

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, August 18, 1981 at 7:30 P.M.

Present: Joseph F. Janoski, Supervisor
Francis E. Menendez, Councilman
Antone J. Regula, Councilman
John Lombardi, Councilman
Victor Prusinowski, Councilman

Also present: Kevin Duffy, Town Attorney

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

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

RESOLVED, that the Minutes of the Town Board Meetings held on July 7, 1981 and July 21, and Special Board Meeting held on July 29, 1981, are dispensed without objection, and be approved as submitted.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

BILLS

Bills submitted on abstract dated August 18, 1981 as follows:

General Town	\$40,542.02
Seniors Helping Seniors	\$ 78.83
Ambulance	\$ 179.50
Discretionary	\$ 5,697.66
Street Lighting	\$12,613.59
Highway Item #1	\$45,875.93
Highway Item #3	\$ 1,195.10
Highway Item #4	\$ 1,326.70

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

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

General Town	\$40,542.02
Seniors Helping Seniors	\$ 78.83
Ambulance	\$ 179.50

Discretionary	\$ 5,697.66
Street Lighting	\$12,613.59
Highway Item #1	\$45,875.93
Highway Item #3	\$ 1,195.10
Highway Item #4	\$ 1,326.70

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "We have a couple department heads with us this evening, should anyone have any questions of them."

OPEN BID REPORT - UTILITY BUILDING AT RECREATION
DEPARTMENT, STOTSKY PARK -
PLUMBING

After being duly advertised, the bid for the Utility Building at the Recreation Department at Stotsky Park for Plumbing was opened by the Deputy Town Clerk on Tuesday, August 18, 1981 at 11:00 A.M.

LUCERNE CONSTRUCTION CORP.
5 Sandy Hollow Road
Northport, New York
516-261-6279

OPTION 3: Two Thousand Nine Hundred Fifty & 00/100
(\$2,950.00)

FILED.

REPORTS

Recreation Department report for month of June, 1981. Filed.

Police report for month of July, 1981. Filed.

APPLICATIONS

Special Permit - re-application of Joseph & Linda Sullivan (mobile park). Filed.

Supervisor Janoski: "The time has not yet arrived for the public hearing, so we will do the correspondence."

CORRESPONDENCE

Patrick Perrella, 8/05/81 - submitting copy of County Park inventory. Filed.

Yvonne Syracuse, 8/05/81 - requesting debris from easterly side of Longview Drive, Reeves Park be removed, as it poses a fire hazard. Filed.

Brookhaven Town, 8/06/81 - Notice of adoption of amendment to code. Filed.

County Planning, 8/07/81 - notice of adoption to Brookhaven code. Filed.

Department of Army, 8/10/81 - requesting questionnaire be answered re: feasibility of creating dredged containment facilities. Filed.

Alexander & Alexander, 8/11/81 - replying to William Mullen's letter of 7/31/81. Filed.

Planning Board, 8/11/81 - recommends that special permit application of William & Elmer Kroemer be approved. Filed.

Mr. & Mrs. D. Robinson, 8/12/81 - requesting repairs for their road, N. Corwell Avenue. Filed.

UNFINISHED BUSINESS

Special Permit - Riverhead Airpark (airport)

Cablevision - request for rate increase (.30¢)

Special Permit - William & Elmer Kroemer (coal storage)

Special Permit - Joseph & Linda Sullivan (mobile park)

Supervisor Janoski: "Under unfinished business, we have a special permit application of Riverhead Airpark that

Supervisor Janoski continues:
is awaiting the submission of an Environmental Impactment Statement.

Cablevision request for a rate increase of 30¢ that is awaiting Town Board action.

Special permit of William and Elmer Kroemer for a coal storage that will be the subject of a public hearing at the next meeting of the Town Board.

Special permit application from Joseph and Linda Sullivan for a mobile park which is before the Planning Board.

I would recognize at this time, anyone who wishes to be heard?"

No one wished to be heard at this time.

RESOLUTIONS

#397 RETAINS WILLIAM F. MULLEN AS INSURANCE CONSULTANT
Councilman Prusinowski offered the following resolution which was seconded by Councilman Regula.

RESOLVED, that the Supervisor be and is hereby authorized to execute an agreement to retain William F. Mullen of Cutchogue, New York, at a fee of \$300 per month to review the insurance program of the Town and \$100 per month to administer the Workmen's Compensation program for a total of \$400 per month. Said retainer will be paid on a bi-weekly basis until December 31, 1981.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#398 AUTHORIZED REIMBURSEMENT OF MEDICAL EXPENSES TO OFFICER SWIATOCHA

Councilman Regula offered the following resolution which was seconded by Councilman Prusinowski

WHEREAS, Officer Julius Swiatocha was involved in an auto accident while on duty as a Riverhead Police Officer, and

WHEREAS, the General Municipal Law, Section 207-C-1 requires a municipality to reimburse all reasonable medical costs of an injured police officer, and

WHEREAS, it has been determined by the Supreme Court of the State of New York that Officer Swiatocha's medical expenses in excess of the Workmen's Compensation claim of \$1,812.00 are reasonable,

NOW, THEREFORE, be it

RESOLVED, that Officer Swiatocha be reimbursed \$1,812.00 for medical expenses, the amount in excess of the

RESOLUTIONS - continued

Workmen's Compensation award.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#400 APPOINTS LABORER IN THE HIGHWAY DEPARTMENT

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

WHEREAS, the Highway Superintendent has requested that a vacant position of laborer be filled and

WHEREAS, a part-time employee in the Highway Department has requested said position,

NOW, THEREFORE, be it

RESOLVED, that Ronald Caffrey is appointed to position of laborer for probationary period of eight weeks automatically renewable for a period of six months at an annual salary of \$9,704.97, Group 3, Step P in the salary administration schedule for 1981 effective August 31, 1981.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#401 AUTHORIZING SIX VOLUNTEER AMBULANCE MEMBERS TO ATTEND CONVENTION

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

BE IT RESOLVED, that the Riverhead Town Volunteer Ambulance Corp officers are authorized to attend the New York State Volunteer Ambulance and First Aid Association to be held October 1 through October 4 in Mount Airy Lodge in Pennsylvania. Corp members shall also be reimbursed for expenses incurred not to exceed \$500.00.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#402 AUTHORIZES TRANSFER OF FUNDS

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

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following General Town Funds.

	<u>FROM</u>	<u>TO</u>
A3620.420 Building Department, Office Supp.	\$20.00	
A3620.260 Building Department, Calculator		\$20.00

RESOLUTIONS - continued

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#403 AUTHORIZES PUBLICATION NOTICE OF PUBLIC HEARING FOR
FEDERAL REVENUE FUNDS

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

WHEREAS, a public hearing dated has been mandated for the proposed use of Federal Revenue Sharing Funds,

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk be, and is hereby authorized to publish and post a notice of public hearing to be held at Town Hall, 200 Howell Avenue, at 7:45 P.M. on Tuesday, September 1, 1981, to hear all interested persons wishing to propose or suggest uses of funds to which the Town of Riverhead may become entitled to for the year of 1982.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#404 AUTHORIZES HIGHWAY SUPERINTENDENT TO ATTEND N.Y.S.
ASSOCIATION OF TOWN SUPERINTENDENTS OF HIGHWAYS
CONFERENCE

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

RESOLVED, that Frank Lescenski, Superintendent of Highways, be and is hereby authorized to attend Association of Town Superintendents of Highways Conference in Monticello, New York, on September 15th, 16th, 17th and 18th, 1981, and be it

FURTHER RESOLVED, that all related expenses be charged to the Highway Department Transportation Account.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#405 AWARDS BID FOR TWO NEW 1982 DUMP TRUCKS

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

WHEREAS, the Town Board has duly advertised for one or more New 1982 Dump Trucks for use by the Highway Department, and

WHEREAS, said bids were duly opened by the Town Clerk on August 3, 1981 at 11:00 A.M., and

WHEREAS, after careful examination by the Town Attorney and the Town Board it has been determined that the bid for two (2) new 1982 dump trucks be and is hereby awarded to Burns Ford

RESOLUTIONS - continued

Inc., 359 West Jericho Turnpike, Huntington, New York 11743 at the Bid Price of Sixty Seven Thousand Five Hundred Eighty Seven and 56/100 Dollars (\$67,587.56) to be delivered at the Town of Riverhead Highway Department, Osborn Avenue, Riverhead, New York by January 30, 1982.

The Town Superintendent of Highways is authorized to surrender to the vendor the following equipment at an agreed trade-in value of \$3,600.00. (1) One 1969 GMC Dump Truck ID#Hm80AD074543 and (1) One 1970 Int. Dump ID#8072221G392764.

When the contract has been executed and approved, and upon delivery of the items purchased, the supervisor shall pay the following amounts as specified:

(1) \$63,987.56 from budgetary appropriation for purchase of equipment.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#406 TRANSFER OF FUNDS

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

RESOLVED, that the Supervisor be, and hereby is, authorized to transfer the following Community Development Accounts:

	<u>FROM</u>	<u>TO</u>
DSG-79-8670.30 Single Family Rehab. Senior Citizens	\$40,000.00	
DSG-79-8666.32 Single Family Rehab.		\$40,000.00
DSG-79-8660.31 Doctor's Path Project Acquisition	\$ 4,693.18	
DSG-79-8666.31 Doctor's Path Project Water Extension		\$ 4,693.18

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#407 AUTHORIZES PLANNING BOARD AND ZONING BOARD OF APPEALS
CHAIRMEN AND MEMBERS TO ATTEND PLANNING AND ZONING
INSTITUTE

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

RESOLUTIONS - continued

BE IT RESOLVED, that the Chairmen and Members of the Zoning Board of Appeals and Planning Board be and are hereby authorized to attend the New York Planning Federation Planning and Zoning Institute on October 25th through 27, 1981 at the Nevele, Ellenville, New York and that they be reimbursed for all expenses incurred pursuant thereto from the budgets of the Zoning Board of Appeals and Planning Board respectively.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#408 APPOINTS TEMPORARY EMPLOYEE FOR ADDITIONAL 30 DAYS
Councilman Menendez offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Town Board still finds it necessary to employ a Gate Attendant at the Sanitary Landfill on a temporary basis,

NOW, THEREFORE, be it

RESOLVED, that Mr. Patrick McGuire is hereby appointed to the position of Gate Attendant for an additional 30 days at a rate of \$3.35 an hour effective July 29, 1981.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#409 AUTHORIZES PUBLISHING AND POSTING OF NOTICE OF PUBLIC HEARING

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Notice of Public Hearing with regard to the special permit request of William and Elmer Kroemer.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held on the 1st day of September, 1981, at 8:00 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of William and Elmer Kroemer to store and unload coal on Kroemer Avenue, Riverhead, New York.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#410 AWARDS PLUMBING CONTRACT FOR UTILITY BUILDING AT STOTSKY PARK

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

RESOLUTIONS - continued

WHEREAS, the Town Clerk was duly authorized to re-bid the plumbing contract at the utility building for the Recreation Department at Stotsky Park, and

WHEREAS, on Tuesday, August 18, 1981, all bids received were opened and read aloud, and

WHEREAS, only one bid was received,
NOW, THEREFORE, be it

RESOLVED, that the plumbing contract for the utility building located at Stotsky Park be awarded to Luceren Construction Corp., 5 Sandy Hollow Road, Northport, New York, for the sum of \$2,950.00.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#411 APPOINTS PETER DANOWSKI AS SPECIAL COUNSEL

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

WHEREAS, Section 50-J of the General Municipal Law provides that a Town shall be liable for and shall assume the liability to the extent that it shall hold harmless, any duly appointed police officer of such municipality for any alleged negligent act or tort provided such police officer, at the time of the act, was acting within the scope of his duties, and

WHEREAS, a suit was initiated against the Town of Riverhead and one of its officers under Section 1983 and 1988, and

WHEREAS, the Town is required under the General Municipal Law to provide a defense for the officer,

NOW, THEREFORE, be it

RESOLVED, that Peter Danowski of 1380 Roanoke Avenue, Riverhead, New York, be retained and is hereby appointed counsel for the officer at the agreed compensation.

The vote, Prusinowski, Yes, Regula, Yes, Lombardi, Yes, Menendez, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Janoski: "The time has not yet arrived for the public hearing. I would open once again the meeting to anyone who wishes to be heard? Mrs. Perrella?"

Maureen Perrella, 420 East Main Street; "I'm wondering if the Board is about to comment or has any comment on the fine levied by the Suffolk County Health Department at 414 East Main Street and if there are any new developments in the saga?"

PERSONAL APPEARANCES

Supervisor Janoski: "Yes. I spoke with Dr. Harris of the Health Department today. Dr. Harris is not accepting the recommendations of the Attorney in that case regarding the \$2,000 fine. I think that's about all I can say about it."

Maureen Perrella: "Is not accepting the. . ."

Supervisor Janoski: "Is not accepting. I will say that he feels that it is not astringent enough."

Maureen Perrella: "And Mr. Sampino's still in litigation with the Town then, apparently?"

Supervisor Janoski: "Yes. I believe he's answerable in court this week. Is he not Kevin?"

Kevin Duffy, Town Attorney: "He in effect (the rest was inaudible)."

Supervisor Janoski: "Okay."

Maureen Perrella: "Thank you."

Supervisor Janoski: "Bill?"

Bill Nohejl, Wading River: "In reference to the speed limit on Sound Road that I spoke of at the last Board meeting, we had a little discussion at the Civic Meeting last Friday night, and a number of the members distinctly remembering that road being at 25 miles an hour about ten years ago and they did not know why it was upgraded to 30. And I was wondering if there was any way the Town can look back or find out why that was put up to 30?"

Supervisor Janoski: "There's a research project for you Kevin."

Bill Nohejl: "I don't know if the Police Department or someone in the Highway Department or so would know something about that. But they were quite sure it was at 25. And 25 is sure better than 30 in that road."

PERSONAL APPEARANCES - continued

Supervisor Janoski: "I've asked the Town Attorney to research it Bill."

Bill Nohejl: "Thank you."

Supervisor Janoski: "Thank you Bill. Does anyone else wish to be heard at this time?"

No one else wished to be heard at this time.

Supervisor Janoski recessed the meeting at 7:50 p.m. and resumed at 8:00 p.m.

Supervisor Janoski recessed the meeting to hold the public hearing.

PUBLIC HEARING - 8:00 P.M.

The Deputy Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, August 18th, 1981 at 8:00 P.M. to hear all interested persons wishing to propose or suggest uses of federal revenue sharing funds that the Town of Riverhead may become entitled to in 1982.

The affidavits were ordered to be placed on file.

Supervisor Janoski: "Is there anyone present that wishes to address themselves to this issue?"

It has been pointed out that the Deputy Town Clerk was given the wrong notice of public hearing to read."

PUBLIC HEARING - 8:00 P.M.

The Deputy Town Clerk submitted affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, August 18th, 1981 at 8:00 P.M. to hear all interested persons regarding an estimate of cost in relation to a proposed increase and improvement of the facilities of the Town of Riverhead, Public Parking District No. 1.

The affidavits were ordered to be placed on file.

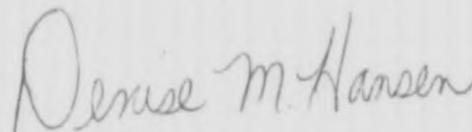
PUBLIC HEARING - continued

Supervisor Janoski: "What we are here to discuss is the floating of a bond in the amount of \$65,000 to pay for the drainage and resurfacing work to be done on the Peconic River Parking Lot, such bond to be repaid by the businesses in the parking district.

Does anyone wish to address themselves to that issue?"

No one wishing to be heard and no communications having been received thereto, Supervisor Janoski declared the hearing closed at 8:02 P.M.

There being no further business on motion and vote, the meeting adjourned at 8:03 P.M.



Denise M. Hansen, Deputy Town Clerk

DMH/vlv