORIZING TOWN ATTORNEY TO DEFEND
ZONING BOARD OF APPEALS IN LAW SUIT

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

RESOLVED, That the Town Attorney be, and is hereby authorized to defend the Zoning Board of Appeals and protect the Town's interests in the law suit of Saffals Associates, Inc. v. Zoning Board of Appeals to be filed in the Suffolk County Supreme Court.

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

The resolution was thereupon declared duly adopted.

#315 AUTHORIZES HOLZMACHER, McLENDON & MURRELL TO PERFORM
ADDITIONS TO PHASES A, B, AND C OF DRAINAGE PROBLEMS

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

WHEREAS, This Town Board has previously authorized the firm of Holzmacher, McLendon & Murrell to do certain drainage-related studies, and

WHEREAS, Alden W. Young has recommended the study

RESOLUTIONS - continued

of an additional sixteen (16) locations to the study, and
 WHEREAS, This Town Board wishes to proceed with the
 "Phase C" work on the Horton Avenue, Osborne Avenue, Middle
 Road drainage problem, and

WHEREAS, The additional cost for the Phase A and B
 work on the additional sixteen (16) sites will total an
 additional Four thousand four hundred (\$4,400) Dollars, and
 the Phase C work will cost an additional Eight thousand five
 hundred (\$8,500) Dollars,

NOW, THEREFORE, be it

RESOLVED, That Holzmacher, McLendon & Murrell is
 hereby authorized to perform Phase A and B work at the
 additional sixteen (16) storm water problem areas, and the
 Phase C work on the Horton Avenue, Osborne Avenue, Middle
 Road are all for the additional fee of Twelve thousand nine
 hundred (\$12,900) Dollars.

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

The resolution was thereupon declared duly adopted.

#316 APPOINTS CARL R. HAUPT, JR. TO POSITION OF AUTOMOTIVE
 MECHANIC FOREMAN HIGHWAY DEPARTMENT

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

WHEREAS, Leo Ceckowski has retired from the position
 of Automotive Mechanic Foreman and

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

NOW, THEREFORE, be it

RESOLVED, That Carl R. Haupt, Jr. Automotive Mechanic
 be and hereby is appointed to the position of Automotive
 Mechanic Foreman effective June 19th at an annual salary
 as specified by CSEA Contract.

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

The resolution was thereupon declared duly adopted.

#317 APPOINTS JEFFREY CAREY TO POSITION OF SUMMER PLANNING
 INTERN

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

RESOLVED, That Jeffrey Carey be, and he hereby is,
 appointed as a summer planning intern, at an hourly rate of
 Three and 12/100 (\$3.12) Dollars, effective May 30, 1978,
 to be paid on claim.

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

The resolution was thereupon declared duly adopted.

Supervisor Smith: "Ladies and gentlemen, some of you
 who attend the Town Board Meetings regularly will understand
 a little bit more of some of the things we are about to do

RESOLUTIONS - continuedSupervisor Smith continues:

than others. During the time from 1975 to today, our insurance bills in the Town of Riverhead have more than doubled. That statement does not — you see our premiums are now approximately \$300,000.00. That does not tell you the whole story as taxpayers in that although our insurance premiums have doubled, our coverages have declined, and the Town of Riverhead, the County of Suffolk and other jurisdictions are now in a position of self insuring, depending upon the particular policy up to the first \$100,000.00 of loss.

We have hired the firm of Alexander & Alexander as has the County of Suffolk and some of other neighboring jurisdictions and they act as our representatives in negotiating settlements as claims are submitted to the Town of Riverhead. We have a number of claims that arose by reason of the flooding this spring and I think this is where the crunch comes. People always say well we can always claim it against the Town or some other big entity because the insurance is going to pay for it, and its kind of difficult for the people to realize that the rates go up when they have insurance. But here comes the first one of, I'm sure a long time from here on out, we are directed by our insurance representatives to settle the claims and Krumenacher and Rotthkamp for storm damage for the sum of \$9,400.00."

#318 AUTHORIZES SETTLEMENT OF INSURANCE CLAIM

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

WHEREAS, The Town of Riverhead has been advised by its insurance representatives, Alexander & Alexander, to settle the claims of Lillian Krumenacher and Jacob Rotthkamp,

THEREFORE, BE IT RESOLVED, That the settlement of said claim is approved and payment upon voucher in the sum of \$9,400.00, for full settlement of the claim for storm damage of Lillian Krumenacher and Jacob Rotthkamp, is hereby authorized.

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

The resolution was thereupon declared duly adopted.

#320 APPOINTS BAY CONSTABLE

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

RESOLVED, That Joseph Loughlin be and is hereby appointed Bay Constable, effective June 13, 1978, compensated at the rate of \$4.00 per hour, payable bi-weekly and at the pleasure of the Town Board.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#321

APPOINTS SUMMER LABORERS

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

BE IT RESOLVED, That Douglas Van Slyke is hereby appointed to the position of summer laborer, effective 6/21/78 at the rate of \$3.75 per hour, payable bi-weekly, and

FURTHER RESOLVED, That Chester Lejay is hereby appointed to the position of summer laborer, effective 6/23/78, at the rate of \$3.75 per hour, payable bi-weekly.

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

The resolution was thereupon declared duly adopted.

Supervisor Smith: "Mrs. Pendzick in that we worked on the resolution with reference to professional zone, would you kindly send the application of Dr. Thomas Witschi to the Planning Board for its consideration and a resolution is in order authorizing the Town Clerk and the Town Attorney to prepare a notice of public hearing as was proposed by Dr. Witschi or his attorney and aside for Mr. Nohejl, we'll try to do a map this time."

#322

AUTHORIZES PUBLICATION FOR PUBLIC HEARING FOR WITSCHI AND HASTINGS

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

WHEREAS, An application for a change of zone/special permit has been made for a proposed professional center at Route 25, Aquebogue in an Agricultural "A" Zoning District, and

WHEREAS, This Town Board has adopted an Amendment to the Code of Riverhead, adding a Professional Service Building Use District,

THEREFORE, BE IT RESOLVED, That the Town Clerk is hereby authorized to publish and post notice of public hearing to be held on Tuesday, July 18th at 8:00 P.M., for the purpose of hearing any and all interested persons.

Before the vote, Supervisor Smith stated: "We note Mr. Scheinberg's comments with reference to the professional zone and its application to existing structures. We will be preparing some amendments to that or additions to that ordinance that would cover the variance or however you wish to express that such that existing buildings could be converted to professional zones, say for instance, along Roanoke Avenue."

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

The resolution was thereupon declared duly adopted.

PERSONAL APPEARANCES

Supervisor Smith: "Is there anyone that wishes to take advantage of the opportunity to address the Town Board on any new matter or old?"

Bill Nohejl: "In reference to the Shorewood Water District, I know a franchise was drawn up. Has it been executed by both parties?"

Supervisor Smith: "I don't recall. Have we executed those, the franchies?"

Bill Nohejl: "You have because I've seen no activity that's why I was wondering if it had or not."

Supervisor Smith: "I think we did everything that was to be done a couple of months ago."

Bill Nohejl: "Yes I know you passed it. I was wondering if he had come in and executed it, took care of it."

Supervisor Smith: "I don't know. The ball's in his court, I think Bill."

Bill Nohejl: "John, what about the lights?"

Councilman Lombardi: "I spoke to Bob Scheiner and he says those lights may be put up there, but they're waiting for fixtures to come in."

Bill Nohejl: "The lights are up there, but in the wrong place."

Councilman Lombardi: "In the other area, there are some more lights down the end that have to be put up and Bob Scheiner, who's in charge of this, said that the lights are being ordered. That's all he told me Bill, and I will go down and check those lights that you're talking about. The engineers are the ones that put them up."

Bill Nohejl: "But what the idea is if . . ."

PERSONAL APPEARANCES - continued

Councilman Lombardi: "You're saying that they're in the wrong place?"

Bill Nohejl: "Yes. To have the affect that a light should have on a bad turn where there's water and ice in the winter time, being a pole on this side and a pole on that side and the danger's here, it's ridiculous to have the lights where they are."

Supervisor Smith: "Why don't we get Mr. Scheiner to go out with you and with the plans and specifically go to the site and show you the drawings and figure out exactly what your complaint is."

Bill Nohejl: "I would also like for you to check to see if they haven't gone beyond the Riverhead line because the Riverhead line is so confusing, in that area, and I see there's new lights put up into the Brookhaven area for a short distance."

Supervisor Smith: "It could be that the same contractor has both contracts."

Bill Nohejl: "If he does have both contracts, I'm bringing that to your attention in case he doesn't have both contracts."

Supervisor Smith: "We won't pay for them."

Bill Nohejl: "Because I don't want to — we the people of Riverhead don't want to be paying for Brookhaven lights."

Supervisor Smith: "Anybody else choosing to address the Town Board?"

Juris Kaugerts, Wading River; "Speaking of lights, there is one on 25A by I think it's Dogwood where that new bank is going up. There's a light on, if you're heading east it's on the right hand side of the street, but then there's another one which illuminates the parking lot, so that when you make the turn thinking you're going onto Dogwood, you end up in this Doctor's parking lot. So it's very misleading

PERSONAL APPEARANCES - continued
really and I think that should be moved. Several times, I've
made that mistake and I think it's dangerous."

Supervisor Smith: "Is there anyone else?"

No one else wished to be heard.

There being no further business on motion and vote,
the meeting adjourned at 9:00 P.M.

Irene J. Pendzick

Irene J. Pendzick, Town Clerk

IJP/vlv