

Minutes of an Adjourned Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, June 13, 1978 at 2:00 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

Supervisor Smith called the meeting to order at 2:00 P.M.

Supervisor Smith: "We convene for the purpose of continuing the meeting called to order on June 6, 1978 for the purposes of acting upon certain bids and one unresolved matter as of the last meeting dealing with a statement of position by the Town Board with reference to clamming in the Peconic Bay.

The rehabilitation of the highway barn is general construction, heating and ventilating, and electrical.

Receiver of Taxes in reference to the receipting machine, I believe that will be held till next Tuesday in that various department heads wish to discuss the bid award with Mr. Hansen, who is in Syracuse."

#### RESOLUTIONS

#290 AWARDS BID FOR SEDAN FOR HIGHWAY DEPARTMENT  
Councilman Young offered the following resolution which was seconded by Councilman Regula.

WHEREAS, Sealed bids for the purchase of one two-door sedan for the Riverhead Highway Department were duly advertised for and two bids were received and opened pursuant to law, it is hereby

RESOLVED, That the contract for the purchase of one two-door sedan for the Riverhead Highway Department is awarded to the lowest net price bidder, J.J. Hart, Inc., Route 58, Riverhead, New York, for the net price delivered of \$4,647.00, and be it

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, and before Councilman

RESOLUTIONS - continued

Menendez voted he stated: "I want it understood that I'm not against Mr. Horton having a car. He should have a car, as should all our department heads. But I do feel that it's silly, on our part, to have a Highway Superintendent running around in a car that's more pretentious than our County Executive has. I do think it's out of line to have him running around in a car that's more palatial than our own Supervisor has. In fact, this car would be fit for a foreign potentate. I would like to have him have a car, yes, but not this kind of fancy car with all the power fixtures, power this and power that. Unnecessaries added to the expense of it and I vote No."

The vote continued, Young, Yes, and Smith, No.  
The resolution was thereupon declared duly adopted.

#291 AWARDS BID FOR DUMP TRUCKS FOR HIGHWAY DEPARTMENT  
Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Sealed bids for the purchase of two (2) new 1978 Dump Trucks for the Riverhead Highway Department were duly advertised for, and four (4) bids were received and opened pursuant to law, and

WHEREAS, Otis Ford, Inc., is the lowest bidder, and is in substantial compliance with the bid specifications, it is hereby

RESOLVED, That the contract for the purchase of two (2) new 1978 Dump Trucks for the Riverhead Highway Department is awarded to the lowest net price bidder, Otis Ford, Inc., Montauk Highway, Quogue, New York, for the net price delivered of \$32,644.00, and be it

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.

#292 RESOLUTION AUTHORIZING TOWN ATTORNEY TO DEFEND ZONING BOARD OF APPEALS AND BUILDING INSPECTOR IN LAW SUIT

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

RESOLVED, That the Town Attorney be, and is hereby authorized to defend the Zoning Board of Appeals and the Building Inspector, and protect the Town's interests in the case of John Muller and Lena Muller v. Zoning Board of Appeals and Building Inspector 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.

Supervisor Smith: "So that the record reflects what has gone on here, Mr. Regula has had some requests relative to some investigation of the moving of the demarcation line in the Peconic Bay that delineates those waters in the opinion of the Department of Environmental Conservation which are safe to harvest shellfish in, and those that are not. Pursuant to Mr. Regula's request, I have written to the State Department of Environmental Conservation some months ago asking their action on this particular matter. Since that time, Mr. Lombardi has met with the representatives of the State Department of Environmental Conservation and they have advised Mr. Lombardi and Mr. Regula that the area of clear water, in their opinion, can be expanded to a point — the most westerly point of which is Indian Island across to Iron Point then coming back across Meetinghouse Creek and Jacobs Creek over to Simmons Point. I guess what you propose Mr. Regula, is that this Town Board recommend to the State Department of Environmental Conservation that the area be open as is set forth on the sketch that you have before you.

Councilman Regula: "Yes and I suppose we should file this map with the Town Clerk's Office?"

Supervisor Smith: "Yes, I would assume so."

#294      EXPANDING AREA TO REMOVE SHELLFISH IN PECONIC BAY  
Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, The State Department of Environmental Conservation has advised certain members of this Board that the boundaries to remove shellfish from Peconic Bay can be expanded, and

WHEREAS, Requests from citizens to expand those boundaries have been made to certain members of this Board,

THEREFORE, BE IT RESOLVED, That this Town Board hereby recommends to the State Department of Environmental Conservation that the boundaries of Peconic Bay be expanded as is set forth on a map filed in the Office of the Town Clerk.

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

The resolution was thereupon declared duly adopted.

PERSONAL APPEARANCES

Supervisor Smith: "Is there anyone that wishes to address the Town Board on any matter?"

Michael Giordano, 8 Daly Drive, Riverhead: "What was a problem and right now is not, but I'd like to still say something about it. I had applied for a building permit for my house for a garage and had to go for a variance which I did last month on the 11th, thus getting papers back and re-submitting them to the Building Department of Riverhead. I only received the permit as of this morning after various trips to the Building. And one time last week, I think it was Tuesday, they had called me stating that they could not issue my permit because my pool was still up and that they had inspected this on Monday.

Well last month, the week of the 20th, I was on vacation and the pool went to the dumps. Now it could have not have been up that Monday that they inspected. So I don't know where they inspected, or whether they got out of the car to look.

I went down there and they said it must have been a mistake. It seems like the Assessors had told them that the pool was up and that they had been there. But I always thought that it was part of the Building Department to come and look and see if it should have been taken down or whatever should have been done. So I talked to Mr. DeLucca and he said there was no problem as of right now after we got this all straightened out. This was last Tuesday, all they had to do was sign the paper, which was on his desk and that would be it. Well, as of this morning, when I came down here at 8:30, it was not in the hands of my builder or in my hands. So I came down here and it was not signed yet, for some reason.

Now I think this is just harrassment on the part of this Building Department if all that had to be done is just signed."

Supervisor Smith: "I'm not familiar with it. I'll look into it. We have a provision in the ordinance that a building permit applications to be acted upon after five business days. So we'll see what caused the problem here and see if we can rectify it."

Michael Giordano: "I just want to make sure that I'm not going to have any problem while I'm building, waiting for the Inspector to come down and look at my house."

PERSONAL APPEARANCES - continued

Supervisor Smith: "No Sir you're not. If you have a problem, we have a form that should be out on the desk and it says if you have problems with the Building Department, call the Town Board."

Michael Giordano: "I will. You know that."

Supervisor Smith: "Okay."

Michael Giordano: "Thank you."

Supervisor Smith: "Thank you Mike. And I know that your pool was down, because I pass it every day, twice a day."

RESOLUTION

#293 AWARDS BID FOR EDA PROJECT FOR HIGHWAY 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 concerning EDA Project No. 01-11-0173.60, Riverhead Highway Department Building, and

WHEREAS, The Town Clerk has publicly opened all sealed bids with regard thereto, now, therefore, be it

RESOLVED, That the Town Board does hereby award the following contracts to the lowest responsible bidders:

Contract No. RVT-78A

Aldi Building Corporation	Total Bid	\$104,725
21-48 Route 112	Deletion of	
Medford, New York 11763	Alternative #2	7,592
	Deletion of	
	Alternative #5	739
	Deletion of	
	Alternative #7	1,466
	Total Adjusted	\$ 94,928
	Bid Amounts	

Contract No. RVT-78B

Meeker Electric Co., Inc.		
375 Portion Road		
Lake Ronkonkoma, N.Y. 11779	Total Bid Amount	\$ 9,930

RESOLUTIONS - continuedContract No. RVT-78C

Down East Heating & Air Conditioning	Total Bid	\$ 9,450
50 Woodhull Avenue	Deletion of Alternative #2	2,000
Riverhead, New York 11901	Deletion of Alternative #3	<u>3,000</u>
	Total Adjusted Bid Amount	\$ 4,450

Said contract awards are in conformance with the recommendations of Sidney B. Bowne & Son Consulting Engineers, and

BE IT FURTHER RESOLVED, That Supervisor is authorized to enter into contracts with said bidders in conformity with said recommendations of Sidney B. Bowne & Son Consulting Engineers, and

BE IT FURTHER RESOLVED, That Sidney B. Bowne & Son is hereby authorized to notify the successful bidders accordingly.

BE IT FURTHER RESOLVED, That the acceptance of said bids is conditioned upon compliance with all the terms, conditions and specifications, etc., filed in the Town Clerk's and Community Development Offices, including those contained in the Notice to Bidders, the bid documents, the contracts, addendums, and in compliance with all provisions of the EDA and such other further conditions as this Town Board may impose during the course of construction.

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

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 2:55 P.M.

*Irene J. Bendzick*

Irene J. Bendzick, Town Clerk

IJP/vlv