

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, March 21, 1978 at 7:30 P.M.

Present: Allen M. Smith, Supervisor
George G. Young, Councilman
Francis E. Menendez, Councilman
John Lombardi, Councilman
Antone J. Regula, Councilman

Also present: David P. Fishbein, Town Attorney

Absent: Alex E. Horton, Supt. of Highways

Supervisor Smith called the meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

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

RESOLVED, That the Minutes of the Town Board Meetings held on February 28, 1978 and March 7, 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 March 21, 1978 as follows:

General Town	\$20,259.01
General Town, 1977 Encumbered	\$ 871.48
Ambulance	\$ 7.50
Community Development	\$ 397.43
Capital Projects	\$ 1,242.58
Highway Item #4	\$ 1,948.13

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

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

General Town	\$20,259.01
General Town, 1977 Encumbered	\$ 871.48
Ambulance	\$ 7.50
Community Development	\$ 397.43
Capital Projects	\$ 1,242.58
Highway Item #4	\$ 1,948.13

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

The resolution was thereupon declared duly adopted.

REPORTS

Tax Receiver's, dated March 17, 1978. Filed.
 Riverhead Recreation Department for months of
 January and February, 1978. Filed.
 Riverhead Conservation Advisory Council - minutes
 of February 15, 1978 meeting. Filed.

OPEN BID REPORT - DATA PROCESSING SYSTEM (Computer)

After being duly advertised the following bids on
 the Data Processing System (Computer) were opened by the Town
 Clerk on Wednesday, March 15, 1978 at 11:00 A.M.

NCR CORPORATION
 619 Fulton Avenue
 Hempstead, New York 11661

TYPE	PURCHASE PRICE	MAINTENANCE	FREIGHT	DISK PACKS & CABLES	TRADE- IN	TOTAL
I-8250	53,869	4,684	350	1,050	-7,600	52,353
SOFTWARE:		INITIAL CHARGE	ANNUAL FEE			
	1 mos + utilities	-0-	880			880
	I.F.M.S.	3,075	660			3,745
	PAYROLL	1,950	440			2,390
(INCLUDES 110 HOURS OF TRAINING & INSTALLATION)						
					TOTAL	\$59,358
(SEE FILE FOR MONTHLY RENTAL RATES)						Filed.

BURROUGHS CORP.
 474 Fulton Avenue
 Hempstead, New York 11550

BID #1

TYPE	PURCHASE PRICE	MAINTENANCE	FREIGHT	LICENSE FEE	TRADE- IN	TOTAL
SOFTWARE:						
Standard:	3,670			180		\$ 3,850
To Specs:	3,670	PLUS MODIFICATIONS OF		11,500		\$15,170

OPEN BID REPORT - DATA PROCESSING SYSTEM - continued

BID #2

TYPE	PURCHASE PRICE	MAINTENANCE	FREIGHT	LICENSE FEE	TRADE-IN	TOTAL
B80-54/154	54,985	5,050	350	175	-23,000	\$37,560

(TRAINING IS ADDITIONAL 13 DAY COURSES @ 100 PER DAY PER OPERATOR)

BID #3

TYPE	PURCHASE PRICE	MAINTENANCE	FREIGHT	LICENSE FEE	TRADE-IN	TOTAL
B800	64,984	5,950	500	175	-23,000	\$48,573

(TRAINING IS ADDITIONAL, ETC. AS ABOVE)

BID #4

TYPE	PURCHASE PRICE	MAINTENANCE	FREIGHT	LICENSE FEE	TRADE-IN	TOTAL
B800	72,029	6,550	550	175	-23,000	\$56,304

Filed.

OPEN BID REPORT - THREE (3) POLICE CARS - POLICE DEPARTMENT

After being duly advertised the following bid on Three (3) Police Cars for the Police Department was opened by the Town Clerk on Wednesday, March 15, 1978 at 11:15 A.M.

J.J. HART, INC.
Route 58 (Cor.) Osborne Avenue
Riverhead, New York 11901

Make of Vehicle of bidder: FORDApproximate date of delivery: AS SOON AS POSSIBLECost of vehicles with all specifications: \$16,398.00

Filed.

OPEN BID REPORT - POLICE UNIFORMS - POLICE DEPARTMENT

After being duly advertised the following bids on Police Uniforms for the Police Department were opened by the Town Clerk on Wednesday, March 15, 1978 at 11:30 A.M.

OPEN BID REPORT-POLICE UNIFORMS - continued

MANNO UNIFORM AND SECURITY EQUIPMENT CORP.
3931 Merrick Road
Seaford, New York 11783

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
62	Long Sleeve Shirts	\$17.25	\$1,069.50
55	Short Sleeve Shirts	\$10.35	\$ 569.25
50	Winter Pants	\$28.75	\$1,437.50
62	Summer Pants	\$21.50	\$1,333.00
7	Blouses	\$69.50	\$ 486.50
			<u>\$4,895.75</u>

Collusion statement not notarized

Filed.

LOUIS FRANK & SONS, INC. DRY CLEANERS & TAILORS
419 Osborne Avenue
Riverhead, New York 11901

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
62	Long Sleeve Shirts	\$ 17.50	\$1,085.00
55	Short Sleeve Shirts	\$ 13.75	\$ 756.25
50	Winter Pants	\$ 35.75	\$1,787.50
62	Summer Pants	\$ 33.50	\$2,077.00
7	Blouses	\$104.00	\$ 728.00
		SUBTOTAL	<u>\$6,433.75</u>

PATCHES SEWN ON:

Shirts (Short Sleeve)	55		
(Long Sleeve)	62	(117 + 117)	\$ 234.00
Blouses		(7 + 7)	<u>\$ 14.00</u>

*SGT. STRIPES as needed \$2.00 each

TOTAL
(without SGT. Stripes) \$6,681.75

*FOOTNOTE: Quantity Unknown

Filed.

OPEN BID REPORT - ROCK SALT - HIGHWAY DEPARTMENT
After being duly advertised the following bid on
Rock Salt for the Highway Department was opened by the Town
Clerk on Wednesday, March 15, 1978 at 11:45 A.M.

OPEN BID REPORT - ROCK SALT - HIGHWAY DEPARTMENT

CARGILL, INCORPORATED
 191 Portland Point Road
 Lansing, New York 14882

DOMESTIC BULK NO. 1 NEW YORK STATE MINERAL MINED ROCK SALT,
 AND ADDITIONAL TREATMENT FOR OUTSIDE STORAGE, DELIVERED TO
 THE RIVERHEAD HIGHWAY YARD, OSBORNE AVENUE, RIVERHEAD, NEW
 YORK, AS DIRECTED BY THE SUPERINTENDENT OF HIGHWAYS.

PRICE PER TON OF TREATED ROCK SALT DELIVERED: \$34.40

PRICE PER GALLON OF TREATMENT FOR OUTSIDE STORAGE: NO BID

Filed.

CLAIMS

Corby & Wald Holding Corp. & Riverhead Datsun, Inc.
 VS. County of Suffolk, Town of Riverhead, & Riverhead Highway
 Department - in the amount of \$250,000.00. Filed.

Lowell & Jacqueline Meyer VS. Town of Riverhead - in
 the amount of \$65,000.00. Filed.

N.Y. Telephone Co. VS. Town of Riverhead - in the
 amount of \$2,103.65. Filed.

COMMUNICATIONS

N.Y.S. Dept. of Transportation, dated 3/1/78 - regarding
 stop sign on Colonial Drive. Filed.
 Referred to Mr. Horton.

William Oehl, dated 3/7/78 - stating fear of tree
 damaging mobile home and inability to convince park owner to
 remove it. Filed.

Referred to the Building Department for inspection and
 violations.

Wading River Fire District, dated 3/7/78 - asking if
 Town interested in purchasing Wildwood Community Center. Filed

Supervisor Smith stated: "We are interested and it was
 part of a Federal Revenue Sharing Hearing and we will discuss
 appraisals and acquisition."

Riverhead Fire Dept., dated 3/8/78 - inviting Town Board
 members to annual inspection & memorial service on May 7, 1978. Filed
 All Members of the Town Board will participate.

COMMUNICATIONS

M. Tepper & Son, dated 3/9/78 - requesting Town fix sidewalk in front of business, fearing injury to pedestrians. Filed.
Referred to Councilman Lombardi for further action.

County of Suffolk, dated 3/10/78 - Inviting consortium members to meeting on March 20, 1978. Filed.

Town Attorney, dated 3/13/78 - copies of exchange of letters between Town Attorney and Department of Transportation (acknowledgment of reply) Filed.

McCabes, dated 3/14/78 - reporting erosion to sidewalk in front of business. Filed.
Referred to Councilman Lombardi for further action.

Heller, Levin & Barr, dated 3/14/78 - requesting special permit be extended up to two years. Filed.

Southampton Town Clerk, dated March, 1978 - notice of public hearing in Southampton on April 4, 1978 regarding amending Town Zoning Map. Filed.

William Roberts, Pres. Fresh Pond Beach Assoc., dated 3/15/78 - requesting 8 "relatively minor improvements" on Edwards Avenue. Filed.
Referred to Councilman Young.

Senator Jacob Javits, dated 3/14/78 - acknowledging receipt of Town Board communication regarding Grumman's. Filed

Sag Harbor Fire Department, dated 3/15/78 - inviting Town Board to participate in 175th Anniversary celebration on June 16, 17 & 18, 1978. Filed.

UNFINISHED BUSINESS

Special Permit, Joseph Brush - (airport)

PERSONAL APPEARANCES

Supervisor Smith: "We now come to that portion of our agenda, at least until 8:00 this evening when we'll deal with several different public hearings where we will listen to anyone who chooses to address the Town Board on any matter. For those of you that have not been before the Town Board recently, we would ask you please to use the microphone here to my left, your right and give Mrs. Pendzick your name and address before you give your statements.

We will be breaking at 8:00 for a public hearing and I might add this, which I have not so far, we have public hearings on parcels on Maple Avenue, on Roanoke Avenue, Route 25 in Calverton, an application with reference to Route 58 with the

PERSONAL APPEARANCES - continued

the traffic circle. If you wish to speak to the Town Board on those items, we would appreciate it if you wait until such time as we call the public hearings on those matters so that your comments will be part of that record.

Except for those items, there's five of them, does anyone choose to address the Town Board on any matter that's not listed there?"

Fred McGinnis, 81 Wildwood Drive, Timber Park; "I'm here on the conditions of roads in Timber Park. They are unsatisfactory. We can't even get a mailman up there for three days. If we had a fire up there, I don't even think the Fire Department would come in. They are unsafe to travel and they're in a very unfit condition.

I've been to the Town Highway Department and they tell me they can't maintain the roads or buy anything for those roads because they are not owned by the Town. So how can they maintain these roads if by a resolution here on October 20th, 1977, they agreed to maintain these roads?"

Supervisor Smith: "Mr. McGinnis, if that's all there was to it, I don't know that we would have any problem with your roads or others. In fact, as you probably know, we have been sued with reference to those highways and the claim of the person who has sued us, is that we have acted illegally. We are attempting with reference to those roads to do as much maintenance as we can without getting into what you might call capital improvements. In other words grading, which was done this fall, I believe, you would acknowledge that."

Fred McGinnis: "No grading."

Supervisor Smith: "There was no grading done in there this fall."

Fred McGinnis: "No Sir."

Supervisor Smith: "Mrs. Wendelken was there grading in there?"

Mrs. Wendelken: (inaudible).

Fred McGinnis: "Well let me get to the road grading."

Supervisor Smith: "And Mr. McGinnis did the Town, in fact, did a road grader try to come in this spring already?"

Fred McGinnis: "Just a minute. Could I say something?"

Supervisor Smith: "Sure."

PERSONAL APPEARANCES - continued

Fred McGinnis: "The road grader was there the other day. It comes down South Path. There's one house on South Path and right after that road grader went down that road, I went up with my car and I got stuck there. So that can't be a very good road. The only thing he's doing is taking the top off.

As far as them roads is concerned, there is no footing, there's no stone down, there's nothing there to make that road substantial. We had better roads in the manure in Louisiana than we got there in Timber Park, in the Army."

Supervisor Smith: "Mr. McGinnis this is something that we've been over for a number of years now before the Town Board, and hopefully before the end of this litigation, we will be able to do a little something more substantial for you, but at the moment the status of your roads is not clear cut."

Fred McGinnis: "The Town don't own them."

Supervisor Smith: "We are of the position and persuasion that we have acted properly with reference to the granting of waivers and acceptance of those roads pursuant to that resolution. There are others of a contrary opinion and the matter is pending before the courts."

Fred McGinnis: "There's nothing we can do now."

Supervisor Smith: "We are waiting for a judges decision on this matter."

Fred McGinnis: "Okay, thank you."

Supervisor Smith: "Thank you Sir. Anyone else on any new matter?"

Phillip Caunter, 16 Kay Road, Calverton; "I'd like to ask the Board about the road conditions. I live down near the Wading River Motel this is about the floods. Do they have a sump on Kay Road which doesn't. . ."

Supervisor Smith: "Mr. Young is conversant with this particular problem."

Phillip Caunter: "I don't think it's very humorous."

Councilman Young: "It isn't. It's just that."

Supervisor Smith: "I'm sorry."

Councilman Young: "It's a serious problem, that's why I'm smiling. We are hoping, we plan to have a capital project

PERSONAL APPEARANCES - continuedCouncilman Young continues:

going this spring as soon as the weather gets going to correct the situation.

Now Alex Hortons idea and he was up there on one of the rainy days just several days back, one of the days when the snow was melting and he thinks that by re-grading the west road so that it slopes toward Route 25 that he can control quite a lot of water that way. It isn't a simple problem because the drain that we have really isn't big enough to contain all the water that comes off the roads and so it's going to take — but I think you can pretty much count on the fact that we will, this spring and summer, regrade that west road and I think that will pretty much take care of quite a lot of the problems."

Phillip Caunter: "When we had the first snow storm, when we had the rain after I had my truck parked out in front and there was well over four foot of water in the road and my truck."

Councilman Young: "Do you live on Kay Road or the other road?"

Phillip Caunter: "Kay."

Councilman Young: "Do you live next to Mrs. Parker?"

Phillip Caunter: "Across the street."

Councilman Young: "Well I talked to Mrs. Parker and I went up there and looked at the situation soon after that, she was completely surrounded with water. She couldn't get out of her house."

Phillip Caunter: "She got over four inches of water in her whole house."

Councilman Young: "The water was over the rugs in her living room. I know, she showed me."

Phillip Caunter: "All right. What I'm getting at is my truck was parked in there and I couldn't get my truck out. And after that, it froze up. Now my whole truck, the transmission, everything just exploded because of the water. Who's going to pay for that? My insurance doesn't pay for that. Are you responsible for that?"

Supervisor Smith: "Wait a minute. Before we get into liability, Mr. Caunter, we've had some exceptional weather and not with reference to your particular claim, but with reference

PERSONAL APPEARANCES - continued

to others. I think it's fair to say that the Town of Riverhead in any of these situations where there are going to be claims for damage, whether it's yours or any others and where engineeringly it can be determined that more volumes of water are at a particular location than that which would have come from the roads themselves.

If we are sued, if that's your intention or the claims against us, it is the intention of the Town and their insurance companies to sue any upland owners. Now that certainly applies in your particular instance to the farmer to the immediate west of the subdivision."

Phillip Caunter: "The farmer has nothing to do with it."

Supervisor Smith: "Sir the volumes of water that occurred in your area came from all over to your particular location. That was not just road water. That was water off of other properties and what I'm telling you is . . ."

Phillip Caunter: "Have you been there when it is raining?"

Supervisor Smith: "Yes Sir, I have."

Phillip Caunter: "The sod farm is lower than my property is, so how can water go uphill? It's coming from the roads. It's coming from the back road. It doesn't come from the sod farm. The sod farm goes down way over by 25 in Wading River Road."

Supervisor Smith: "All right. Let's just put it that you and I have a difference of opinion of the elevation in that particular location. If you wish to submit a claim, you can come and see Mrs. Pendzick. I have been conversant with your problem for a number of years, going back to when I was Town Attorney. At that particular time, the people in your subdivision believed that the sump that was prepared before I was a member of the Town Board would be sufficient. It doesn't appear that it isn't sufficient in your judgment at this time. What Mr. Young is telling you is we're going to try to do some more at that particular location with reference to road grading."

Phillip Caunter: "This spring."

Supervisor Smith: "Yes Sir."

Phillip Caunter: "Thank you very much."

Supervisor Smith: "Anyone else?"

No one else wishing to be heard Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:00 P.M.

Town Clerk submitted affidavits of publishing and posting of public notice on public hearing regarding: variance appeal for Maple Avenue, Riverhead, requesting permission to divide one lot into two.

The affidavits were ordered to be placed on file.

Supervisor Smith: "This application is that of Mr. Bagshaw. It relates to a piece of property that is on the westerly side of Maple Avenue. It is somewhat south of the railway tracks and north of Second Street. It is in a Business Zone and in Business Zones the erection of a one-family residence must be by a special permit of the Town Board. Is there anyone present in the room who wishes to address the Town Board with reference to this matter?"

No one wishing to be heard and no communications received thereto, Supervisor Smith declared the hearing closed at 8:01 P.M.

Supervisor Smith noticing some later arrivals, re-opened the public hearing regarding the variance appeal for Maple Avenue, requesting permission to divide one lot into two.

Supervisor Smith: "With reference to the special permit application for a one-family house on Maple Avenue, does anyone have second thoughts on that one. Does anyone wish to stand? Would you give your name and address to Mrs. Pendzick?"

James Prendergast, 213 Maple Avneue, Riverhead: "I live next door to I guess the lot that he wants to divide —"

Supervisor Smith: "Mr. Prendergast are you north or south?"

James Prendergast: "South. I thought it was divided, that's why I was questioning it. Is he after a permit now to build a house or we thought it was divided last year. Do they have a certain amount of time to do something with the lot of what?"

Supervisor Smith: "What is before us is it's misnamed on the agenda. As I understand it, if he has not already obtained permission of the Planning Board to divide the lot, he must do so. But I do believe that has occurred. I will check it before I vote on the application."

James Prendergast: "We were under the impression it was an undersized lot in the beginning. Now do you know anything about it?"

PUBLIC HEARING - continued

Supervisor Smith: "I can look at it Sir. It appears to be, well I can check that."

James Prendergast: "If it proves out to be an under-sized lot, I'd just like to mention it is an area now where to the north the existing house is two-family and it's on a big piece of property and this lot here was divided from that."

Now across the street there's a house that has two families. My house has two apartments in it. To the west, which is East Avenue, there's one lot with four apartments. The next lot has three apartments. The next house is a single, very small house. Next door to that — these are all forty and fifty foot lots. Next door to that is another house with two apartments surrounded by approximately 15 families. Now I'm talking about the Town like Mr. Esposito's talking about, is this. What we want to do — it's crowded now, they can't plow the streets now in snow time, just to give one example."

Supervisor Smith: "We note your comments. Again the rule is the man is permitted as you are permitted in your home some use of his property and it is up to the collective wisdom of the Town Board or Planning Board to what uses are permitted at that particular location. I think maybe what you're suggesting is that we should buy it and make it into a park or something of that nature."

James Prendergast: "Well I used to live on First Street and I don't know if you remember how many houses are on First Street. These houses are all big, two or three-family houses. They are extremely hard to maintain. Now and I've been living there since 1942 and as far as I'm concerned, the area is — the houses are getting older and they're harder to maintain and it's going downhill. To put a new house in an area that's going downhill that is zoned business, doesn't seem like it makes much sense."

Supervisor Smith: "We note what you say. Is there anyone else?"

Chris Gumbrecht, 11 Hampton Harbor Road, Hampton Bays; "To clarify Mr. Prendergast, on the 10th day of November, 1977, this peice of property went before the Planning Board and was okay. With a few exceptions, this will be only one one-family house and the tree shall be preserved, and helm shall be landscaped so it couldn't possibly be anymore than a single-family residential house on a piece of property."

Supervisor Smith: "Thank you Sir."

Chris Gumbrecht: "And also it's 70 feet across the front, I have the survey here as a quarter acre."

PUBLIC HEARING - continued

Supervisor Smith: "Thank you Sir. Is there anyone else who chooses to address the Town Board with reference to this particular application?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed.

Supervisor Smith: "We come back to that portion of the agenda where again we will listen to anyone wishing to address the Town Board on any matter that is not subject to a hearing. Does anyone else wish to stand up and address the Town Board?"

No one responded at this time.

RESOLUTIONS

#121

BOARD OF ASSESSMENT REVIEW MEMBER APPOINTMENT

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

RESOLVED, That Carl Locker be and he is hereby re-appointed as a member of the Board of Assessment Review for the term ending 9/30/1982.

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

The resolution was thereupon declared duly adopted.

#122

AUTHORIZES OVERTIME PAY FOR POLICE OFFICER

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

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Police Officer be paid overtime from January 1, 1978 to and including January 31, 1978 to be paid from Federal Revenue Sharing.

1. Cheshire, D. 1-14-78 40 min \$7.88

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

The resolution was thereupon declared duly adopted.

#123

AUTHORIZES RECALL AND/OR COURT PAY FOR POLICE OFFICERS

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

RESOLUTIONS - continued

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Police Officers be paid recall and/or court pay for the month of January, 1978 at time and one-half their regular salary, to be paid from Federal Revenue Sharing.

1. Cheshire, D.	1-30-78	4 hrs.		\$ 47.28
2. Swiatocha, J.	1-04-78	7 hrs.	82.74	
	1-11-78	4 hrs.	<u>47.28</u>	130.02
3. VonVoigt, R.	1-07-78	6 hrs.		<u>81.00</u>
			TOTAL	\$258.30

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

The resolution was thereupon declared duly adopted.

#124 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Police Officers be paid overtime pay from January 1, 1978 to and including January 31, 1978 at time and one-half their regular salary as P.B.A. Contract.

1. Hughes, J.	11-21-77	30 min		\$ 6.75
2. Dunleavy, J.	1-27-78	1½ hrs.	\$21.06	
	1-30-78	25 min.	<u>5.85</u>	26.91
3. Densieski, A.	1-14-78	45 min.		10.13
4. Keller, Brian	1-14-78	45 min.		10.13
5. Zaleski, J.	1-14-78	1 hr. 17 min.	17.33	
	1-19-78	21 min	<u>4.73</u>	<u>22.06</u>
			TOTAL	\$69.23

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

The resolution was thereupon declared duly adopted.

#125 AUTHORIZES SNOW EMERGENCY PAY FOR POLICE OFFICERS

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

BE IT RESOLVED. That subject to the Town Accountant's approval, that the following Police Officer be paid for snow emergency pay for the month of January, 1978, at time and

RESOLUTIONS - continued
 one-half his regular salary, to be paid from Federal Revenue Sharing.

Pleickhardt, J. 1-20-78 3 hrs. \$40.50

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

The resolution was thereupon declared duly adopted.

#126 AUTHORIZES SNOW EMERGENCY PAY FOR SERGEANTS
 Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That subject to the Town Accountant's approval that the following Sergeants be paid for snow emergency pay for the month of January, 1978, at time and one-half their regular salary.

1.	Grossman, A.	1-20-78	4 3/4 hrs.	\$71.39
2.	Mazzo, L.	1-20-78	3 hrs.	<u>47.34</u>
			TOTAL	\$118.73

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

The resolution was thereupon declared duly adopted.

#127 AUTHORIZES SNOW EMERGENCY PAY FOR POLICE OFFICERS
 Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Police Officers be paid for snow emergency pay for the month of January, 1978.

1.	Alexander, F.	1-20-78	3 hrs.	\$40.50
2.	Curven, E.	1-20-78	4½ hrs.	63.18
3.	Densieski, A.	1-20-78	2¼ hrs.	30.38
4.	Green, D.	1-20-78	3 hrs.	40.50
5.	Keller, B.	1-20-78	2 hrs.	27.00
6.	McDonald, O.	1-20-78	3 hrs.	40.50
7.	Miller, D.	1-20-78) 1-21-78)	10 hrs.	135.00
8.	Sadowski, E.	1-20-78	7 hrs.	100.17

RESOLUTIONS - continued

9. Troyan, P.	1-20-78	4½ hrs.	\$ 60.75
10. Weinand, D.	1-20-78	3 hrs.	40.50
11. Zaleski, J.	1-20-78	2½ hrs.	<u>30.38</u>
		TOTAL	\$608.86

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

The resolution was thereupon declared duly adopted.

#128 AUTHORIZES SNOW EMERGENCY PAY FOR POLICE OFFICERS
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That subject to the Town Accountant's approval that the following Police Officer be paid for snow emergency pay for the month of February, 1978, to be paid from Federal Revenue Sharing.

1. VonVoigt, R.	2-6-78	5 hrs.	\$67.50
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The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#129 AUTHORIZES SNOW EMERGENCY PAY FOR POLICE OFFICERS
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Sergeants be paid for snow emergency pay for the month of February, 1978 at time and one-half their regular salary.

1. Becht, J.	2-6-78 & 2-7-78	12 hrs.	\$187.56
2. Seaman, J.	2-6-78	4 hrs.	<u>60.12</u>
		TOTAL	\$247.68

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#130 AUTHORIZES RECALL AND/OR COURT PAY FOR SERGEANTS AND
DETECTIVES

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

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Sergeants and/or Detectives be paid recall and/or court pay from January 1, 1978 to and including January 31, 1978 at time and one-half their regular salary as per P.B.A. Contract.

1. Mazzo, L.	1-17-78	4 hrs.	\$ 63.12
2. Palmer, W.	1-04-78	8 hrs.	120.00
3. Seaman, J.	1-17-78	4 hrs.	60.12
4. Underwood, R.	1-21-78	4 hrs.	<u>65.32</u>
		TOTAL	\$308.56

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

The resolution was thereupon declared duly adopted.

#131 AUTHORIZES RECALL PAY FOR DETECTIVES

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

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Detectives be paid recall pay from February 1, 1978 to and including February 28, 1978 as per P.B.A. Contract at time and one-half their regular salary.

1. Palmer, W.	2-21-78	4½ hrs.	\$67.50
2. Summerville, A.	2-24-78	4 hrs.	<u>60.00</u>
		TOTAL	\$127.50

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

The resolution was thereupon declared duly adopted.

#132 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

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

RESOLUTIONS - continued

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Police Officers be paid over-time from February 1, 1978 to and including February 28, 1978 as per P.B.A. Contract at time and one-half their regular salary.

1.	Dorfer, T.	2-01-78	45 min.	\$10.13
2.	Foote, F.	2-03-78	1½ hrs.	20.25
3.	Green, D.	2-21-78	1½ hrs.	20.25
4.	Hughes, J.	2-03-78	½ hr.	6.75
5.	Mickoliger, L.	2-05-78	2½ hrs.	33.75
6.	Psaltis, J.	2-18-78 ^s	20 min.	<u>4.50</u>
			TOTAL	\$95.63

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

The resolution was thereupon declared duly adopted.

#133 AUTHORIZES SNOW EMERGENCY PAY FOR POLICE OFFICERS
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Police Officers be paid for snow emergency pay for the month of February, 1978 at time and one-half their regular salary.

1.	Alexander, F.	2-07-78	4 hrs.	\$ 54.00
2.	Dunleavy, J.	2-06-78	4 hrs.	\$ 57.16
3.	Foote, F.	2-06-78	1 hr. 50 min	\$ 24.75
4.	Miller, D.	2-06-78 2-07-78	10½ hrs.	\$141.75
5.	Moisa, W.	2-06-78 2-07-78	10½ hrs.	\$148.79
6.	Paasch, P.	2-07-78	4 hrs.	\$ 56.16
7.	Troyan, P.	2-07-78	2 hrs.	\$ 27.00
8.	Weinand, D.	2-07-78	2 hrs.	\$ 27.00
9.	Witt, W	2-06-78 2-07-78	10 hrs.	\$135.00
			TOTAL	<u>\$670.61</u>

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#134 AUTHORIZES RECALL AND/OR COURT PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Police Officers be paid recall and/or court pay from January 1, 1978 to and including January 31, 1978 at time and one-half their regular salary as per P.B.A. Contract.

1. Green, D.	1-17-78	4 hrs.	\$54.00
2. Mickoliger, L.	1-17-78	4 hrs.	\$54.00
3. Paasch, P.	1-04-78	7 hrs.	<u>\$98.00</u>
		TOTAL	\$206.28

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

The resolution was thereupon declared duly adopted.

#135 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Police Officers be paid overtime pay from February 1, 1978 to and including February 28, 1978 at time and one-half their regular salary to be paid from Federal Revenue Sharing.

1. VonVoigt, R.	2-04-78	½ hr.	
	2-24-78	2½ hrs.	\$40.50
2. Woods, K.	2-18-78	1¼ hr.	<u>\$16.88</u>
		TOTAL	\$57.38

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

The resolution was thereupon declared duly adopted.

#136 AUTHORIZES COURT AND/OR RECALL PAY FOR POLICE OFFICERS

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

RESOLUTIONS - continued

BE IT RESOLVED, That subject to the Town Accountant's approval, that the following Police Officers be paid court and/or recall from February 1, 1978 to and including February 28, 1978 as per P.B.A. Contract at time and one-half their regular salary.

1. Dunleavy, J.	2-24-78	4 hrs.	\$56.16
	2-27-78	4 hrs.	\$56.16
			<u>\$112.32</u>

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

The resolution was thereupon declared duly adopted.

#137 AUTHORIZES OVERTIME COMPENSATION FOR SNOW & ICE REMOVAL - HIGHWAY DEPARTMENT

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

RESOLVED, Subject to approval by the Town Accountant, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for snow and ice removal for the period from February 24 to 27, 1978, for a total of 48 hours in the amount of \$425.54 as per abstract submitted (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.

#138 AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS ON TOW TRUCK FOR USE OF THE RIVERHEAD POLICE DEPARTMENT

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

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on one (1) Tow Truck for the use of the Police Department, and be it

RESOLVED, That the Town Clerk of the Town of Riverhead be and hereby is designated to open publicly and read aloud on Monday, April 3, 1978, at 11:00 A.M., at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on One (1) Tow Truck".

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

The resolution was thereupon declared duly adopted.

#139 AUTHORIZES OVERTIME COMPENSATION - RECREATION DEPARTMENT & OFF STREET PARKING

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

RESOLUTIONS - continued

RESOLVED, That Merrill B. Nelson an employee of the Riverhead Recreation Department be paid time and one-half overtime compensation, subject to review by Town Accountant:

26½ hours @ \$8.50 = \$225.25

FURTHER RESOLVED, That James Gadbois an employee of the Riverhead Recreation Department be paid time and one-half overtime compensation, subject to review by Town Accountant:

5½ hours @ \$8.43 = \$ 46.37

FURTHER RESOLVED, That Gustave Olson an employee Off-Street Parking be paid time and one-half overtime compensation, subject to review by Town Accountant:

22 hours @ \$8.43 = \$185.46

FURTHER RESOLVED, That the explanatory report relating to aforesaid overtime submitted by the Superintendent of the Recreation Department be 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.

#140 AUTHORIZES SEALED BIDS FOR DEMOLITION OF COLONIAL ARMS AND ALL OUT BUILDINGS

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

RESOLVED, That the Town Clerk be and hereby is directed to publish and post the following Notice to Bidders re: Demolition of Colonial Arms and all out buildings .

NOTICE TO BIDDERS

Sealed bids for the demolition of the Colonial Arms and all out buildings in Riverhead, New York and regarding of the site, will be received by the Town Board of the Town of Riverhead at the direction of the Town Clerk at 200 Howell Avenue, Riverhead, New York, until 11:00 A.M. on Monday, April 10, 1978 at which time and place they will be opened and read.

Instructions for bidders, specifications, bid forms and forms of contract may be obtained at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York. Bids shall be on the form as prepared by the Town of Riverhead.

The Town Board of the Town of Riverhead reserves the right to reject any and all bids or to waive any informalities.

RESOLUTIONS - continued

It also reserves the right to hold any and all bids open for a period of 30 days from the date of opening. All bids must be in a sealed envelope clearly marked "Demolition of the Colonial Arms and all Out Buildings".

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

The resolution was thereupon declared duly adopted.

#141 AUTHORIZES SEALED BIDS FOR THE FILLING OF THE SITE OF THE TOWN SERVICE GARAGE AT ROUTE 58, RIVERHEAD, NEW YORK

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

RESOLVED, That the Town Clerk be and hereby is directed to publish and post the following Notice to Bidders re: Filling of the Site of the Town Service Garage at Route 58, Riverhead, New York.

NOTICE TO BIDDERS

Sealed bids for the filling of the Site of the Town Service Garage at Route 58 in Riverhead, New York, and regrading of the site, will be received by the Town Board of the Town of Riverhead at the direction of the Town Clerk at 200 Howell Avenue, Riverhead, New York, until 11:15 A.M. on Monday, April 10, 1978, at which time and place they will be opened and read.

Instructions for bidders, specifications, bid forms and forms of contract may be obtained at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York. Bids shall be on the form as prepared by the Town of Riverhead.

The Town Board of the Town of Riverhead reserves the right to reject any and all bids or to waive any informalities. It also reserves the right to hold any and all bids open for a period of 30 days from the date of opening. All bids must be in a sealed envelope clearly marked "Filling of the Site of the Town Service Garage at Route 58 in Riverhead, New York".

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

The resolution was thereupon declared duly adopted.

#142 ESTABLISHES REGIONAL EMERGENCY MEDICAL SERVICES

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

WHEREAS, The Town Board of the Town of Riverhead recognizes that the furnishing of medical assistance in an emergency is a matter of vital concern, affecting the public health, safety, and welfare, and

WHEREAS, This Town Board wishes to take those steps

RESOLUTIONS - continued

necessary to provide the citizens of the Town of Riverhead with emergency medical services, and

WHEREAS, Pursuant to Section 3003 of the Public Health Law, this Town Board may nominate members to a regional council for the purpose of instituting the aforesaid emergency medical service,

NOW, THEREFORE, be it

RESOLVED, That this Town Board does hereby nominate to the Commissioner of Public Health the following named persons for appointment to a Regional Emergency Medical Services Council to serve the Town of Riverhead.

Allen M. Smith, Supervisor
 Francis E. Menendez, Councilman
 Antone J. Regula, Councilman
 Roscoe Palmer, Chief of Police
 Antone Budgin, Chief of Riverhead Fire Department
 Eugene Hilliker, Chief of Jamesport Fire Department
 Dominic Tacoma, Chief of Wading River Fire Department
 Theodore Martz, Jr., Chief of Manorville Fire Department
 Richard Gadzinski, Emergency Medical Technician
 Donald H. Green, Emergency Medical Technician
 Christine Myhre, Emergency Medical Technician
 Norman A. Beal, II, Emergency Medical Technician
 Richard J. Hastings, M.D.
 Katherine Michaliger, R.N.
 Marilyn Rossett, R.N.

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

The resolution was thereupon declared duly adopted.

#143 APPOINTS WILLIAM KELLY TO POSITION OF CONSTRUCTION
 EQUIPMENT OPERATOR AT SANITARY LANDFILL

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

WHEREAS, This Town Board did grant to Michael Kreshon a disability leave of absence from his position as Construction Equipment Operator at the Sanitary Landfill, and

WHEREAS, In excess of one (1) year has passed since the aforesaid resolution, and

WHEREAS, This Town Board has posted to the Riverhead Chapter of the Civil Service Employees Association its intention to fill the vacancy occasioned by the failure of Michael Kreshon to return to his position as a Construction Equipment Operator, and this Town Board has interviewed persons interested in said position, including those from within the Civil Service Employees Association Unit, and

WHEREAS, This Town Board has submitted to the Suffolk County Department of Civil Service, the application of William

RESOLUTIONS - continued

Kelly for said position, and has been advised verbally that said application has been approved,

NOW, THEREFORE, be it

RESOLVED, That William Kelly be, and he hereby is, appointed to the position of Construction Equipment Operator, Group 8, Step 1, at an annual salary of Ten thousand nine hundred sixty-three and 90/100 (\$10,963.90) Dollars, for a probationary period of eight (8) weeks, automatically renewed hereby for a full probationary period of six (6) months, effective March 20, 1978.

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

The resolution was thereupon declared duly adopted.

#144 APPOINTS CAROLINE BUGDIN TO THE POSITION OF CLERK-TYPIST IN THE TAX RECEIVER'S OFFICE

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

WHEREAS, This Town Board has submitted to the Suffolk County Department of Civil Service a Duty Statement for a position in the Receiver of Taxes Office, which Duty Statement has been classified as Clerk-Typist, and

WHEREAS, This Town Board has interviewed eligibles appearing on a list, dated March 8, 1978,

NOW, THEREFORE, be it

RESOLVED, That this Town Board does hereby appoint probationally from said list Caroline Bugdin, effective March 20, 1978, at Group 2, Step 1, at an annual salary of Seven thousand six hundred eighty-four and 97/100 (\$7,684.97) Dollars. Said probationary period to be for eight (8) weeks, automatically renewable hereby to a full probationary period of six (6) months.

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

The resolution was thereupon declared duly adopted.

#145 APPOINTS JAMES V. DeLUCCA TO POSITION OF BUILDING AND ZONING ADMINISTRATOR

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

WHEREAS, This Town Board has heretofore submitted to the Suffolk County Department of Civil Service a Duty Statement that has been classified as "Town Building and Zoning Administrator", and

WHEREAS, James V. DeLuca has been heretofore appointed by this Town Board as a provisional employee to the aforesaid position, and

WHEREAS, Said provisional employee has taken the examination for said position and appears as the first

RESOLUTIONS - continued

eligible upon a Certification of Eligibles, dated March 20, 1978,

NOW, THEREFORE, be it

RESOLVED, That James V. DeLuca be, and he hereby is, appointed to the position of Building and Zoning Administrator permanently, at Group 7, Step 2, at an annual salary of Fifteen thousand six hundred sixty-nine and 56/100 (\$15,669.56) Dollars.

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

The resolution was thereupon declared duly adopted.

#146 AUTHORIZES OVERTIME COMPENSATION FOR SNOW & ICE
REMOVAL - HIGHWAY DEPARTMENT

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

RESOLVED, Subject to approval by the Town Accountant, that the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for snow and ice removal for the period from March 3 - 10, 1978, for a total of 752 hours in the amount of \$6,631.84 as per abstract submitted (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.

#147 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS - LIQUID
ASPHALT - 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 on Liquid Asphalt requirements for use of the Town of Riverhead Highway Department for the year 1978, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:30 A.M. on Monday, April 10, 1978, and be it further

RESOLVED, That the Town Clerk be and is hereby designated to open publicly and read aloud on Monday, April 10, 1978, at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on Liquid Asphalt".

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 to hold a public hearing.

PUBLIC HEARING - 8:15 P.M.

Town Clerk submitted affidavits of publishing and posting of public notice on public hearing regarding: Application for a change of certain property from the classification of Residence "C" Zoning Use District to Buisness "C" Zoning Use District, on property at Roanoke Avenue, Riverhead.

The affidavits were ordered to be placed on file.

Supervisor Smith: "For the audience and those of you that may be interested in this particular application, this parcel is on the easterly side of Roanoke Avenue between the intersection of Roanoke Avenue with Southern Parkway and Northern Parkway. If my recollection serves me right, there are three parcels in that area in between those two intersections on the east side and this is the middle parcel.

I see the Attorney for the applicant is present. Sir, do you wish to make any sort of an opening statement? If you would Sir, would you please use the microphone and let the record reflect your name and address to Mrs. Pendzick."

George Cruser, Attorney, 206 Roanoke Avenue, Riverhead; "I have nothing to add, Mr. Chairman, except that I am the Attorney for the petitioner, and I respectfully request that the application be granted."

Supervisor Smith: "Is there anyone else present who wishes to address the Town Board with reference to this proposed change of zone?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:18 P.M.

RESOLUTIONS - continued#149 AUTHORIZING FUNDS FOR TRIPS TO EQUALIZATION AND ASSESSMENT BOARD HEARING IN ALBANY, NEW YORK

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

WHEREAS, Town Board Resolution #119 instructed the Town Attorney and the Assistant Town Attorney to take the necessary steps in protesting the 1977 Tentative Rate of 9.78%, and

WHEREAS, In accordance therewith, a complaint has been filed and a hearing has been scheduled on March 21, 1978, before the State Equalization and Assessment Board in Albany, New York, it is hereby,

RESOVLED, That the Town Attorney, Assistant Town Attorney and one Assessor attend said hearing to assure the

RESOLUTIONS - continued

Town's position and that all expenses incurred will be paid by the Town of Riverhead and that the amount of \$300 will be advanced to the Town Attorney and a full accountability will be made on the return date.

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

The resolution was thereupon declared duly adopted.

#150 APPOINTS CHARLES SMITH TO CONSERVATION ADVISORY COMMITTEE

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

WHEREAS, Denis Hurley has resigned his appointment as a member of the Riverhead Town Conservation Advisory Committee, and

NOW, THEREFORE, be it

RESOLVED, That Charles Smith of Main Road, Calverton, be and hereby is appointed as a member of the Conservation Advisory Committee to fill the vacancy created by Denis Hurley.

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

The resolution was thereupon declared duly adopted.

Supervisor Smith then stated: "I think we missed thanking Denis for the duty that he's done and Charlie we thank you for serving. We hope that you don't run for public office just because you got this appointment."

#151 EXTENDS PERMIT FOR CONDOMINIUM ON MIDDLE ROAD

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

WHEREAS, On the 15th day of March, 1977, a special permit hearing was held before the Town Board of the Town of Riverhead, pursuant to the provisions of Chapter 108 of the Code of the Town of Riverhead to hear all those persons interested in the application of Mortimer Barr, et al., for an extension of a condominium building permit for land situate on the north side of Middle Road in the Town of Riverhead, and

WHEREAS, No persons spoke with reference to said hearing and

WHEREAS, The owner has applied to this Town Board for an extension of said permit pending the filling of a §235 financing application.

NOW, THEREFORE, be it

RESOLVED, That said permit be extended for a period of two (2) years from this date, and that all the terms and conditions of the aforesaid permit shall apply.

RESOLUTIONS - continued

It is further founded and concluded that all the conditions, findings, and conclusions of law that were made in the issuance of the prior permit prevail at this time with the exception of the state of the building market, and that said condition constitutes the reason that construction has not begun to this date, and said condition is beyond the control of either the applicant or this Town Board.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, No.

The resolution was thereupon declared duly adopted.

#152 APPOINTS JESSIE TOMLINSON TO POSITION OF SECRETARY TO SUPERINTENDENT OF HIGHWAYS

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

WHEREAS, Rita Egert has retired from the position of Senior Clerk-Typist in the Highway Department, and

WHEREAS, The Highway Superintendent has submitted to the Suffolk County Department of Civil Service a proposed Duty Statement which has been returned showing the classification of Secretary to the Highway Superintendent as an exempt position,

NOW, THEREFORE, be it

RESOLVED, That this Town Board does hereby abolish the position formerly held by Rita Egert of Senior Clerk-Typist, and does hereby create in its stead the position of Secretary to the Highway Superintendent as a exempt position, and be it

FURTHER RESOLVED, That Jessie Tomlinson be, and she hereby is, appointed to the position of Secretary to the Superintendent of Highways as an exempt position, effective March 20, 1978, at an annual salary of Nine thousand nine hundred fifty-eight and 57/100 (\$9,958.57) Dollars, which is Group 6, Step 5.

The vote, Regula, No, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#154 TERMINATES SCHOOL CROSSING GUARD

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

RESOLVED, That the appointment of Michael Lutsky at school crossing guard be terminated as of March 8, 1978.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

Supervisor Smith then stated: "I would make the comment that Mike's been with us for a number of years and I will miss seeing him at the Aquebogue School. His health does not permit him to continue."

#153 APPOINTS SCHOOL CROSSING GUARD

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

RESOLVED, That Mary Jo McCarthy be and is hereby appointed School Crossing Guard, effective March 9, 1978, compensated at the rate of \$3.00 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.

#155 AUTHORIZES POLICE OFFICER TO ATTEND ADVANCED FIREARMS SCHOOL

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

BE IT RESOLVED, That Police Officer Frederick Foote be authorized to attend Advanced Firearms School to be held at Camp Smith, Peekskill, N.Y. on March 27, 1978 through March 31, 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.

#156 AUTHORIZES SERGEANT TO ATTEND NEW DIRECTOR'S ORIENTATION MEETING

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

BE IT RESOLVED, That Sergeant Joseph Becht #9, C/D Coordinator, be authorized to attend New Director's Orientation Meeting to be held in Albany, New York on March 29th - 30th, 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.

Supervisor Smith then made the following comment: "We might make the observation that I don't know that we publicized in the past, that Sergeant Becht among his other duties as

Supervisor Smith continues:
the Fifth Sergeant has been assigned to the Coordinator and otherwise, liaison with emergency facilities, agencies, etc., in terms of storms, hurricanes and other things of that nature. And this is part of his general training and preparation for those particular events that we hope will not happen."

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:30 P.M.

Town Clerk submitted affidavits of publishing and posting of public notice on public hearing regarding: Application of Joseph Picone to change an Industrial "A" Zoned plot to allow the manufacture of Commercial Soap as a non-nuisance industry.

The affidavits were ordered to be placed on file.

Supervisor Smith: "The particular property question on this public hearing is on the southerly side of Route 25 in Calverton. Most of us know it as the old Grumman warehouse. It's to the east of the Grumman fence a little bit to the west of Milligans. Is there anyone who wishes to address the Town Board with reference to this application for a special permit to operate certain processing facilities within that existing building?"

Gordon Ahlers, Consulting Engineer: "I would request that the special permit be granted, Mr. Supervisor and Members of the Town Board as it is a non-nuisance industry. There will be nothing returned to the air and nothing returned to the ground. It will be a deleterious to our public health and economy and ecology. Thank you."

Supervisor Smith: "There are no effluents either in terms of gases, solids, liquids or anything else that must be disposed of?"

Gordon Ahlers: "No, this is a self-contained manufacturing process."

Supervisor Smith: "And what do they make?"

Gordon Ahlers: "They make commercial hand soap. In other words, the best thing I can tell you it's something like grease solvent that you would use if you were in an automobile repair shop or something of that nature."

Supervisor Smith: "How much floor area Sir of this particular structure might be involved in this particular use?"

Gordon Ahlers: "Well there's 6600 square feet on this particular section. It is the old section that was

PUBLIC HEARING - continued
used for Rheingold Breweries. That's the furthest away from the road."

Supervisor Smith: "Tell us something about the nature of the industry — trucks, traffic? How does whatever comes in, get in, and how does whatever get out, get out?"

Gordon Ahlers: "Well whatever comes in, comes in a huge trailer truck which is about once a month and it's stored inside the building. The packaging and delivery would take place about once a week depending on his sales."

Supervisor Smith: "Does this bear any particular brand name?"

Gordon Ahlers: "It's a peculiar name. I don't have it at the tip of my tongue. It's something like Romar or something to that name. It comes in tubes and self contained cans."

Supervisor Smith: "Any questions from other members of the Town Board? Thank you Sir. There may be questions from the audience or statements that you wish to address. Is there anyone else present that would choose to address the Town Board with reference to this particular special permit application for a non-nuisance industry at that location?"

Upon recollection, Gordon Ahlers stated the name of the soap as Maycore. He also said it was a waterless hand soap and 95% of it's sold to the Federal Government and 5% to Con Ed.

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:32 P.M.

Supervisor Smith recessed the meeting for 13 minutes afterwhich a public hearing was held.

PUBLIC HEARING - 8:45 P.M.

Town Clerk submitted affidavits of publishing and posting of public notice on public hearing regarding: Application of Joseph Picone to change an Industrial "A" Zoned plot to allow the manufacture of Stucco and Stucco products as a non-nuisance industry.

PUBLIC HEARING - continued

Supervisor Smith: "Again ladies and gentlemen this is the same parcel of property as was subject to the last hearing and again, I assume, very much like the last time that Mr. Ahlers will come forward and tell us what this one's all about."

Gordon Ahlers, Consulting Engineer: "This is for a change in the zoning to allow the manufacture of Stucco and Stucco Products. There will be no dust or anything deposited in the air. It's all self-contained, the cement is picked up by Mohawks Stucco Products own trucks twice a month. The marble dust is delivered in sacks about once a week. The deliveries are made by Mohawks Stucco Products own trucks. They wholesale so that the deliveries, I would say, go out about three times a week. The marble dust and the cement are mixed in mills, in covered mills and it's ground to profit consistency and it is deposited in bags so that no dust gets to the outside air."

Supervisor Smith: "How many square feet of the building are dedicated to this purpose?"

Gordon Ahlers: "This building is 50 by 100 or 5,000 — 5500 square feet, if I remember correctly."

Supervisor Smith: "Do you have an additional factor with this particular use and that being of noise. When we talk about Stucco or cement manufacturing, the possibility exists for industrial noise. Would you please address that?"

Gordon Ahlers: "Yes there is some noise, naturally, in any grinding operation, but this is kept within the building by virtue of the fact that there are no doors or windows open while the process is going on and the location of the plant, it is down towards the end of the long line of buildings and I would say it is approximately on at least 1200 feet from the nearest house."

Supervisor Smith: "Any other questions from the Town Board with reference to this particular one? Is there anyone else?"

Fred McGinnis, 81 Wildwood Drive, Calverton: "On these ordinance changes or variances that the gentleman is going for, is it advertised in the newspaper?"

Supervisor Smith: "Yes Sir."

Fred McGinnis: "It is. That's all I wanted to know."

Supervisor Smith: "Is there anyone else that would like to address the Town Board with reference to this par-

PUBLIC HEARING - continued
 ticular application?

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:48 P.M.

RESOLUTIONS - continued
 #157 GRANTS FRANCHISE EXTENSION NO. 2 PARCELS A & P TO SHOREWOOD WATER CORP.

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

WHEREAS, The Shorewood Water Corp. has petitioned to the Town Board of the Town of Riverhead for a franchise pursuant to the provisions of Section 64 (7) of the Town Law and Article 4 of the Transportation Corporations Law to lay certain mains along or through public highways, controlled by the Town Board of the Town of Riverhead, and further to supply water to certain areas within the Hamlet of Wading River, Town of Riverhead, New York, and

WHEREAS, A public hearing was held on the application of Shorewood Water Corp. in compliance with the provisions of Section 64 (7) of the Town Law, at which time all persons interested in said application were heard, and

WHEREAS, The items requested by the Town Board at the aforesaid public hearing having been supplied by the Shorewood Water Corp. and the Town Board has conducted its own investigation into the subject applications, and has made certain findings with reference to said application,

NOW, THEREFORE, be it

RESOLVED, That pursuant to the provisions of Section 64 (7) of the Town Law and Section 43 (2) of the Transportation Corporations Law, the Town Board of the Town of Riverhead does hereby grant to the Shorewood Water Corp. a franchise to lay water within the Town of Riverhead as set forth below upon the following terms and conditions:

1) Said Franchise Extension No. 2, Parcels A and B and the right to lay mains and pipes therein, shall be limited to that as shown on the map known as "Wading River Extension No. 1 & 2", sheet title, "Proposed Water Mains & Appurtenances", drawing number SHOR-77-2, as initialed by the Town Supervisor of the Town of Riverhead, and filed in the Office of the Town Clerk, a description of which will follow hereto and is incorporated herein. Should there be a deviation between said map and said description, said map shall be deemed controlling. The extension, expansion or otherwise the improvement of the system of the Shorewood Water Corp. beyond that shown on said Map, shall be subject to and conditioned upon a further hearing by this or sub-

RESOLUTIONS - continued

sequent Town Boards of the Town of Riverhead pursuant to the provisions of Section 64 (7) of the Town Law.

2) The aforesaid franchise with the use and occupancy of public highways in the Town of Riverhead shall be non-exclusive. The applicant, Shorewood Water Corp. shall, at any time, move, alter, or otherwise rearrange its mains and/or pipes at the direction of the Town Board, which direction shall be binding and conclusive upon the Shorewood Water Corp.

3) The Shorewood Water Corp. shall maintain a policy of liability insurance coverage equal to the amounts of general liability insurance coverage carried by the Town of Riverhead, as amended from time to time, naming the Town of Riverhead as being insured against all liability arising from the laying and/or maintenance of pipes within the subject franchise.

4) The Shorewood Water Corp. shall, at all times, repair the aforesaid rights-of-way to the specifications of the Town of Riverhead for public highways in subdivisions. As a condition of this franchise, the Shorewood Water Corp. shall post a bond with the Town Clerk of the Town of Riverhead running to the benefit of the Town Board of the Town of Riverhead and the Highway Superintendent thereof in a sum of Twenty-five thousand and 00/100 (\$25,000.00) Dollars, which bond shall guarantee that the Shorewood Water Corp. shall maintain and repair public highways of the Town of Riverhead in conformance with the highway specifications set forth above. At any time that the aforesaid Town highways are opened by the Shorewood Water Corp., said openings shall be closed within five (5) business days of their opening. In the event that the same are not closed within the stated period, the Town Highway Superintendent may close the same, repair the roads, and the cost thereof shall be charged to the Shorewood Water Corp. At all times that Shorewood Water Corp. has open highways or lands adjacent to highways in the Town of Riverhead, the trenches, depressions, or other disturbances of the right-of-way shall be marked with such devices and/or signals as may be required by the Commissioner of Motor Vehicles and posted in his or her regulations.

5) The within franchise shall be for a period of forty (40) years.

6) As a condition of this franchise, the Shorewood Water Corp. must provide water service to any owner of lands within One hundred fifty (150) lineal feet of the mains authorized by this franchise.

RESOLUTIONS - continued

7) In the event that the Shorewood Water Corp. desires to sell its assets, merge or consolidate with another water corporation or otherwise dispose of its holdings, the Town Board of the Town of Riverhead shall have a right to first refusal to purchase the improvements of the Shorewood Water Corp. within the Town of Riverhead within thirty (30) days of the exhibition of a bona fide, arms-length written contract for the sale as set forth above at the purchase price stated therein.

8) In the event that the Town of Riverhead, acting on its own behalf, or on behalf of any special district, finds that it is in the public interest of the Town of Riverhead to create a municipal water supply system in the area subject to franchise, the Shorewood Water Corp. shall sell to the Town of Riverhead, or its subordinate district, such mains, pipes, etc., as exist at that time for the book value of the same as they exist upon notification by the Town of Riverhead to the Shorewood Water Corp.

9) That all areas serviced by Shorewood Water Corp. in the Town of Riverhead shall have sufficient volume and pressure "at all times" to meet the minimum requirements for Class "B" fire protection for residential property and provide a change in rating classification from unprotected to protected for commercial properties as defined and evaluated by the Insurance Service Office of New York.

If said water services do not meet these minimum requirements, Shorewood Water Corp. will improve such services as necessary to meet these minimum standards before approval will be granted to form a water district and subsequent hydrant district for the purpose of fire protection.

Shorewood Water Corp. will also be prohibited from extending their water district within Riverhead Town unless such extension will meet or improve the above requirements.

10) Pursuant to the provisions of Section 44 of the Transportation Corporations Law, said map noted in Section 1. of this resolution shall be filed with the County Clerk, all as is provided in Section 44, with the Shorewood Water Corp. reimbursing the Town for any filing charge.

11) Commencement of construction of the mains, pipes, etc., as is set forth herein shall not commence until such time as the applicant has complied with all the provisions of this resolution relating to surveys and bonds.

RESOLUTIONS - continued

SHOREWOOD WATER CORP.
WADING RIVER EXTENSION NO. 2
PARCEL A
WITHIN TOWN OF RIVERHEAD

BEGINNING at a point at the northwest corner of Lot #10, Block 1, Section 072, District 0600, a lot owned by the Town of Riverhead, said point being at the Riverhead-Brookhaven Town line:

RUNNING THENCE easterly 151 feet along the north line of Lot 10 and extending to the center line of Dogwood Drive; thence northerly along the center line of Dogwood Drive 230 feet to a point; thence easterly to the northwest corner of Lot #11, Block 1, Section 072, District 06000; thence easterly along the northerly lines of Lots 11, 29 and 20; thence easterly along the north line of Lots 9, 10, 11, 27 and 26 in Block 1, Section 074, District 0600, to the east side of Wading River-Manorville Road; thence southerly along the east side of Wading River-Manorville Road, to the northwest corner of Lot #11, Block 2, Section 074, District 0600 (Central School District No. 1); thence easterly 790 feet to the northeast corner of Lot 11,

THENCE northerly 240 ft. along the eastern line of Lot 10, to the northeast corner of Lot 10; thence westerly 278 ft. along the northern line of Lot 10 to the southeast corner of Lot 6; thence running northerly 523 ft. along the east line of Lot 6, to the northeast corner of Lot 6;

THENCE westerly 242 ft. along the north line of Lot 6, to the southwest corner of Lot 4; thence northerly 408 ft. along the west line of Lot 4, extending across North Country Road to the southwest corner of Lot 9, Block 2, Section 055; thence northerly 232 ft. along the west line of Lot 9, to the west end of Beech St.; thence northwesterly along the west line of Lot 4 to the northwest corner of Lot 10; thence westerly 395 ft. along the northern lines of Lots 10 and 11, to the northwest corner of Lot 11, thence northerly 253 ft. along the eastern line of Lot 10, Block 2, Section 054, the northeast corner of Lot 10; thence westerly 129 ft. along the north line of Lot 10, extending to the east side of Remsen Road; thence northerly across Remsen Road through Lot 8, Block 2, to the southeast corner of Lot 2; thence northerly 200 ft. along the eastern line of Lot 2, to the south side of North Wading River Road; running thence diagonally across North Wading River Road, to the southeast corner of Lot 7; thence northerly 257 ft. along the eastern line of Lot 7, to the northeast corner of Lot 7; thence northwesterly through Lot 5 to a north-eastern corner of Lot 4, located 499 ft. along the eastern

RESOLUTIONS - continued

line of Lot 4 from North Wading River Road. Running thence westerly, northerly and westerly along the line of Lot 4, to the northwest corner of Lot 4; thence southerly along the western line of Lot 4 to the northeast corner of Lot 18, Block 2, Section 049; thence westerly along the northern lines of Lots 18, 17, 15 and 14 to the southern side of Greenbrier Road; thence westerly along the southern side of Greenbrier Road, extending across Sound Road to the northeast corner of Lot 19; thence westerly along the northern line of Lot 19 to the northwestern corner of Lot 19; thence southerly along the western line of Lot 19 to the northern side of North Country Road; thence westerly along the north side of North Country Road to the Brookhaven-Riverhead town line; thence running easterly and southerly along the Brookhaven-Riverhead Town Line to a point at the northwest corner of Lot 10, Block 1, Section 072, District 066, said point being the point or place of BEGINNING.

SHOREWOOD WATER CORP.
 WADING RIVER EXTENSION NO. 2
 PARCEL B
WITHIN TOWN OF RIVERHEAD

BEGINNING at a point at the southwest corner of Lot 2, Block 1, Section 072, District 0600, said point being on the Riverhead-Brookhaven Town line;

Running thence southerly along the Riverhead-Brookhaven Town line, extending across New York State Route 25A to the south side of New York State Route 25A; continuing southerly 2352 feet along the Riverhead-Brookhaven Town line, Section 073, Block 1, Lot 1, District 0600, to the southwest corner of Lot 1; thence easterly 792 feet along the south line of Lot 1 to the northeast corner of Lot 7; thence northerly 161 feet along a portion of Lot 8 and the west line of Lot 9, to the northwest corner of Lot 9; thence easterly 486 feet along the north line of Lot 9 to the west side of Long Pond Road; thence northeasterly 93 feet along the west side of Long Pond Road to the southwest corner of Lot 7, Section 075, District 0600; thence northerly 325 feet along the west line of Lot 7 to the northwest corner of Lot 7; thence easterly 290 feet along the north line of Lot 7 to the northeast corner of Lot 7, said point being on the west side of Wading River-Manorville Road; thence easterly across Wading River-Manorville Road to the east side of Wading River-Manorville Road; thence northerly along the east side of Wading River-Manorville Road to the southeast corner of Lot 6; thence generally running northerly and westerly along the boundaries of Wading River Extension #1 to the point or place of beginning.

RESOLUTIONS - continued

Before the roll call vote Supervisor Smith made the following statement: "So we bring this to date from where we were some weeks and months ago. We have before us as we requested at the previous public hearings held in Wading River a map showing exactly in which streets the proposed mains are to go and at what locations in those streets.

The items that may be of interest relate to the fact that no mains as such are proposed south of Route 25A."

The vote, Regula, Yes, before Councilman Lombardi voted, he stated: "Before I vote, I have to repeat that Doc and I did question the people about their feelings on the water and they were for it. The people who already had the water from Shorewood were pleased with prices, water pressure and service. And since there is no possibility in the near future of the Town putting in a Water District there, I feel the people of Wading River should be able to have their choice so I have to vote Yes."

Before Councilman Menendez voted, he stated: "Before I vote, I just want to say that I have been on this Board going on five years now, and in that time, we have handled many matters in what I think was in a reasonable and efficient manner. However, in the past year, there has arisen two propositions which have made me just a little bit ashamed in the way they were handled. This Shorewood application is one of them. It has dragged on for a good ten months and much knit picking has delayed its progress. The other matter is still pending so I won't get into that at this time. I feel strongly that every decision that this Board makes should be based on facts and should be based on what are the wishes of our constituents and not on personal likes or dislikes. I vote Yes."

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

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 9:00 P.M.

Town Clerk submitted affidavits of publishing and posting of public notice on public hearing regarding: application of Joseph Bartasi for Special Permit to erect a restaurant at corner of Roanoke Avenue & Route 58.

The affidavits were ordered to be placed on file.

PUBLIC HEARING - continued

Supervisor Smith stated: "Ladies and gentlemen, I think what I'll do is before I begin to talk, I'll get one of the copies of what is proposed there, and get it up on the desk in front, so anybody who wishes to speak can look at what is proposed.

The particular location which is the subject of this particular special permit hearing is found in the southeast corner of the intersection of Roanoke Avenue and County Road 58. It is directly opposite the hospital. It lies bounded on the north by County Road 58, on the east by the car wash, on the south by the Masonic Lodge and others, and on the west by Roanoke Avenue. It is not the entire parcel.

If you can pursue the back of the Masonic Lodge is a line and you bring that out to Route 58, that portion of the property that lies to the west of that line, or closest to Dunkin' Donuts is the proposed site for two drive-in restaurants. Drive-in restaurants under our code are by special permit of the Town Board only.

There are proposed two curb cuts. One on Roanoke Avenue and one on County Road 58. The two restaurants sit almost dead center on the property. There is a provision for fencing along the lot line with the Masonic Lodge. Landscaping at that particular location — also landscaping along the curve of that particular corner. We have directed that the applicant make provision in his landscaping plan, etc., for the eventual widening of County Route 58 and the elimination of the traffic circle at that particular location. His prior plans have been modified to reflect that fact.

The curb cuts that you see on the drawing should you care to check it now or at a subsequent time, have been approved by the County of Suffolk. Certain modifications of what had been approved with reference to right or left turns are being considered by this Board. It's Long John Silvers and Arby's. Is there anyone wishing to address the Town Board on this particular special permit application?"

Mike Esposito, Merritts Pond, Riverhead; "I'm a downtown businessman and it seems as though I'm biased. There are two restaurants going there, but actually I'm not. The more business that comes to Town, the better I like it. But I travel Riverhead, Roanoke Avenue and 58 as much as anybody does, and it's a nuisance and a headache to get through there now. Any additional drive-in operations — Harrows is a headache. Already existing, A & P is impossible to get out of the A & P shopping center. You've got to come out through Roanoke now and come around.

If they don't make provisions for getting out of the drive-in facilities other than Roanoke, we're in tough shape now and if we continue to let these people come in and continue to make the roads worse than what they already are, I think we're in bad shape. And I try not to give the im-

PUBLIC HEARING - continuedMike Esposito continues:

pression of being biased because it's competitive to me because God knows I've got enough competition already, but I'd like to do something that is constructive for the Town as a whole because I won't be on Main Street forever and I'm going to live here most of my life and whatever I say, I say in the spirit of doing for what is good for everyone not just for me, not just for you, but all of us.

And I think that careful consideration should be given not so much that these people come to Town, but where they come to Town. And this is a very important corner for all of us, that we all travel it. The hospital is a very important facility, getting to it and from it. These places are traditionally noisy and very active late into the night and I thought that a different location for this particular type of thing could certainly be found further east or further west, but that one corner is murder. Thank you."

Supervisor Smith: "Thank you Mr. Esposito."

Ronald Eck, 984 East Main Street, Riverhead; "As a past professional driver in the Town of Riverhead or at least the past eight years and ever since they put the light up, I would say on the corner of Ostrander Avenue and 58 in the summer time and in the spring time, and also in the fall, you have a complete back-up and I believe Chief Roscoe can answer this better than I can. I don't think it should be permitted."

Supervisor Smith: "Thank you Sir. Is there anyone else that choose to address the Town Board with reference to this particular special permit application?"

Mr. Bartasi, would you come up here and answer a few questions? Please give your name and address to Mrs. Pendzick."

Joseph Bartasi: "31 Stonywell Court, Dix Hills."

Supervisor Smith: "Mr. Bartasi with reference to what you propose there, there are a number of things we noted in, quite possibly, we can put them on the record and straighten them out tonight. Your drive-in window for the east building, you got to go past Dempsy Dumpsters to get to your drive-in take-out window."

Joseph Bartasi: "We'll eliminate that."

Supervisor Smith: "All right, so let's put the garbage some place else other than near the window. There is certain landscaping, paving, etc., question. Do you have any objections if we eliminate some of the asphalt and put in some of the greenery internally."

PUBLIC HEARING - continued

Joseph Bartasi: "Not at all. As a matter of fact, landscaping is a little cheaper than asphalt. I'd be only too happy to landscape."

Supervisor Smith: "With reference to those two exists, the curb cuts, both from the County of Suffolk, we have previously on other site plans of your indicated right turns only on exit."

Joseph Bartasi: "I have an approval from the County for no lefts or right turns and that's how I presented the plan to you, if you can change it fine, but I would not care to differ with the County."

Supervisor Smith: "We're not going to change the cut. What we'll probably do is put in the center of that particular driveway a device bent to the left or right and a sign indicating right turn only."

Joseph Bartasi: "If you can get it together with the County, fine with me."

Supervisor Smith: "All right."

Joseph Bartasi: "It's immaterial to me."

Supervisor Smith: "Are there other questions from the Town Board with reference to this particular application?"

Mike Esposito: "It seems to me that from the conversation that just transpired, that this has more or less been approved and what we're saying here will bring absolute no bearing on it at all."

Supervisor Smith: "Quite to the contrary Mr. Esposito. I understand your comments. They are very similar to other comments that I've listened to for a number of years. This is a permitted use in this particular location. Although it is a special permitted use, we can impose conditions with reference to landscaping, lay-out, things of that nature. But drive-in restaurants is a permitted use at this particular location.

Now your complaint, Sir, is very much like, I'll harken back to the one that sticks in my mind. When I first took this chair, we had a big hoopla about a motorcycle race track on Middle Road, the far westerly end of Middle Road and I pointed out at that particular time to the residents that lived in that area, that you could have a slaughter house as a permitted use and did they want a slaughter house as a permitted use near them, and some got what I was saying and others didn't. But just as soon as the race track went away, everybody went away.

PUBLIC HEARING - continuedSupervisor Smith continues:

Now what we're talking about is planning the future of the community and all too often, I find that we don't pay any attention as citizens to what's happening in the community. We discuss an ordinance in the abstraction until somebody comes along and wishes to build something and then we say My God we can have special permitted uses. That's one of the problems."

Mike Esposito: "You said a special permitted use. Does that qualify just under permitted use or is it . . ."

Supervisor Smith: "It is different."

Mike Esposito: "Than this is the difference that we're trying to hammer out now. I'm saying that if it's a special permitted use and this can be prevented from happening to our Town, and as I say, I'm only interested in what's happening to the Town, because I intend to live after a long time after I'm off Main Street.

But I say if it's a special permitted use and I don't say deprive these people of the right of coming to Town, but coming at this particular spot, this is where I'm saying because that corner will go to someone someday. If not these, people are more desirable to my opinion, more desirable use to this land and this piece of proper that this business could move more towards the east or more towards the west. They're blocking a main intersection north and south intersection to Town that Patchogue lived through the same principal of — we don't care where the shopping centers go, but keep our north-south roads open and people will come to Main Street. But if you hamper the north-south traffic in Riverhead and prevent the people from coming from the 58 area to Main Street, you're doing double damage to the Town. Not only do we have the additional competition up there, the people can't get passed the corner.

We put up a bridge down by the yacht club to get the people off Main Street so that people could come to Town to shop on the weekend. Now you're doing it to the north-south traffic of this Town and letting these people come in here with outside money and outside interest, and they're destroying what we already have here.

Now if you let these people come in, the responsibility is yours. You're there to protect the rights of the people. Not only them, but of us. We say to you, don't destroy our north-south traffic because this is a vital link to the downtown people. Patchogue re-routed from the Sunrise Highway because they didn't let Waverly Avenue and all the rest of those north-south streets be hampered. Now if you let this happen, you can't get through that corner now. If you're up there 2:30 or 3:30 or 4:00, you can't get past that corner. Put another 1,000 cars a day into that traffic pattern and we're

PUBLIC HEARING - continuedMike Esposito continues:

dead. People are not going to come downtown. We're not going to go anywhere in this Town. You've got to look at the benefit of all the people, not just the special permitted use of this facility."

Supervisor Smith: "Thank you Mr. Esposito. Any-one else with reference to this particular application?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 9:11 P.M.

Supervisor Smith recessed the meeting afterwhich the meeting re-convened.

Supervisor Smith: "Ladies and gentlemen we previously had a public hearing with reference to a change of zone that did not draw any fire and no one testified except the owner of the property and what was involved in that particular public hearing was the fact that a particular piece of real property on Sound Avenue to the west of the intersection of Roanoke and Sound Avenue was half or nearly half one use and nearly half another use. And the application is to amend the zoning map such that the particular parcel is all within the one use."

RESOLUTIONS

#158

GRANTS PETITION OF ROBERT D. HARTEN - ZONE CHANGE

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

WHEREAS, Robert Harten has petitioned the Town Board for a change of zone for certain real property situate on the southerly side of Sound Avenue, more particularly set for in the petition to the west of a private road known as Zdunko Lane or Youngs Street, and

WHEREAS, This petition has been referred to the Planning Board of the Town of Riverhead and said Planning Board has approved said petition and recommended its approval to the Town Board, and

WHEREAS, This matter has come on for a public hearing on March 7, 1978 before the Town Board of the Town of Riverhead and all persons wishing to be heard have been heard, and

WHEREAS, This Board finds that the granting of the petition of Robert D. Harten is consistent with the master plan of the Town of Riverhead, and the official map of the Town of Riverhead will not be injurious to the health, safety and welfare of the people of the Town of Riverhead,

RESOLUTIONS - continued

NOW, THEREFORE, BE IT RESOLVED, That the most westerly and southerly lines of that portion of the Business "C" Zone shown on the southerly side of Sound Avenue at or near the intersection of Youngs Street or Zdunko Lane be amended to reflect on the east side of a boundary found on the course north 20° , 00 minutes, 00 seconds, west a distance of 267.51 feet from a monument found on the southerly side of Sound Avenue and that the southerly boundary of that zone be amended to show the additional course south 70° , 00 minutes, 00 seconds, west of 110 feet extending westerly from a point at or near Zdunko Lane. and

BE IT FURTHER RESOLVED, That the petitioners' request for said property be changed from Agriculture "A" Zone to Business "C" Zone BE GRANTED.

BE IT ALSO RESOLVED, That this amendment shall take effect ten (10) days after publication and posting.

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

The resolution was thereupon declared duly adopted.

PERSONAL APPEARANCES

Supervisor Smith: "Now we come back to that portion of the agenda where we will listen to anyone wishing to address the Town Board on any matter that has not been subject of a public hearing or otherwise has come to mind?"

Wickham Tyte, 992 East Main Street, Riverhead: "I listen to this meeting tonight, when you came to the Data Processing System, you went into the amount it would cost for various items and there was a matter of training and servicing and so forth. My point is this, I assume that this Data Processing set-up which means computers and so forth is to theoretically mean progress for the Town of Riverhead to operate in a more efficient manner and the points that I wonder about is will this eliminate certain people working because it does the job they do, or will it instead necessitate additional people to operate a more sophisticated setup and is this truly a big step ahead inasmuch as the population size of the Town has more or less leveled off for the last several years and hither-to-fore we have been operating possibly with less sophisticated machinery, but it gave jobs to people. They managed to get them done and if the price is way out of proportion to the improvement, if any, these things should be weighed, but I did not jot them down because it came too fast. You went over the various costs of certain of the hardware of the machinery. Also you mentioned there had to be training and servicing and so forth and so forth. What was the set-up on that."

Supervisor Smith: "All right, Mr. Tyte, in part the necessity or desire or however you wish to express it, this particular type of machinery is occasioned by the law-

PERSONAL APPEARANCES - continuedSupervisor Smith continues:

suit and that involved the Town of Islip. The Town of Islip as you may know has been sued on a theory that all assessments within the community must be at full value. It's called Hellerstein vs. the Town of Islip. Among other things that the Hellerstein case stands for, is a yearly up-date of the statistics and values of real property valuation, etc., etc. The importance of all of that as far as the Town of Riverhead goes is that the manual systems that we have attempted to maintain for many, many years we'll just not permit the kind of real property valuation that is being mandated by the courts.

We have two choices. We have the choice of doing nothing and waiting for a judge to mandate that we go to full valuation. That is a possibility. There are, however, approximately 30 some cases that we have already that are raising this issue, and that any instant lightning could strike. Faced with that situation there is a system on the state level says that if Towns and communities gear up for full value assessment that they can re-coup approximately \$30.00 a parcel towards the re-assessment process. So what you see here, I hate to use the computer jargon, but a first generation kind of piece of apparatus to come into the Town of Riverhead to help us with water billing, with tax receipting and things of this matter and bookkeeping, that will mature into a full-blown computer system compatible with the state mandate system for operation, we would hope in 1980 and thereafter."

Wickham Tyte: "What were those costs again? You gave them off."

Supervisor Smith: "Why don't we give you a copy. It will save you writing it down and me trying to distinguish for you between hardware, software and training. These fellows all talk in Martian. It's all down here and it means something and I would admit to you Mr. Tyte that there are bookkeeping requirements for the Federal Government for everybody else are much more complicated than they were some years ago."

Wickham Tyte: "I understand this is unfortunate that we have gotten so sophisticated and so many imposed Federal, State, County and various bureaucratic requirements that may or may not be necessary. We really get in trouble. Like when I went to the school meeting Tuesday ago, I found out that whereas the School Board is quite agreeable to try to freeze the salaries, which I've been fighting for a long time. There have been so many new mandates of additional requirements, they have roughly between \$600,000 and \$700,000 more bookkeeping or whatever you call it, more bureaucratic regulations that are going to eat up any potential savings in somewhere

PERSONAL APPEARANCES - continued

there should be resistance unless it is honestly a genuine improvement in government and the quality of living and that's why I wondered whether we're being forced into this sophisticated operation which actually to some degree might be unneeded and it's expensive and adds nothing to our community except more taxes. Anyway, I thank you."

Supervisor Smith: "Anyone else? Yes Sir."

Dick Benedict, Fanning Blvd, Riverhead; "I know it's late, I'll make it quick. The last rain storm again, the sump on Northville overflowed and it came down past the Lighting Company again, and there's a psychological sump between Middle Road and the Bowling Alley. It's a fenced-in swamp. Now this so-called sump, I guess, I don't know what it's supposed to be, anyway they are now developing that six and a half acres that I talked to you about before.

There's an office building they dug the foundation thing week. I'd like to know where they're going to drain that and if we're going to have another session like we have in Hills there, if we could build a decent sump there because the natural drain is towards the sump if we could put the sump in before the buildings go in because once they black top it, and not only that, you're putting a pumping station on 58 which the last two rains had at least two feet of water covering that property. Two of my neighbors' houses went up for sale in the last month because they were flooded. We never had this before and I realize there was a lot of water, but that psychological swamp with the fence around it is not a sump."

Supervisor Smith: "Did you take the opportunity to look at the drawings last time when you were here?"

Dick Benedict: "No I did not."

Supervisor Smith: Again I invite you, if you would like to, Mr. Wiwczar's, the gentleman in the blue shirt . . ."

Dick Benedict: "I know Mr. Wiwczar, but we can cure the problem before we develop the six and a half acres because the natural drain is towards that swamp."

Supervisor Smith: "All of this, there is nothing that money will not solve. And our job is to balance the tax burden as best we can with the situation as we find it. Now a great deal of the water that comes down to the Fanning Boulevard area, came all the way from the fields to the north all the way up to Sound Avenue. It came crashing through the Doctor's Path area."

PERSONAL APPEARANCES - continued

Dick Benedict: "Another sump will hold it for a while until it could drain out to the bay. Not only that, but the drain between Northville and my place or that swamp down there. The drain has about two feet of sand in it from the original storm which now takes about two feet of the bottom of the drain pipe."

Supervisor Smith: "That we can do something about. What we might do in that particular location is head off some of that water above you so that it does not get down to the point where it collects in your backyard."

Dick Benedict: "But bear in mind before we put in that pumping station #5, that the last two rains, it's had at least two feet of water in there."

Supervisor Smith: "We can put pumps under water. Anybody else?"

No one else wishing to be heard and there being no further business on motion and vote, the Meeting adjourned at 9:36 P.M.

Irene J. Pendzick

IJP/vlv

Irene J. Pendzick, Town Clerk