

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, May 2, 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
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.

Ronald J. Eck, 984 East Main Street, Riverhead; Do you realize what you all have just done. I say to you, the Flag is a pledge to the ideals of our forefathers, the men who fought and died in the building of this great nation. It is a pledge to fulfill our duties and obligations as citizens of the United States and to uphold the principle of our Constitution and last but not least, it is the pledge to maintain the four great freedoms cherished by all Americans. Freedom of Speech, I have the wrong side here. I took the wrong one. Freedom of Speech, Freedom of Religion, Freedom of Wont for the Press and there's another one. It's there. I looked around, I sat in the back purposely watching these people stand here saluting their Country's Flag. One man with his hand in his pocket, this is ridiculous."

Supervisor Smith: "Mr. Eck, please sit down."

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

RESOLVED, That the Minutes of the Town Board Meeting held on April 4, 1978, be approved as submitted.

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

The resolution was thereupon declared duly adopted.

BILLS

Bills were submitted on Abstracts dated May 2, 1978 as follows:

General Town	\$22,904.31
General Town, 1977 Enc.	\$ 80.00

BILLS - continued

Special Districts	\$12,903.54
Capital Projects	\$12,663.32
Highway Item #1	\$ 1,742.30
Highway Item #3	\$ 2,359.06
Highway Item #4	\$ 2,851.15

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	\$22,904.31
General Town, 1977 Enc.	\$ 80.00
Special Districts	\$12,903.54
Capital Projects	\$12,663.32
Highway Item #1	\$ 1,742.30
Highway Item #3	\$ 2,359.06
Highway Item #4	\$ 2,851.15

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 we have had on going for more time than I would like to recall a survey, a poll, however, you wish to consider it on which fixture should be used on the downtown area, when we underground the facilities between Griffing Hardware and approximately where Rimlands is. I said on the radio and other occasions that tonight would be the end of that particular poll and survey and the consensus is the metal pole with the light attached to the top of it is the one that is desired by the majority of you and that will be the fixture that will be included in the bid specifications that we will put out shortly. We have various chairmen of the department heads of committees here, and should occasion warrant you to ask a question that relates to their particular department, we'll try to get an answer for you."

REPORTS

Police Report for the month of April, 1978. Filed.

Tax Receiver's, dated April 21, 1978 & May 1, 1978. Filed.

Riverhead Recreation Department - monthly attendance report for March, 1978. Filed.

Riverhead Conservation Advisory Council - minutes of April 12, 1978 meeting. Filed.

PETITIONS

Requesting acceptance of Maple Road, Wading River into Town Highway system - 21 residents. Filed.

In favor of proposed zoning amendment, 1 horse per 1 acre - 94 Wading River Residents. Filed.

COMMUNICATIONS

7 Z's Hampton Bays Divers, dated 4/22/78 - invitation to Town Board to attend grand opening. Filed.

Riverhead Fire District, dated 4/18/78 - Certificate of Riverhead Fire Department Nominations for Fire Chief & Assistant Fire Chiefs. Filed.

Shoreham-Wading River School Dist., dated 4/18/78 - asking if permit necessary to hang banner across Wading River-Manor Road. Filed.

Suffolk County Dept. of Planning, dated 4/18/78 - notification of amendment to zoning ordinance, Town of Southold. If no objection by 5/8/78, it will be assumed there are none. Filed.

Town of Brookhaven, dated 4/17/78 - notice of public hearing on 5/2/78 regarding amendment to Chapter 85 of Code (Horses). Filed.

Riverhead Fire District, dated 4/21/78 - copy of resolution adopted designating fire vehicles. Filed.

Michael Francis, Wading River, dated 4/25/78 - stating zoning problem, reasons for zoning, and suggestions. Filed.

Congressman Thomas Downey, dated 4/20/78 - advising of restoration of F-14 cuts. Filed.

Town of Southampton - notice of public hearing on proposed amendments to Southampton Zoning Ordinance on 5/16/78 at 7:30 P.M.

COMMUNICATIONS - continued

Riverhead Fire Dist., dated 4/20/78 - expressing appreciation for Town Board's cooperation during severe winter storm period. Filed.

George Gerardi, dated 4/26/78 - opposing change of zone and asking to be placed on Joint Board Agenda for 5/18/78. Filed.

UNFINISHED BUSINESS

Special Permit, Joseph Brush - (airport)
Application for renewal of franchise & rate increase - Cablevision.

Special Permit, Joseph Bartasi - (restaurant at Route 58 & Roanoke)

Supervisor Smith: "With reference to Unfinished Business, ladies and gentlemen, we have a special permit of Mr. Brush with reference to an airport. We are waiting for a report from the State Department of Transportation.

The application for renewal of the franchise and rate increase of Long Island Cablevision will be acted on by the Town Board at it's next regular meeting which will be in two weeks from tonight. Don't confuse that with the Special Town Board Meeting which will be next week and we'll talk about that some more later on.

The special permit application of Mr. Bartasi we are waiting for some further word from Mr. Bartasi about his intentions with reference to that application."

CLAIMS

Anthony & Margaret Schwarz - claiming flood damage in the amount of \$60,000.00. Filed.

Ten claimants from Jamesport - claiming flood & water damage, totaling the amount of \$130,000.00. Filed.

PERSONAL APPEARANCES

Supervisor Smith: "Ladies and gentlemen this brings us to that portion of the agenda where we will listen to anyone wishing to address the Town Board. I would point out that at 8:15 we have a public hearing with reference to "Small Cities" application as the Community Development Act or the successor to the Community Development Act as we know it now. If you wish to talk about the Community Development Program, I would ask that you hold your remarks

PERSONAL APPEARANCES - continued

until 8:15, when we will specifically hold a hearing on that matter so that your comments will be on that particular portion of our minutes. This portion of our minutes is reserved for anybody who wishes to bring up any topic that they choose other than that one which specifically oriented towards the hearing."

Howard Walker, Beverly Hills, Wading River; "I've come here tonight representing myself as a resident. Last fall there was a resolution passed regarding the waiver of construction standards over certain roads in my subdivision. This was passed and many objections from Mr. Haugaard, who was then Mr. Smith's opponent running for election. At the time we all appreciated Mr. Smith's stand and the entire Board's stand and we wish at this time to thank them again for their actions with regard to the roads.

I don't come here tonight to accuse, I want to make sure everybody understands that — the Board taking any delaying tactics or doing anything else except following their own consciences, however, it's been a long time since anything's happened with regard to the roads. We are aware that there is an action pending by Mr. Haugaard and that action apparently is two-fold involving personal suits against Board members and also in seeking to enjoin the Town from accepting certain roads in a condition otherwise than is presently permitted under dedication standards. It's my understanding also, that this particular action does not directly name or effect the resolution which was passed with regard to Beverly Hills.

I would like some response, either from Mr. Smith, or out of the members of the Board to explain why the Beverly Hills Roads have not been either accepted for dedication or some action with regard to that dedication be taken. I can see no very good reason why the dedication procedure shouldn't proceed to just prior to the completion point pending a favorable decision on the part of which ever judge is assigned to this case. Besides that, I would like to know if any time table is foreseen with regard to a decision on the particular judge assigned to the case and is there any help we can give you with regard to the problem?"

Supervisor Smith: "Mr. Walker, Mr. Haugaard has sued the Town Board, he is asking for personal damages against each and everyone of us in the sum of \$25,000."

Howard Walker: "\$5,000.00 each?"

Supervisor Smith: "It would not necessarily work that way Sir. He'd have more luck getting it out of Doctor Menendez than I."

PERSONAL APPEARANCES - continued

Howard Walker: "I think that's probable."

Supervisor Smith: "That case has been submitted to one of the justices some weeks ago. It has been referred to Justice Thom and although I do not have hard evidence of it in my possession within my own knowledge it has been referred back to the Justice who is sitting initially that day."

Howard Walker: "Any special term?"

Supervisor Smith: "Yes Sir."

Howard Walker: "Have all the papers been submitted?"

Supervisor Smith: "As far as I know, Mr. Danowski's handling this one."

Howard Walker: "About my other question with regard to parallel action that may be pending the outcome of this lawsuit."

Supervisor Smith: "You are saying Sir that we should put ourself in multiple jeopardy to this kind of action throughout the community."

Howard Walker: "I'm not saying that you should be taking any action, as a Board with regard to accepting — taking dedication on the roads. What I'm saying is that it would not seem untoward to be at least preparing maps or if that responsibility rests with Mr. Horton's attorney to accept delivery of such maps. At least have the resolutions ready to be passed."

Supervisor Smith: "Mr. Walker, I can only speak as one particular member of the Board. I'm not prepared as one member of the Board to act in that manner while the pendency of this thing is to be decided within let us say thirty to sixty days."

Howard Walker: "I appreciate your difficulty."

Supervisor Smith: "If he gets a judgment against me, will you give me some money."

Howard Walker: "I pass the hat. One more thing. At the time this original resolution was pending, you had expressed along with the Board some hesitency about accepting the roads in that condition understanding your own responsibility with regard to the Town and it's monies. In the end, you apparently came to the conclusion and if I remember

PERSONAL APPEARANCES - continued

correctly, expressed the opinion that the method that was following was the proper method. Do you still consider it to be the proper method?"

Supervisor Smith: "Yes Sir we do."

Howard Walker: "Thank you very much."

Supervisor Smith: "Again, we're at that portion of the agenda where we will listen to anyone wishing to address the Town Board?"

Bill McCaffrey, Riverhead; "I would just like to re-affirm some information I received from your office this afternoon. If and when claims for driveway damage are approved that the firm that submits the estimate will be doing the repairing?"

Supervisor Smith: "Mr. McCaffrey, you've come to me with reference to a claim for water damage that you say occurred on your property on Brown Street off Riverside Drive. I've explained to you that in those locations where someone submits a 50 E Claim. It's a notice of claim provision under the general municipal law where either an examination by the Town that could be an engineers on our behalf, it could be Mr. Horton, or otherwise. The damage was occasioned by actions of the Town with reference to the highway or otherwise — let's say snow plows breaking off lamps that occurred in Jamesport. That the Town is prepared to repair those items of damage so what I suggested to you was you fill out a 50 E Claim, which can be found at Mrs. Pendzick's Office and similar to the claims you heard referred to earlier, they will be referred to our Insurance Company for an evaluation. At that particular point, we will make up our mind of what we will do. We will either repair the damage that was caused or we will authorize a reasonable amount to repair the damage."

Bill McCaffrey: "Okay I understand, but could you tell me who would be doing the repair work?"

Supervisor Smith: "I think the claim refers to what the amount that you claim. You asked a question of how to determine how much to claim, and the only way that I know of to find that out, if you are not an engineer yourself, is to speak to somebody in the trade and get the amount that you claim as damage. Two ways can occur. The Town can either go in and repair the damage with our own personnel, or we can pay you and you can either repair it or not repair it as you choose or you can take the money and hire somebody to fix it."

PERSONAL APPEARANCES - continuedBill McCaffrey: "Thank you."

Ronald Eck, 984 East Main Street, Riverhead; "First is on your special permits. I feel this way about the Brush Airport, that it is there and it has helped many people in stormy weather and I feel that he should be permitted that special permit for we have lost two good people in the Town this past year, Mr. James Chaffey and the Minister from the New Lutheran Church out in Aquebogue. So I feel that the permit should be granted.

Second one is on Joseph Bartasi. I have listened to you and another person, which name I won't mention in this here room, he isn't here tonight, that's why I will not mention him, but he and you have talked back and forth here, which to me sounded like the hot dog vender who stands on the street yelling hot dogs, hot dogs. His son finally comes along and helps him and said to him, don't you know there's a depression going on. So his father took down all his signs, stopped yelling hot dogs, where you did not advertise Arby's Restaurant or let people know what was actually up there. Where this other person is yelling liquor for sale, sandwiches for sale, soda for sale, coffee for sale. I think this other person only thinks of himself. I say if this man, Joseph Bartasi, wants a piece of your apple, give it to him. If the apple is bad, let him fall on his face. That's all I have to say about this special permit.

Now I'll go into a letter here which my good friend, John, asked for last week and also it pertains to things that you have asked me at the first meeting that I came here which is, I believe, six meetings ago. It's either five or six. I also wish to apologize to you, Allen, for the misspelling of your name in the letter you received earlier this week, for as my good late friend Mr. Carl Stagg had said, it isn't I who misspelled your name, it was the typewriter."

Supervisor Smith: "Okay, let's hear your letter."

Ronald Eck proceeded to read his letter.

"Mr. Allen M. Smith,

I have been meaning to write this letter for many weeks now, but as you know many obstacles have been put in my way. There has been many reasons for this as you know only what has been told to you about me. At the first Town Board Meeting I attended, you asked me for dates, I will give you the approximate dates, because I will need the true dates when I go to court.

Also at the last meeting with the Town Board, Councilman Lombardi asked for a letter in writing about

PERSONAL APPEARANCES - continued

Ronald Eck continues:

the sidewalk in front of my home which I rent and the sidewalk in front of Mrs. Terry's home, the lady who lives next door to me. Now I will put it in writing for I bear no false witness.

I have spoken with Councilman George Young and Mr. Alex Horton the week of March 27, and they both told me that you, Mr. Allen Smith, will not release money for sidewalk repairs. Mr. Horton also said that you will spend money on the Jamesport School, but not on the roads. Now I say to you don't spank their donkey for saying this, for many people know of this now. The sidewalk is in dire need of repair in front of my home and between my home and Mrs. Terry's, also right in front of Mrs. Terry's home. Mr. Horton and Mr. Lombardi saw this.

Approximately 21 months ago, right after I had been in two hospitals, but was then sent home, two of our local Police Officers at 2:30 in the morning, one was parked behind the milk barn with my 14 year old daughter in the police car and the other was parked behind the Riverhead Brake service doing his paper work, this officer had lied to me. This same Officer now stands on Main Street while getting paid by the tax payers of this Town, to do a job he messes around with the young ladies. I have seen this and so has other tax payers who told me the same thing. Your Chief Palmer, knows who these men are.

Also, I have stated my bill of rights has been violated by your people in local office. Your Detective Summerville, who has been handling a case of mine since November 25 because on November 23 when I came home from the V.A. Hospital on a four-day pass, I found \$480.00 in cash was missing from my home and most of the detective work was done by myself. And Detective Summerville has done nothing to help me. There is many dates I have.

Also Detective Summerville has stated to me a few times, my mind is going and I am getting confused. It is also possible that Detective Summerville released information to Detective Willie Palmer, who then passed onto one, Greg Koplinka, what charges I could get him on and how he could try to get me to harrass him in public. Detective Palmer told this on approximately the week of January 30th, 1978. Now, I say what do you do about justice and liberty for all. All I ask for is what is rightfully mine and for any and all damages done to my car, utility trailer and home, also for the trouble this has caused me and that these people be released from their job until an investigation is made by one higher as even your Great Chief Palmer has lied to me and so has your Justice Leonard. Also because of these things with your detectives, they have been taken off the case and Detective Ed Curven is now on my case. Detective Curven has been trying hard to do his job and he deserves a promotion.

PERSONAL APPEARANCES - continuedRonald Eck continues:

On March 22, 1978 a Mrs. Pinter called me and told me the Riverhead Police said I was nuts. I know which Officer it was and so does Chief Palmer. (End).

Yours very truly,

Ronald J. Eck

(This letter is filed in the Office of the Town Clerk).

Supervisor Smith: "Mr. Eck now . . ."

Ronald Eck: "Mr. Smith, one minute. I also realize that Chief Palmer did not know everything that was happening with his men."

Supervisor Smith: "All right Mr. Eck. Why don't you bring your letter up here and walk back there and you and I'll have a discussion for a moment."

Mr. Eck on repeated occasions, we have listened to you. We have tried to listen to your complaints as sympathetically as possible. I, quite frankly, Sir, have investigated your claims with reference to the Police Department and am satisfied Sir, in my judgment, that they are unfounded. I think that these concerns of yours are weighing upon you, and I would suggest that you have stated them to us. We have considered them and we are not prepared to do anything further with reference to them."

Ronald Eck: "Well I believe there will be people doing things further."

Supervisor Smith: "All right you said it, now at least three meetings in a row and I think that is sufficient."

We are still in that portion of our agenda where we will listen to anyone choosing to address the Town Board on any issue. This is other than the "Small Cities" application we will have on for a hearing at 8:15 P.M."

Jack Aboulafia, South Road, Wading River; "Before the roads can be taken over, the roads that were referred to before, a search has to be done and a description of the roads has to be submitted. Is that correct? I was just wondering who was responsible for the description?"

Supervisor Smith: "Which one are you?"

PERSONAL APPEARANCES - continued
Jack Aboulafia: "Which one am I?"

Supervisor Smith: "Are you Timber Park, Wildwoods, are you Beverly Hills?"

Jack Aboulafia: "Beverly Hills. I was just wondering who is responsible for submitting the description? Is it the owner of the roads? Is it the Town? I was unclear of that."

Supervisor Smith: "I can't recall on this one off the top of my head. Some of them are done, some of them aren't done. That's one of the difficulties there is, in fact, it's the tax payer's money that must be spent to do any of these things. If they are not in existence, they have to be prepared."

Irene J. Pendzick, Town Clerk; "I think when a road is deeded to the Town, the description of the road is with the deed."

Supervisor Smith: "I don't know the answer to your particular problem with reference to that. It's academic if the procedure that we have followed is declared to be invalid."

Jack Aboulafia: "I understand that, but let's assume that the procedure is favorable to the Town. I was just wondering."

Supervisor Smith: "Do you want us to gamble with the Town's money?"

Jack Aboulafia: "No, no, no. All I wanted to know is say everything turns out to be fine, and in five or six months, someone says well these papers haven't been submitted. Should we go to the owner of the roads or should we come back to the Town and say well who is responsible."

Supervisor Smith: "I don't know in your particular instance off the top of my head. I don't carry all these things around in my head. I got a folder on your subdivision this thick. Let us wait until there is a decision by the court that either ratifies or does not ratify the procedure outline and then we can address these problems."

Jack Aboulafia: "Can I ask you another question?"

Supervisor Smith: "Sure."

PERSONAL APPEARANCES - continued

Jack Aboulafia: "I've been in Wading River for three years. Since I've been there, it seems that every year the situation dealing with dogs roaming the area has been getting worse and worse. Now all I am saying is last year I called the dog catcher or warden or whatever his proper title is and he seemed quite annoyed that I had enough nerve to disturb him and ask him to come out and take care of the situation."

Supervisor Smith: "All right, that we can take care of. He is supposed to respond."

Jack Aboulafia: "He also explained to me that it's kind of worthless for him to come out because even if he somehow catches the dog, there's a minimum fine of \$1.00 levied against the person who owns the dog. I'm not quite sure of the figure, but he basically said to me that it's very small."

Supervisor Smith: "His job is to collect dogs. Let's let him do his job and then we'll let the judges worry about how much people get fined."

Jack Aboulafia: "Is there anything people can do besides calling the dog warden? Is there an ordinance on the books?"

Supervisor Smith: "Let's let the dog warden do his job. If he doesn't respond, call either Doctor Menendez or Mr. Lombardi and they'll take care of it."

Juris Kaugerts, Wading River; "In defense of the dog warden, we had him come out last week for the second time. When we finally caught this little mut that's been defecating all over and as I understand it from my wife, he didn't seem to be put out to come out. He was very nice about it. I think it was Lou Gatz. I believe she said the fine is \$10.00 if a dog is licensed and \$25.00 if he doesn't have a license."

Supervisor Smith: "Is there anybody else prior to the hearing at 8:15 P.M. that would like to address the Town Board?"

RESOLUTIONS#209 TERMINATES SCHOOL CROSSING GUARD

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

RESOLVED, That the appointment of John Hardan as school crossing guard be terminated as of April 11, 1978.

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#210 APPOINTS SCHOOL CROSSING GUARD

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

RESOLVED, That John Bilski be and is hereby appointed School Crossing Guard, effective April 17, 1978, to be compensated at the rate of \$3.00 per hour, payable bi-weekly and to be employed 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.

Supervisor Smith then stated: "Ladies and gentlemen in a few moments, we will have the formal hearing with reference to a thing called "Small Cities" and I ask that you bear with me for just a moment and for those of you that fully understand what I'm about to say, I apologize for you having to hear it a second time and for those of you that this particular program is new to, I hope that what I have to say will explain to you what it's all about.

For approximately three years now, the Town of Riverhead has been involved in a program known as Community Development. During this three-year period, the Town of Riverhead has participated in Community Development under a form of application known as Urban County which is meant that this Town, Riverhead, together with Southold, Southampton, at one point Brookhaven, Smithtown, at different points Islip, Babylon, and Huntington have joined together with the County of Suffolk to do certain Community Development type activities that are set forth in this particular act. For reasons that really aren't germane to the hearing tonight, that arrangement whereby we participate with these other municipalities will not continue beyond August 1978.

Now that is unfortunate, because under that particular program, we were able to obtain what we call a fixed allocation. We knew from one year to the next, that a certain amount of money would come our way for the undertaking of certain Community Development Activities. That will not be the case beginning in August of 1978. Our alternative, we have actually two alternatives which is to stop doing Community Development type activities or get into what is known as the "Small Cities" Program.

Now the types of activities that we are talking about are things such as the acquisition of the Raspberry Hilton and the demolition of the same. Some of you have

Supervisor Smith continues:

looked into the Home Improvement Loan Program whereby older families or people in fixed incomes were permitted to obtain 3% Home Improvement Loans to spruce up old houses, do plumbing, remove architectural barriers to the handi-capped. Things such as the work that's being done at the Corwin - Benjamin House, the Children's Museum, the East End Arts & Humanities thing. These are the types of things that are affected by the Community Development and I'm going to give you a better list as we go along. But in any event, effective in August of 1978, the program becomes "Small Cities".

There is absolutely no guarantee that when we submit an application that we will be funded. It is a competitive type of operation. There will be more competitors for this fund than there is fund. So then somebody, whether it is us or someone else, will be turned down. Furthermore, we may ask for a certain amount, total amount of money and we may be whittled down.

I would also point out that there is a grading system. Certain activities are not covered by this particular program, such as buying machine guns for the Police Department that would not be an eligible activity under Community Development. I take the extreme.

The activities that may be undertaken are those that are called Community Development similar to those that we have underway and Housing-Related Activities. We have a Housing Inspection Program that is part of this particular program and I'll give you a long list of types of activities and read these into the record before we begin the hearing.

The basic eligible activities under this program are Acquisition of Parcels, that means real property, Public Facilities and Improvement, Senior Centers, Parks, Playgrounds and other Recreational Facilities, Centers for the Handi-capped, Neighborhood Facilities, Solid Waste Disposal Facilities, Fire Protection Facilities, Parking Facilities, Public Utilities, Street Improvements, Water and Sewer Facilities, Flood Drainage Facilities, Public Services, Interim Assistance to alleviate harmful conditions, Residential Facilities, Code Enforcement, Historic Preservation, Commercial and Industrial Facilities, Community Economic Development or Neighbor Revitalization Activities and Planning Activities. I would tell you that if we were to land everything that we ask for in total, the most that we could receive in one year would be \$650,000.00 and the most that we could receive over a three-year period of time would be \$1,950,000.00.

What you are involved in this evening and what I will throw open in a moment is a particular federal means of obtaining citizen input. We will listen to you this evening without much being said by anyone who is an official member of the Town Board or related to Town Government. After we have listened to your suggestions, we will formulate within the next week a proposal that will be the subject of a hearing next Tuesday evening. We may accept some of the things you

Supervisor Smith continues:

say, we may reject some of the things you say because they may not fit the eligible activities under this particular act, but you can ask for almost anything tonight, whether or not it will be included in our application, will be determined sometime between now and next Tuesday.

Mr. Hanley, do we have some hand outs? Do you want to — Mr. Scheiner why don't you come up and let's get a few of these around."

At this time, Mr. Scheiner and Mr. Hanley handed out four-page Community Development Reports.

Supervisor Smith recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 8:15 P.M.

Town Clerk submitted affidavits of publishing and posting, dated April 22, 1978 that a Public Hearing will be held on Tuesday, May 2, 1978 at 8:15 P.M. in the formulation of an application for the entitlement of the Town of Riverhead to apply to the Department of Housing and Urban Development for participation in the "Small Cities Program" of the Housing Community Development Act of 1977.

The affidavits were ordered to be placed on file.

COMMUNICATION

Four-page explanatory report prepared by Mr. Robert Scheiner, Community Development Supervisor. Filed.

Supervisor Smith: "We've heard the notice. I've given a brief outline of what might be considered by the Town Board. Does anyone choose to address the Town Board with reference to a suggested plan with reference to our "Small Cities" application?"

Arthur Anderson, Horton Avenue, Riverhead: "I think Horton Avenue should be really considered for the simple reason that we have something — I guess everyone is familiar with the water deal up there with the flooding and also we are confronted with drinking water. The drinking water up there in these houses are not fit to drink. A lot of the people are transporting water in there just for drinking and using the other water just for washing of clothes. Even if you mix clorox with the water, it turns dark.

And also, cesspools up there, we need sewerage of some kind because due to the flooding and whatever, the cesspools overflow and it is just a total loss."

PUBLIC HEARING - continued

Supervisor Smith: "Mr. Anderson so that the record that we will make tonight, this gets transcribed, correctly reflects what you and I know to be the visual condition. But maybe someone in New York City or Washington will read this in the future. Shall we point out that during the recent floods — approximately how many homes were flooded out in that area?"

Arthur Anderson: "I would say about ten or more."

Supervisor Smith: "That was a month ago and still these conditions persist?"

Arthur Anderson: "Still there's water in the cellars now in some of the homes, yes."

Supervisor Smith: "And again, Mr. Anderson, this is predominantly a black area of our community? Somewhat impoverished?"

Arthur Anderson: "Yes it is."

Supervisor Smith: "What you're asking for is some solution to the drainage problems that occur there and you are adding the comment that there is no pure water supply at that location."

Arthur Anderson: "True."

Supervisor Smith: "Is there anything else you'd like to add, Sir?"

Arthur Anderson: "Well yes. We hate to be a pain, but in the same token these are things that I feel is a necessity really. The children up there they have no where to play and they're playing out in the road half the time and God-for-bid something may just go along because the farmers also use this road to transport their potatoes back and forth. A potato truck full of potatoes coming down the road and the little kids in the road, the truck couldn't stop definitely and the children have no where really to play up there and I would think that if some type of Recreation Park would be considered, it would also be appreciated."

Supervisor Smith: "Okay, thank you Sir."

Arthur Anderson: "Thank you."

PUBLIC HEARING - continued

Supervisor Smith: "Does anybody wish to address the Town Board with reference to "Small Cities" application?"

Fran Vitollo, Wading River; "Now we have this road suit going on. Okay, supposing we do lose this case which we hope we don't, would it be possible for the Town to take over all private roads then under this program?"

Supervisor Smith: "I don't know that we could or we couldn't. What you're suggesting is that we consider it?"

Fran Vitollo: "Consider it greatly please. Thank you."

Supervisor Smith: "Yes Ma'am."

Dr. Caryl Granttham, Sound Avenue, Riverhead; "Perhaps I shouldn't mention Townscape — the late lamented plan we had for the revitalization of downtown Riverhead. But I remain concerned about the conditions on the parking lot along the River. The people who came to us from Townscape said that this had the greatest potential for one of the really most urgent revival of a town area by beautifying that park, but first of all by starting the drainage problem.

Now I've been involved intensively for a year at the Corwin - Benjamin Project. As you well know, we are restoring the little schoolhouse there. Twice this winter, I could not get to that building. It's taken a lot of community effort to come as far as we've come with that project. Unless the drainage problem is solved there, it continues to remain a very serious problem. It's a basic long range planning need for this community. I can see no better. I would hate to compete with Horton Avenue, because I certainly submit that that is a dire necessity for revitalization and concern for all of us, but I also submit to you that unless that drainage problem on the river is solved and also the improvement of that area for parking and the plan which Townscape made for making that a beautiful parking area, that's the greatest asset this Community has. It's the greatest attraction for visitors and shoppers.

What do you think all of us, as private citizens, spend so much time and effort to revitalize and make this an attractive and viable and a really profitable shopping center and that is one of the basic steps that needs to be taken. We've heard so many plans discussed and nothing is done through the years. I would submit that there are already now many plans in hand. You've come a long way in at least making some of the initial steps. I would like to submit that that be one of our priorities. Thank you."

PUBLIC HEARING - continuedSupervisor Smith: "Thank you Doctor."

Ernest Langhorn, Philips Street, Riverhead: "I got a couple of suggestions tonight on how I think the money should be spent if there's enough. Two things. One is jobs for people in the Riverhead Community who are on Unemployment and Riverhead Unemployment rate is about 15%, which is one of the highest in Suffolk County and I think if we're talking about beautification or Riverhead continuing to develop, then we also have come up with some means on how people who are unemployed are going to be able to sustain themselves, and at the same time have some nice homes and be able to meet the necessity of life. And we can't do that if they don't have employment they'll be a tax burden. So I would suggest and hope that if there's enough money that there is some type of plan for some type of employment program for Riverhead Residents.

The second thing to expand on what Mr. Anderson said on the area of Recreation Facilities, I think there is a lack of Recreational Facilities throughout Riverhead and I would hope that we get as many people involved as possible, and that the Town consider putting up Recreational Parks and Facilities in the neighborhood where people from their neighborhood have access to it. Young folk and older folks. Adults, children and Senior Citizens. I think if we do this, that we have more of a sense of a community and more sense of pride in the Town of Riverhead. Thank you."

Supervisor Smith: "Is there anyone else?"

Richard Spanburg, Union Avenue, Aquebogue: "I just have one question here. Is there any cost obligation to the Town of Riverhead when they get this grant for the "Small Cities", under the Housing and Urban Development Act? What obligations, financially does the Town of Riverhead incur? It seems like Santa Claus is coming to Town and we're going to get on the ride."

Supervisor Smith: "This one is a fully funded one."

Richard Spanburg: "So we have to pay for a staff to fund it?"

Supervisor Smith: "It is an allowable expense within the grant."

Richard Spanburg: "So then what the Town Board is saying in essence, is there are no financial obligations that have to be undertaken by the Town of Riverhead?"

PUBLIC HEARING - continued

Supervisor Smith: "That is true, unless you were to build, for instance, a Senior Citizens Center with it. You would either maintain it with the present staff or you would have to add staff to maintain it."

Richard Spanburg: "So then we can come up here and as long as the request is legitimate, make some sort of request for almost anything that we so desired in this Town as long as it was on this list of requirements?"

Supervisor Smith: "You can ask for anything, whether or not it will fall within the allowable perimeter of this particular federal program and whether or not it could ever be funded is something that would be yet to be decided."

Richard Spanburg: "I mean this just sounds like Santa Claus coming to Town here."

Councilman Young: "You have to remember you're a federal tax payer and you're paying for it."

Richard Spanburg: "Boy, I sure am."

Councilman Young: "You're not getting anything for nothing."

Richard Spanburg: "I can't believe I am, Mr. Young, believe me. When I hear something like this, I just can't believe that we're going to come up here and we're going to ask for playgrounds and so forth and so on and if we qualify, we're going to get all these things. I mean if there's something we could file, if we don't take the money, they'll give us something else in return?"

Supervisor Smith: "No."

Councilman Young: "If we don't get it, somebody else will. And it's your money, as well as mine."

Richard Spanburg: "Isn't this ridiculous. It certainly is and I just can't believe this. Well then if we are allowed to ask for different things, in lieu of the fact that I live on Union Avenue and in lieu of the fact that that is one of the most poorly maintained roads in the Town of Riverhead, maybe there are other people that would refute on that, but we've had a drainage problem on Union Avenue which necessitates. Sometimes I'm not even allowed to get into my driveway because in the middle of Union Avenue — and it's been there probably for ten years and for ten administrations. Councilmen have come down. The Highway Department has come down to look at the drainage situation and there's nothing that they ever do

PUBLIC HEARING - continuedRichard Spanburg continues:

about it and time after time we've had to call up tow trucks and have people come along to have their cars towed out. It's unsurpassable during the spring time and consequently during the winter time it forms up with the ice, the cars can't get through it.

The state of the roads right now on Union Avenue such that everyone has complained and not just the residents on that street, but everyone has complained that it's ridiculous. I mean it's one pothole after another. We came down here and complained about the snow removal on Union Avenue and I figure why be a pain about fixing the roads. They would get to it. But I mean it's been almost two months now and they came down the first week after the last snow storm and they put sand down and that was the extent of their involvement. So under this boondoggle, unless we can't fund it under the regular allocations of the highway funds, I think first of all they should take care of the drainage problem and secondly to maintain the roads on Union Avenue. But whether you want to put that in your capital budget for the federal welfare scheme put that in your capital budget for the federal welfare scheme or whether or not you want to put it on your Highway Department Budget or whether or not you want to pass the information along to Alex Horton, I can't get through to him, maybe somebody else can."

Supervisor Smith: "Mr. Spanburg, we'll note your comments. On the record of this proceeding, I would say although this is to be an open forum where anybody says anything they wish, I don't view that when we talk about giving Senior Citizens an opportunity to paint their houses and improve their houses when they're on fixed incomes, necessarily boondoggle."

Richard Spanburg: "Well it depends on where you want to — how you want to lead the ship that you're at the helm of. And bringing in federal funds could possibly, to a degree, alleviate some of the hardship conditions in this Town. There could also in the long run increase through the back door, expenses to this Town. Now maybe in this case this may be fully funded. Half way through this project we may find that the government withdraws those funds and the Town might be left open with the obligation to continue funding it on its own."

Supervisor Smith: "I don't agree with you. But you got . . ."

Richard Spanburg: "You possibly may be 100% correct. I don't refute you, Mr. Smith. I'm not up here to do that,

PUBLIC HEARING - continued

obviously. But when you have funding like this, I would like to really be sure that since we're giving something away, that's exactly what it is and that we, as citizens of this Town, we have a hard enough time paying their own tax bills, that we're not going to get hit with future costs because of this program. It just sounds incredible that you can come up here and ask for what you want within reason, obviously, but you can get it if it's on the list. And I for one would be opposed to accepting this funding."

Supervisor Smith: "If we get it for the people on Horton Avenue, I hope you look them in the eye and say we shouldn't take it. Anybody else that would like to address the Town Board with reference to the suggested program?"

No one else wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the hearing closed at 8:35 P.M.

Supervisor Smith recessed the meeting for five minutes after which the meeting resumed.

RESOLUTIONS

#212 AUTHORIZES TOWN CLERK ADVERTISE FOR BIDS ON 2DR SEDAN (HIGHWAY DEPARTMENT)

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

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase on One (1) 2Dr Sedan for the use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A.M. on May 15, 1978, and be it further

RESOVLED, That the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on May 15, 1978 at 11:00 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Rivrhead, New York, all sealed bids bearing the designation, "Bid on 2Dr Sedan".

The vote, Regula, Yes, Lombardi, Yes, before Councilman Menendez voted, he stated: "I have not seen any specs for this car, until I see specs, I'm going to vote No."

Young, Yes, and Smith, No.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#214 REAPPOINTS ZONING BOARD OF APPEALS MEMBER

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

WHEREAS, Kenneth Wells has served this Town Board and the Town of Riverhead faithfully and well as a member of the Zoning Board of Appeals, and

WHEREAS, The current term of office of Kenneth Wells terminated as of June 1, 1978,

THEREFORE, BE IT RESOLVED, That Kenneth Wells be and is hereby reappointed a member of the Riverhead Town Zoning Board of Appeals for the five year term of June 1, 1978 to June 1, 1983.

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

The resolution was thereupon declared duly adopted.

#215 REAPPOINTS ZONING BOARD CHAIRMAN AND ACTING CHAIRMAN

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

WHEREAS, The one year term of Chairman of Zoning Board of Appeals is terminated as of June 1, 1978, and

WHEREAS, The one year term of Acting Chairman of the Zoning Board of Appeals is also terminated as of June 1, 1978, and

WHEREAS, Patricia Tormey has served this Town Board and the Town of Riverhead as Chairman of the Zoning Board, and

WHEREAS, Kenneth Wells has served this Town Board and the Town of Riverhead as Acting Chairman of the Zoning Board, now

THEREFORE, BE IT RESOLVED, That Patricia Tormey is hereby reappointed Chairman of the Riverhead Zoning Board of Appeals, and Kenneth Wells is hereby reappointed Acting Chairman of The Riverhead Zoning Board of Appeals, each for the term of one year.

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

The resolution was thereupon declared duly adopted.

#216 AUTHORIZES TOWN CLERK ADVERTISE FOR BIDS ON TWO (2) NEW 1978 DUMP TRUCKS (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 Two (2) New 1978 Dump Trucks for the use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications and forms for bidding

RESOLUTIONS - continued

be prepared by the Superintendent of Highways, and bids to be returnable up to 11:15 A.M. on May 15, 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 May 15, 1978, at 11:15 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Two (2) New 1978 Dump Trucks".

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

The resolution was thereupon declared duly adopted.

#217 AUTHORIZES APPOINTMENT OF PARK ATTENDANTS TO RECREATION DEPARTMENT

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

RESOLVED, That James T. Robinson be appointed Park Attendant effective May 1, 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, AND BE IT

FURTHER RESOLVED, That Thomas J. Reichel be appointed Park Attendant effective May 31, 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.

#218 AWARDS BID FOR DEMOLITION OF COLONIAL ARMS

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

RESOLVED, That the bid for demolition of Colonial Arms and all out buildings be, and is hereby awarded to:

ROBERT W. MASHMANN
19 Mills Road
Stony Brook, New York 11790

at a total cost of Seven Thousand Four Hundred Twenty-five dollars and no cents, (\$7,425.00), and be it

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by Robert W. Mashmann, and filed in the Office of the Town Clerk, and

Subject to the posting of proper liability and other insurances required of the bid documents which has not yet been filed, and be it

RESOLUTIONS - continued

FURTHER RESOLVED, That no work will commence until authorized by the Town Supervisor.

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

The resolution was thereupon declared duly adopted.

#219 TOWN BOARD GRANTS WETLANDS PERMIT OF BETTE L. LEDERLE
Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Bette L. Lederle has filed an application with the Town Board pursuant to Riverhead Code Chapter 107, Wetlands, Flood Plains, Drainage, to fill the easterly edge of a lot located at the Southwest corner of the intersection at Peconic Bay Boulevard and South Jamesport Avenue, Jamesport, New York, and

WHEREAS, Said application was referred to the Conservation Advisory Council of the Town of Riverhead and said Conservation Advisory Council has approved said application and recommended its approval to the Town Board, and

WHEREAS, This matter came on for a Public Hearing for the Town Board of the Town of Riverhead on April 18, 1978, and all persons wishing to be heard have been heard, and

WHEREAS, The Town Board finds that the granting of said application will present no drainage problems and will not have an adverse environmental impact upon, nor will it be injurious to the health, safety and welfare of the Town of Riverhead,

NOW, THEREFORE, be it

RESOLVED, That the application of Bette L. Lederle for a permit pursuant to Riverhead Code Chapter 107 to be granted, to fill the easterly edge of a lot located at the Southwest corner of the intersection of Peconic Bay Boulevard and South Jamesport Avenue, Jamesport, New York, in accordance with the plans and specifications filed in the Town Clerk's Office, in that the area to be filled is less than one twenty-fifth (1/25) of an acre and no drainage problems will result from the filling thereof, and that said filling will not have an adverse environmental impact upon the health, safety and welfare of the Town of Riverhead, and

BE IT FURTHER RESOLVED, That the granting of this permit does not obviate the necessity of obtaining assent of any other agency pursuant to Riverhead Code Section 107-6(C), and

BE IT FURTHER RESOLVED, That the issuance of this permit be conditioned upon Riverhead Code Section 107-8, Compliance with Conditions, particularly subdivisions (B) and (C), which respectively require that the applicant certify that he has public liability insurance in the amounts so specified, and that the applicant submit to the Town Clerk an affidavit to indemnify and hold harmless the Town of Riverhead, any agency or agent thereunder.

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#220 TOWN BOARD GRANTS WETLANDS PERMIT OF JAMES J. MAGEE
 Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, James J. Magee has filed an application with the Town Board pursuant to Riverhead Code Chapter 107, Wetlands, Flood Plains, Drainage, to excavate fifteen (15) to twenty-five (25) feet at West Side Meetinghouse Creek, Aquebogue, New York, adjacent to property of R. Wade, and

WHEREAS, Said application was referred to the Conservation Advisory Council of the Town of Riverhead and said Conservation Advisory Council has approved said application and recommended its approval to the Town Board, and

WHEREAS, This matter came on for a Public Hearing for the Town Board of the Town of Riverhead on April 18, 1978, and all persons wishing to be heard have been heard, and

WHEREAS, The Town Board finds that the granting of said application will result in minimal damage to unproductive tidal wetlands and will not have an adverse environmental impact upon, nor will it be injurious to the health, safety and welfare of the Town of Riverhead,

NOW, THEREFORE, be it

RESOLVED, That the application of James J. Magee for a permit pursuant to Riverhead Code Chapter 107 be granted, to excavate fifteen (15) to twenty-five (25) feet at West Side Meeting house Creek, Aquebogue, New York, adjacent to property of R. Wade, in accordance with the plans and specifications filed in the Town Clerk's Office, in that the area to be excavated will result in minimal damage to unproductive tidal wetlands and that said excavation will not have an adverse environmental impace upon the health, safety and welfare of the Town of Riverhead, and

BE IT FURTHER RESOLVED, That the granting of this permit does not obviate the necessity of obtaining assent of any other agency pursuant to Riverhead Code Section 107-6 (C), which respectively require that the applicant certify that he has public liability insurance in the amounts so specified, and that the applicant submit to the TownClerk an affidavit to indemnify and hold harmless the Town of Riverhead, any agency or agent thereunder.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued
 #221 AUTHORIZES BID FOR THE REHABILITATION HIGHWAY
DEPARTMENT BUILDING

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

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids for the Rehabilitation of the Town of Riverhead Highway Department Building and be it

RESOLVED, That specifications and forms for bidding be prepared by Sideny Bowne and Sons, and bids to be returnable up to 11:15 A.M. on Friday, June 2, 1978 and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Friday, June 2, 1978, at 11:15 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, Rehabilitation of the Highway Department Building.

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

The resolution was thereupon declared duly adopted.

#223 RESOLUTION GRANTING SHOREHAM-WADING RIVER CENTRAL
SCHOOL DISTRICT PERMISSION TO HANG BANNER

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

WHEREAS, Shoreham-Wading River Central School District is having an Arts Festival June 2nd and 3rd, 1978, and has requested permission to hang a banner noting this event across Wading River-Manor Road, north of Route 25-A, Wading River, New York, it is hereby

RESOLVED, That the Shoreham-Wading River Central School District be allowed to hang a banner noting its Art Festival June 2nd and 3rd, 1978, across Wading River-Manor Road, north of Route 25-A, Wading River, New York from May 15 through June 5, 1978, and be it

FURTHER RESOLVED, That said banner be placed and thereafter maintained so as not to impede or obstruct the flow of traffic at that place, and the Town of Riverhead be indemnified and held harmless as to any claim arising therefrom, and be it

FURTHER RESOLVED, That this resolution does not constitute nor supercede the necessary permission of any other public or private entity.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#224 RESOLUTION APPROVING PECONIC BAY ESTATES, INC.
PERFORMANCE BOND

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

WHEREAS, The Town of Riverhead Planning Board has approved the final plat submitted by Peconic Bay Estates, Inc., for "Peconic Bay Estates, Inc.", Peconic Bay Boulevard, Jamesport, New York, subject to certain conditions, one of which being submission to approval by the Riverhead Town Board of a performance bond for said plat, be it

RESOLVED, That the Riverhead Town Board hereby approves as to bonding and surety company, form, sufficiency, and manner of execution, pursuant to Town Law Section 277, the performance bond submitted by Peconic Bay Estates, Inc., for the final plat entitled, "Peconic Bay Estates, Inc." in the amount of \$55,000 for two years, and be it

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

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

The resolution was thereupon declared duly adopted.

#225 TRANSFER OF FUNDS

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

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

	<u>FROM</u>	<u>TO</u>
A 1990.400 Contingency Account	\$ 4,192.00	
A3120.201 Police Vehicles		\$4,192.00
A 1990.400 Contingency Account	\$10,000.00	
A5630.200 Senior Citizens Bus Operations Equipment		\$8,000.00
A5630.400 Senior Citizens Bus Operations Contractual Expense		\$2,000.00

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

The resolution was thereupon declared duly adopted.

#226 AUTHORIZES POLICE OFFICER TO ATTEND FIREARMS INSTRUCTOR'S
SCHOOL

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

RESOLUTIONS - continued

BE IT RESOLVED, That Police Officer Frederick Foote be authorized to attend Firearms Instructor's School to be held at Camp Smith, Peekskill, N.Y., on May 15, 1978 through May 26, 1978, with all expenses to be paid by the Riverhead Police Department.

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

The resolution was thereupon declared duly adopted.

#227 SUPPORTS CONTINUATION OF THE JUSTICE COURT SYSTEM
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The justice courts of this State have provided for the needs of the people since the creation of this Nation, and

WHEREAS, Such justice courts offer the people of this State an opportunity to resolve differences on a local level and to be determined by a local official elected from their communities and familiar with local conditions, and

WHEREAS, Such justice court system has proven to be one of the most inexpensive methods of dispensing justice ever devised, and

WHEREAS, efforts must be continued to improve the justice court system in the event changing conditions require such improvement, and

WHEREAS, Attempts have been made to abolish such courts in order to develop a system of courts which appears to be more costly, more time-consuming, and more remote from the people, and

WHEREAS, This Town Board recognized the proven abilities of laymen town justices,

NOW, THEREFORE, be it

RESOLVED by the Town Board of the Town of Riverhead that:

Section 1. We hereby indicate our support of the present court system.

Section 2. We will support constructive proposals to improve the existing court system in order to promote the best interests of the people of the State."

Section 3. We will oppose proposals which will abolish the existing, tried and proven justice court system and replace such system with district courts on a mandatory basis.

Section 4. This resolution shall take effect immediately.

RESOLUTIONS - CONTINUED

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.
The resolution was thereupon declared duly adopted.

#228 SUPPORTS THE INCREASE OF FEES PAID TO CITIES, TOWNS AND VILLAGES FOR VARIOUS SERVICES RENDERED IN RELATION TO CRIMINAL ACTIONS AND PROCEEDINGS

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

WHEREAS, City, town, village and district courts hear and determine cases involving violations of state law, and

WHEREAS, Fines and penalties collected by such courts are paid to the State in recognition of the fact that such violations are State offenses, and

WHEREAS, In recognition of the services provided by the local courts, the State of New York has provided in Section 99-1 of the General Municipal Law that local courts shall be reimbursed for services rendered in such cases in the amount of Five and 00/100 (\$5.00) Dollars per case, and

WHEREAS, The amount of Five and 00/100 (\$5.00) Dollars was originally set forth in the Code of Criminal Procedure, Section 740-a, by Chapter 737 of the Laws of 1939 and had remained unchanged for the past 38 years, and

WHEREAS, The costs of operation of local courts have increased substantially since 1939 while no increase in reimbursement by the state to local governments for court services has been granted,

NOW, THEREFORE, be it

RESOLVED, By the Town Board of the Town of Riverhead that:

Section 1. We urge the legislature and the Governor to act favorably on one of the proposals which would increase the amount returned to municipalities to either Ten and 00/100 (\$10.00) Dollars or Fifteen and 00/100 (\$15.00) Dollars instead of the present Five and 00/100 (\$5.00) Dollars limit as set by the present provisions of law. Such bills are Senate 1232, Assembly 893 and Senate 4329-A, Assembly 6608.

Section 2. This resolution shall take effect immediately.

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

The resolution was thereupon declared duly adopted.

#229 AUTHORIZES SUPERVISOR TO EXECUTE SATISFACTION OF JUDGMENT

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

RESOLUTIONS - continued

RESOLVED, That as payment of judgment with appropriate interest has been made, the Town Supervisor be and is hereby authorized to execute Satisfaction of Judgment as to Glen L. Courtenay and Madison L. Courtenay in Courtenay, et al. v. Riverhead Water District, et al., and Pavlakis, et al. v. Courtenay, et al.

Before the vote Supervisor Smith stated: "This is an old lawsuit where somebody sued the Town and they didn't prove their case and the Insurance Company takes interest and costs and the judgment got on their property and they ended up paying it when they sold."

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

The resolution was thereupon declared duly adopted.

#230 APPOINTS OLIVER MILES TO POSITION OF GROUNDSMAN
IN RECREATION DEPARTMENT

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

RESOLVED, That Oliver Miles be appointed to the position of Groundsman, effective May 15, 1978, assigned to the Recreation Department, for a probationary period of six (6) weeks, automatically renewable hereby to a full probationary period of six (6) months, at an annual salary, as is set forth in the contract between the Civil Service Employees Association, Riverhead Chapter, and the Town Board, at Group 3, Step 1, of Nine Thousand nine hundred thirty-nine and 23/100 (\$9,939.23) Dollars.

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

The resolution was thereupon declared duly adopted.

PERSONAL APPEARANCES

Supervisor Smith: "I remind the members of the Town Board that we said that we'd be at the Memorial Services Sunday at 6:00.

Is there anyone that would like to address the Town Board on any matter?"

Mike Peretta, Wading River; "If I can revert back to the "Small Cities Community Program". The senior citizens of Wading River are now meeting in Camp DeWolfe. This is not a permanent meeting place. They may be asked to leave at any time in the future. The Wading River Fire Commissioners have asked the Town if they would consider the purchase of the old Wading River Community Center which they own. In my estimation, the old Community Center is ready for the bulldozer. I'd

PERSONAL APPEARANCES - continued

like to recommend a new building for all of the community to use on Town property on Bayberry Road in Wading River if it fits into the program."

Supervisor Smith: "Thank you Sir."

Juris Kaugerts, Longview Road, Wading River; "Another trivial matter, but a neighbor of mine, Raymond Prog said that about three years ago he asked about having a light put at the confluence of Peach Street and Longview Road. It's on a hill, it's dark, and he was promised one finally but to remind people."

Councilman Regula: "Yes we handled that."

Juris Karugerts: "It will be done in three weeks. He's promised, been promised."

Councilman Regula: "Yes, in fact, Bob Scheiner called him today after I spoke to him and . . ."

Juris Kaugerts: "Okay thanks."

Supervisor Smith: "Is there anyone else?"

No one else wishing to be heard and there being no further business on motion and vote, the meeting adjourned at 9:13 P.M., and will meet on May 9, 1978 to hold a Special Town Board Meeting and a Public Hearing for a "Small Cities" Grant.

IJP/vlv

Irene J. Bendzick

Irene J. Bendzick, Town Clerk