

8/31/82

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, August 31, 1982 at 3:16 P.M.

Present: Joseph F. Janoski, Supervisor  
John Lombardi, Councilman  
Vincent Artale, Councilman  
Louis Boschetti, Councilman

Absent: Victor Prusinowski, Councilman  
Richard Ehlers, Town Attorney

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York, at 3:00 P.M. on the 31st day of August, 1982, and do consent to the holding of such meeting for the purpose of adopting resolutions relative to Judge Cromarty's position on the courts, a want ad, and any other matters that may come before the Board.

DATED: August 30, 1982

TOWN BOARD MEMBERS,  
TOWN OF RIVERHEAD, NEW YORK

Joseph F. Janoski  
Supervisor

John Lombardi  
Councilman

Victor Prusinowski  
Councilman

Vincent Artale  
Councilman

Louis Boschetti  
Councilman

FILED.

RESOLUTIONS

#523 CALLS FOR THE RESIGNATION OR REMOVAL OF ARTHUR M. CROMARTY, ADMINISTRATIVE JUDGE OF SUFFOLK COUNTY, FROM THE "SPECIAL COURT FACILITIES COMMITTEE" AND THE APPOINTMENT OF A CITIZEN OF THE TOWN OF RIVERHEAD

Supervisor Janoski introduced the following resolution, which was unanimously adopted by the entire Town Board.

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RESOLUTIONS continued-

WHEREAS, the court system of the State of New York provides a judicial check and balance in the organization of state and local government; and

WHEREAS, the maintenance of such organization of government requires a division of the province of the judicial and the policy making-implementing branches of government; and

WHEREAS, a "Special Court Facilities Committee" was established by the County of Suffolk pursuant to Resolution No. 1381-82 of the Suffolk County Legislature, the legitimacy of which at this time is being challenged by the Town of Riverhead; and

WHEREAS, membership of said committee presently includes a seat held by Arthur M. Cromarty, Administrative Judge of Suffolk County; and

WHEREAS, the Town of Riverhead regards said occupation of this position on an agency of the executive-legislative brange of government by Justice Cromarty as clear violation of the principle of the separation of powers.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Riverhead at this Special Meeting assembled for this purpose, do call upon the Executive and the Legislature of the County of Suffolk to urge the resignation or effect the removal of Arthur M. Cromarty, Administrative Judge of Suffolk County, from the said "Special Court Facilities Committee"; and

BE IT FURTHER RESOLVED, that said position thus vacated should, and by right ought to be filled by a citizen of the Town of Riverhead, the County Seat of Suffolk County, selected with the advice and consent of the government of the Town of Riverhead. Said Towns-person of Riverhead to serve at the same time as the question of the propriety of the creation of the "Special Court Facilities Committee" is adjudicated.

FURTHERMORE, BE IT RESOLVED, that copies of this resolution, suitably engrossed, be forwarded to Peter F. Cohalan, Suffolk County Executive; William Rodgers, Clerk of the Suffolk County Legislature; Herbert B. Evans, Chief Administrative Judge for New York State; Arthur M. Cromarty, Administrative Judge of Suffolk County; and the Supervisors of the Town of Suffolk County.

Councilman Boschetti questioned the paragraph requesting appointment of a Riverhead citizen to the committee. He specifically wanted clarification as to whether such a request may be regarded as some type of recognition that the committee is legitimate. The Supervisor assured him that the paragraph referring to the Town's challenge to the committee's legitimacy established the Town's stand on the subject.

#524 ACCEPTS RESIGNATION OF MICHAEL MAYO, RECREATION CENTER  
MANAGER

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

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RESOLUTIONS continued-

WHEREAS, Michael Mayo did submit his letter of resignation effective August 20, 1982,

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby accept the letter of resignation of Michael Mayo, effective August 20, 1982, with regret.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#525 AUTHORIZES TOWN CLERK TO PUBLISH AND POST WANT AD

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

WHEREAS, Michael Mayo of the Recreation Dept. has resigned effective August 20, 1982 and,

WHEREAS, there now exists a vacancy in the Recreation Dept.,

NOW THEREFORE BE IT,

RESOLVED, that the Town Clerk be and hereby is authorized to publish and post the following Want Ad.

WANTED

The Town of Riverhead is now accepting applications for Recreational Aide. Applicant must have a Bachelor's Degree in Physical Education and/or Recreation and/or equivalent experience. Applications will be accepted in the Accounting Office. The Town of Riverhead is an Equal Opportunity Employer.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#526 AUTHORIZES ALDEN YOUNG TO REVIEW THE OFFICIAL HIGHWAY BOOK

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

RESOLVED, that Alden Young be and is hereby directed to review and compare the Highway Book in the Town Clerk's Office with the Town Highway system within the Town of Riverhead and to prepare a list of the discrepancies, if any, which exist and report them back to this Board so that the necessary modifications, if any, may be made.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes

The resolution was thereupon declared duly adopted.

#527 INCREASES ALLOWABLE INCOME FOR SENIOR CITIZEN TAX EXEMPTION TO \$9,500

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

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RESOLUTIONS continued-

WHEREAS, the Town Board of the Town of Riverhead has implemented Section 467 of the Real Property Tax Law by granting, upon the conditions and limitations prescribed by said section, an exemption from real property taxation of property owned by persons 65 years of age or over, and

WHEREAS, said section was amended by Chapter 291 of the Laws of 1970 to provide that the exemption could be extended to real property owned by husband and wife, one of whom is 65 years of age or over and to permit the taxing authority to fix, within stated limits the amount of income of the owner or the combined income of the owners of the property, as defined in said section, which determines whether the exemption should be granted, and

WHEREAS, the action of the governing board of the taxing municipality is contingent upon the holding of a public hearing, and

WHEREAS, a public hearing was held on the 30th day of August, 1982, wherein all those persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead finds and determines that the exemption from taxation of property owned by persons described in Section 467 of the Real Property Tax Law should be extended to the owner or owners whose income, as defined in said section, does not exceed \$9,500 and be it further

RESOLVED, that said exemption be and it hereby is amended in effect, to include the real property owned by a husband and wife, one of whom is 65 years of age or over, and to a person or persons whose income, as defined in Section 467 of the Real Property Tax Law, does not exceed \$9,500.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#528 RESOLUTION AMENDING CHAPTER 101, SECTION 101.10A OF THE RIVERHEAD TOWN CODE, "PARKING, STANDING AND STOPPING PROHIBITED", ROUTE 58

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

WHEREAS, a public hearing was held on the 30th day of August, 1982, at the Riverhead Town Hall, to hear all interested persons with regard to the proposed change to the Riverhead Town Code prohibiting parking, standing and stopping on Route 58, and

WHEREAS, all those persons wishing to be heard were heard, NOW, THEREFORE, BE IT RESOLVED,

That in accordance with the request of the County of Suffolk dated August 11, 1982, the following amendment shall be made to the Riverhead Town Code:

101.10A Parking, standing and stopping prohibited.

The parking, standing or stopping of vehicles is hereby prohibited in certain locations as follows:

RESOLUTIONS continued-

| Street/Area            | Side                   | Location  |
|------------------------|------------------------|---|
| <u>County Road #58</u> | <u>north and south</u> | <u>From the Long Island Expressway (N.Y.S. Route 495) to Main Road (N.Y.S. Route 25</u> |

\*Underscore indicates addition

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to C. Roger Meeker, Chief Engineer, Suffolk County Department of Public Works.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#529 AUTHORIZES SUPERVISOR TO EXECUTE LETTER OF INTENT AND MODIFICATION #4 TO THE ENGINEERING AND CONSULTANT AGREEMENT, RE: HOLZMACHER, MCLENDON AND MURRELL, P.C.

Councilman Artale offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, a requirement of the State and Federal authorizes for funding of the scavenger waste treatment facility is that the construction engineer, and consultant must enter into a contract with the Town, and

WHEREAS, it is necessary that the Town indicate that it will negotiate this agreement with Holzmacher, McLendon and Murrell, P.C., and

WHEREAS, pursuant to such negotiations, an agreement has been reached,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute the Letter of Intent to negotiate the engineering and consultant contract with Holzmacher, McLendon and Murrell, P.C., and be it further

RESOLVED, that the Supervisor be authorized to execute the modification #4 to the engineering and consultant agreement with Holzmacher, McLendon and Murrell, P.C. to cover engineering and consultant services for completion of the work to be done under Step 3 of the State and Federal grant application for the construction of the scavenger waste treatment facility.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#530 AUTHORIZES SUPERVISOR TO EXECUTE STEP 3 GRANT APPLICATION SCAVENGER WASTE TREATMENT FACILITY

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

RESOLUTIONS continued-

RESOLVED, that the Supervisor be and is hereby authorized to execute the Step 3 Grant Application for State and Federal funding for the construction of a scavenger waste treatment facility in conjunction with the Town of Southampton to be located in the Town of Riverhead.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#531 AUTHORIZES SUPERVISOR TO SIGN LETTER OF AGREEMENT,  
RE: ARCHITECTURAL SERVICES FOR PROPOSED POLICE  
STATION

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

RESOLVED, that the Supervisor be and is hereby authorized to sign and send a letter of agreement for architectural services with Angelo Francis Corva and Associates, Architects, with regard to the proposed police station for the Town of Riverhead.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#532 APPOINTS PROBATIONARY LABORER

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

WHEREAS, there now exists a vacancy in the Highway Department due to the death of Donald Harris,

NOW, THEREFORE, BE IT RESOLVED that Bernard T. Heaney be appointed to position of laborer at a salary of \$10,641.29, Step P, Group 3 of the Salary Administration Schedule for a probationary period of six months, effective August 23, 1982.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#533 AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH  
RAM COMMUNICATIONS AS TELEPHONE CONSULTANTS

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

WHEREAS, the Town of Riverhead has received numerous proposals by private phone companies regarding the installation and service of a phone system for the Town of Riverhead, and service of a phone system for the Town of Riverhead, and

WHEREAS, it is necessary that the Town be advised by an objective and independent consultant to properly evaluate these proposals.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be authorized to execute an agreement with Ram Communications as telephone consultants to the Town of Riverhead for the purpose of determining the best alternative phone system, said consultation service not to exceed \$1,700.00.

RESOLUTIONS continued-

Before the vote, Councilman Boschetti asked about the wording regarding the \$1700 fee and stated it as being unclear. Supervisor then rephrased the sentence to clarify it, as is now worded in the resolution.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#534 AUTHORIZES THE SOLICITATION FOR BIDS FOR THREE (3) AUTOMOBILES

Councilman Artale offered the following resolution, which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of three (3) automobiles, and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids on Tuesday, September 7, 1982 at 10 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, and to make a report of said bids to the Town Board at the next meeting of the Town Board following the opening of the bids.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#535 AUTHORIZES TOWN CLERK TO ADVERTISE HELP WANTED A

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

WHEREAS, there now exists a vacancy in the Water District for an Account Clerk Typist,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following display ad in The News Review, The Traveller Watchman, and Suffolk Life Newspapers:

HELP WANTED

The Town of Riverhead is now accepting applications for an Account Clerk Typist for the Water District. Applicants must have two years of accounting/bookkeeping experience, type, and pass a Civil Service examination when it is offered. Interested individuals should apply in the Accounting Department, 200 Howell Avenue, Riverhead, New York. The Town of Riverhead is an Affirmative Action/Equal Opportunity Employer.

The vote Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS continued-#536 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT OF SALE: RE: DEFRIEST

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

NOTICE IS HEREBY GIVEN that at a special meeting held on the 31st day of August, 1982, the Town Board of the Town of Riverhead duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

WHEREAS, during 1982, the Town of Riverhead experienced several rainstorms which damaged the sump located on Osborne Avenue, and

WHEREAS, Louis K. McLean, engineer, has recommended to this Town Board that additional spillways be constructed, and

WHEREAS, if such spillways are constructed, they will encroach upon property owned by the estate of William DeFriest, and

WHEREAS, it is necessary that the Town purchase additional property so that construction in accordance with the plans and specifications supplied by Louis K. McLean, engineer, can be accomplished,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to sign such Contract of Sale with regard to the purchase of additional property necessary to construct spillways at the Osborne Avenue sump, wherein the purchase price of said property is \$5,000.00 and the sale is subject to a permissive referendum, and be it further

RESOLVED, that the Town Clerk is authorized to publish and post this resolution.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#537 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT WITH CAMBRIAN ENERGY SYSTEMS, INC.

Councilman Boschetti offered the following resolution, which was seconded by Councilman Artale.

WHEREAS, the New York State Department of Environmental Conservation has determined that accumulations of methane gas is dangerous and must be removed from landfill sites, and

WHEREAS, methane gas exists in the Riverhead Sanitary Landfill, and

WHEREAS, this Town Board desires to be in compliance with anticipated and existing New York State Department of Environmental Conservation regulations by removing the accumulated gases from the Riverhead landfill, and

WHEREAS, this Town has publicly solicited for companies engaged in Landfill gas removal operations for their proposals to perform such work, and

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671.

WHEREAS, this Town Board has reviewed all such proposals received, and

WHEREAS, a public hearing regarding such proposals was held on the 17th day of August, 1982, and all interested persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute a contract between the Town and Cambrian Energy Systems, Inc. of California, which has proposed to remove the gases from the Riverhead landfill, at its own expense and at no cost or investments on the part of the town, and to provide a royalty to the Town for such gas, and be it further

RESOLVED, that the Supervisor and Town Attorney insure, prior to said contract execution, that the aforementioned contract would function in the best interests of this Town.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, absent, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 3:30 P.M.

IJP:bg

*Irene J. Pendzick*

Irene J. Pendzick  
Town Clerk