

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, December 4, 1979 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: Henry S. Saxtein, 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.

BILLS

Bills submitted on abstract dated December 4, 1979 as follows:

General Town	\$121,144.92
Parking Meter	\$ 50.00
Special Districts	\$ 1,614.17
Highway Item #1	\$ 41,243.74
Highway Item #3	\$ 3,590.51
Highway Item #4	\$ 1,615.83

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

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

General Town	\$121,144.92
Parking Meter	\$ 50.00
Special Districts	\$ 1,614.17
Highway Item #1	\$ 41,243.74
Highway Item #3	\$ 3,590.51
Highway Item #4	\$ 1,615.83

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

The resolution was thereupon declared duly adopted.

APPLICATIONS

Change of Zone: L. Neilans & J. Staker from Res. C to PB District (Roanoke Avenue). Filed.

Site Plan: Dr. John Franzone, for Doctors Office (Route 25, Aquebogue). Filed.

Site Plan: Riverhead Savings Bank, for drive-in window (Griffing Avenue). Filed.

PETITIONS

42 Residents by 414 East Main Street: asking the Town Board to do everything possible to close down & eliminate "this vortex of crime & filth". Filed.

58 Residents by Hamilton Avenue: asking the Town Board not to purchase property at 216 Hamilton Avenue to create a parking lot. Filed.

REPORTS

Recreation Department for the month of October, 1979. Filed.

Building Department for the month of November, 1979. Filed.

Police report for the month of November, 1979. Filed.

Supervisor Smith: "We have a hearing scheduled for 8:00 o'clock p.m. If anybody is here with reference to that particular matter, I would ask that you hold your comments until that time."

COMMUNICATIONS

H2M Corp., 11/19/79 - certifying work on Townwide Street Lighting contract completed to date. Filed.

H2M Corp., 11/20/79 - reinspection necessary prior to release of maintenance bond date. Filed.

Newsday, 11/19/79 - notice of legal rate change. Filed.

H2M Corp., 11/20/79 - re: Certificate #3, Partial & Certificate #4, Final of Northwest Area Street Lighting. Filed.

COMMUNICATIONS - continued
H2M Corp., 11/29/79 - Part 360 Application:
summary of two courses of action. Filed.

UNFINISHED BUSINESS

Site plan application of Serota & Sons (walk-in refrigerator).

PERSONAL APPEARANCES

Supervisor Smith: "Under unfinished business we have the application of Serota. Is Mr. Wiwczar here? There is a resolution later on.

That brings us to that portion of the agenda where we will recognize anyone choosing to address the Town Board. If you are here to speak on the public hearing, I would ask that you hold your comments until such time as we call that hearing to order. If you are generally here to address the Town Board, I would ask that you do so now."

Pat Perella, 420 East Main Street; "The subject matter I wish to address myself to is the situation that occurred at 414 East Main Street just recently, that was the murder which you have received a petition about 42 residents signed asking what is the Town doing at this point concerning 414 East Main Street? The last I heard, the Town Building Department was not gaining access to inspect this site and if this is true, I'd like to hear the Town Board address themselves to that right now. Is the Town getting in and inspecting 414 East Main Street?"

Councilman Lombardi: "We spoke with Jimmy DeLucca, Mrs. Richards, Dr. Richards' wife, the other day, Tony and I, and Jimmy said that they were not getting in there. And we are going to have a meeting next week with the Building Department, with the Health Department, and the Town Board and see what we can do about it. There's a few things we are looking into, but we don't want to state right now."

Pat Perella: "Thank you. Also I don't know if you gentlemen get a chance to drive by and look at the location. Right now there are broken bottles falling out into the street. There must be ten or twelve bottles on the front lawn, on the space, the grassy area between the sidewalk and the road. It's actually deplorable and somehow it seems like once a year we come down and give a petition on this location and we understand there are difficulties in the case and the Town tells us they're trying to do their best and yet we're back again each time there's a murder or something that happens there we're back again. And

PERSONAL APPEARANCES - continuedPat Perella continues:

I hope you're able to do something this time."

Supervisor Smith: "Thank you Mr. Perella. Anyone else on this or any other matter?"

No one else wished to be heard at this time.

RESOLUTIONS

#467

RE-EVALUATION OF GEORGE GRODSKI

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

WHEREAS, the contract between this Board and the Civil Service Employees Association incorporates therein the Salary Administration Program, and

WHEREAS, the said Program permits re-evaluation of employees' classifications upon certain criteria, including changes in responsibilities, supervision, etc., and

WHEREAS, George Grodski holds the title of Automotive Equipment Operator and has been carrying out the duties of Auto Mechanic,

NOW, THEREFORE, be it

RESOLVED, that this Board does hereby re-classify George Grodski to Group 8, Step 1 of the Salary Schedule, at an annual salary of TEN THOUSAND NINE HUNDRED SIXTY THREE and 90/100 (\$10,963.90) DOLLARS, effective December 9, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and before Supervisor Smith voted, he stated: "On the supposition that both Mr. Grodski & Mr. Downs are qualified with the mechanic qualifications or a change of classification the the classification of mechanic, I will vote Yes. If such a certification is not received by the Clerk either during my tenure or some subsequent date, I would appreciate the record to reflect I did not vote to appoint someone to a Civil Service position in violation of the law."

Smith, Yes, if eligible, No, if not eligible.

The resolution was thereupon declared duly adopted.

#468

RE-EVALUATION OF CHARLES DOWNS

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

WHEREAS, the contract between this Board and the Civil

RESOLUTIONS - continued

Employees Association incorporated therein the Salary Administration Program, and

WHEREAS, the said Program permits re-evaluation of employees' classifications upon certain criteria, including changes in responsibilities, supervision, etc., and

WHEREAS, Charles Downs holds the title of Automotive Equipment Operator and has been carrying out the duties of Automotive Mechanic,

NOW, THEREFORE, be it

RESOLVED, that this Board does hereby re-classify Charles Downs to Group 8, Step 6 of the Salary Schedule, at an annual salary of TWELVE THOUSAND FIVE HUNDRED SIXTY EIGHT and 90/100 (\$12,568.90) DOLLARS, effective November 3, 1979.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and before voting Supervisor Smith stated: "Yes, the same stipuation as the previous one.

Smith, Yes if eligible, No, if not eligible.

The resolution was thereupon declared duly adopted.

#569 TERMINATES SERVICES PART-TIME CLERK - RECEIVER OF TAXES

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

BE IT RESOLVED, that the employment of Anna Mayo, part-time clerk in the Office of the Receiver of Taxes, be and is hereby terminated, effective December 1, 1979.

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

The resolution was thereupon declared duly adopted.

#570 APPOINTS PART-TIME CLERK - RECEIVER OF TAXES

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

BE IT RESOLVED, that Shirley Danowski be and is hereby appointed part-time clerk in the Office of the Receiver of Taxes, and is to be compensated at a rate of \$3.50 per hour, effective December 1, 1979.

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

The resolution was thereupon declared duly adopted.

#571 RESOLUTION BOARD OF ASSESSMENT REVIEW

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

RESOLVED, that the members (3) and the secretary of the Board of Assessment Review be paid for the special meeting

RESOLUTIONS - continued

held on November 21, 1979

FURTHER RESOLVED, that payment be taken from the Board of Assessment Review Budget.

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

The resolution was thereupon declared duly adopted.

#572 TRANSFER OF FUNDS - ASSESSORS

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

RESOLVED, that the Supervisor be, and hereby is, authorized to transfer the following General Town Accounts:

FROM:

1355.410 - Board of Assessors Contractual \$185.62

TO:

1355.420 - Board of Assessment Review Fund \$185.62

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

The resolution was thereupon declared duly adopted.

#574 AUTHORIZES HIGHWAY SUPERINTENDENT TO HIRE MAC ALBERT BANK & CO. TO PERFORM AUDIT

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

WHEREAS, the Superintendent of Highways has requested an audit of the Highway Department books prior to his retirement,

NOW, THEREFORE, be it

RESOLVED, that this Board does hereby authorize the Superintendent of Highways to hire Mac Albert Bank & Co. to perform such duties.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and before voting, Supervisor Smith stated: The responsibility of the Town Board is for the auditing and maintaining of the financial records of the Town Board. I have no objection to Mac Albert Bank to audit books for the Town regularly to perform the audit of the Highway Superintendent, but it is a report not to the Highway Superintendent, it is a report to the Town Board and should be treated as such. I don't object to the essence of what's being done, but the wording is misleading. I vote Yes."

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#575 AUTHORIZES TOWN CLERK ADVERTISE FOR BIDS ON ONE NEW HYDRAULIC CATCH BASIN CLEANER, STETCO MODEL, 800TSE, OR EQUAL

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

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of one new Hydraulic Catch Basin Cleaner, Stetco Model 800TSE, or equal for the use of the Town of Riverhead Highway Department, and be it

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:15 A.M. on December 17, 1979, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby designated to open publicly and read aloud on December 17, 1979 at 11:15 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on One (1) new Hydraulic Catch Basin Cleaner".

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and before Supervisor Smith voted, he stated: "When are we going to put this in the paper?"

Irene J. Pendzick: "It's in."

Supervisor Smith: "It's in? It seems to me like a bullet bid. It's probably a rather expensive piece of equipment. It will be in the paper on the 6th, eleven days later we are taking bids and it sounds like the only bidder will be Stetco. I think there are other models. I would assume that the people we have done business with, the sanitary landfill, also manufactures such machines. I vote No."

The resolution was thereupon declared duly adopted.

#576 REPLACEMENT OF TREES ALONG MAIN STREET

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

WHEREAS, the Chamber of Commerce has undertaken a program of replacing damaged trees along the sidewalks in the Hamlet of Riverhead, and

WHEREAS, the Town of Riverhead has been paid \$75.00 to cover the cost of replacing a tree damaged in an accident, NOW, THEREFORE, be it

RESOLVED, that Half Hollow Nursery be paid a sum of \$75.00 for trees provided to the chamber of Commerce to replace damaged trees along Main Street upon submission of a bill and voucher, therefor.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#577 AUTHORIZES PUBLIC NOTICE FOR JANUARY MEETING DATE
Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be, and is hereby authorized to publish and post a Public Notice that the first meeting of the Town Board of the Town of Riverhead for the year 1980, take place at Town Hall on Wednesday, January 2, 1980 at 7:30 P.M.

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

The resolution was thereupon declared duly adopted.

#578 AUTHORIZES PUBLIC NOTICE FOR GAS STORAGE TANK BIDS
Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a Notice to Bidders for sealed bids for the installation of gas storage tanks at the Highway Maintenance Building, to be opened at 11:00 A.M. on December 27th, 1979 at the Town Clerk's Office at Town Hall.

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

The resolution was thereupon declared duly adopted

#579 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACTS
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, Chapter 659, Laws of 1972, provides financial aid for the construction of municipal solid waste management projects, and

WHEREAS, the Town of Riverhead, of 200 Howell Avenue, Riverhead, New York, hereinafter called the MUNICIPALITY, has made application for STATE-IN-AID, and

WHEREAS, it is necessary that a contract be made by and between THE PEOPLE OF THE STATE OF NEW YORK, hereinafter referred to as the STATE, for such STATE AID be executed on behalf of the TOWN OF RIVERHEAD,

NOW, THEREFORE, be it

RESOLVED by TOWN OF RIVERHEAD, the governing body of said MUNICIPALITY, as follows:

1. That Allen M. Smith, Supervisor, be hereby authorized to sign, on behalf of the MUNICIPALITY and make application for a STATE GRANT-IN-AID and provide the STATE such information, data and documents pertaining to the application for a grant as may be required, and otherwise act as the authorized representative of the MUNICIPALITY in connection with said application.

RESOLUTIONS - continued

2. That the MUNICIPALITY agrees that if a Federal grant or grants and STATE assistance for the Solid Waste Management project are made, pursuant to Laws of 1972, or any Federal law or program, the TOWN OF RIVERHEAD will pay the remaining costs of the approved project.
3. That the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a joint solid waste recovery and management project.
4. That four (4) certified copies of this resolution be prepared and sent to the NEW YORK STATE DEPARTMENT OF ENVIORNMENTAL CONSERVATION, Albany, New York 12233, together with a complete application.
5. That this resolution shall take effect immediately.

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

The resolution was thereupon declared duly adopted.

#580 AUTHORIZES HIGHWAY SUPERINTENDENT TO HIRE PART-TIME
HELP FOR SNOW & ICE REMOVAL

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

WHEREAS, the Highway Superintendent has advised the Town Board that it will be necessary to hire part-time help for the removal of snow & ice,

NOW, THEREFORE, be it

RESOLVED, that this Board does hereby authorize the Highway Superintendent to hire said men when necessary at a salary of FIVE (\$5.00) DOLLARS an hour.

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

The resolution was thereupon declared duly adopted.

#581 APPOINTS TEMPORARY SECRETARY TO COMMUNITY DEVELOPMENT
OFFICE

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

WHEREAS, Michelle McCant has been appointed to the position of secretary in the Community Development Office as a thirty (30) day temporary employee effective November 5, 1979, and

RESOLUTIONS - continued

WHEREAS, no replacement has been appointed,
NOW, THEREFORE, be it

RESOLVED, that Michelle McCant is appointed to the position of secretary with the Community Development Office as a thirty-day temporary employee effective December 6, 1979 at a salary of \$3.61 per hour to be paid from Community Development funds.

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

The resolution was thereupon declared duly adopted.

#582 APPOINTS FRANK MACKIE TO POSITION OF AUTOMOTIVE EQUIPMENT OPERATOR (TOW TRUCK OPERATOR) IN RIVERHEAD POLICE DEPARTMENT

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

WHEREAS, this Board has heretofore operated a Town Tow Truck in the Police Department, and

WHEREAS, this Board temporarily created and filled a position for the operating of said tow truck, and

WHEREAS, the Supervisor, in conjunction with the Police Department has submitted a Duty Statement for this position, which has been returned from the Suffolk County Department of Civil Service as "Automotive Equipment Operator, non-competitive",

NOW, THEREFORE, be it

RESOLVED, that this Board does hereby approve the afore-said classification and does hereby ratify its prior resolution, dated, March 20, 1979, appointing Frank Mackie to said position.

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

The resolution was thereupon declared duly adopted.

#583 CALLS FOR CERTIFICATION OF ELIGIBLES' LIST FOR POSITION OF RECREATION CENTER MANAGER

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

WHEREAS, The Town Supervisor, in conjunction with the Recreation Department, has submitted a Duty Statement, which has been classified by the Suffolk County Department of Civil Service as "Recreation Center Manager", a competitive position,

NOW, THEREFORE, be it

RESOLVED, that this Board does hereby approve said Duty Statement and authorizes the Town Supervisor to call for a list thereon.

The vote was called after the public hearing was held.

RESOLUTIONS - continued

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of public notice of a public hearing to be held at Town Hall at 8:00 P.M. on December 4, 1979 to hear all interested persons regarding the application of Dr. Erdogan Ergener for (1) a change of zone from Res. C District to Bus. PB District, and

(2) a special permit to construct and maintain a professional office of a medical doctor.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Shep, before you get going, your memorandum to us is to the effect that we should declare ourselves the lead agency and find that it is a Type II Action and that no Environmental Impact Statement is needed. Is that what you want us to do?"

#590 RATIFICATION OF FINDINGS RE: DR. ERDOGAN ERGENER
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, that this Town Board does hereby ratify the findings of the Environmental Quality Review Board that the application of Dr. Erdogan Ergener is a Type II Action and that no Environmental Impact Statement is required and that we as a lead agency on this application so find.

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

The resolution was thereupon declared duly adopted.

Shepard M. Scheinberg: "Good evening gentlemen. I represent Dr. Erdogan Ergener. Dr. Ergener is a surgeon and presently practicing medicine in a specialty of surgery in several locations, one of which is at 952 Roanoke Avenue, Riverhead, New York. Dr. Ergener had purchased this property approximately a year ago. It was my interpretation of the zoning ordinance that one might use a residence, whether it be a primary residence or a secondary residence in conjunction with a professional office that being a doctor. Your Building/Zoning Department took issue with this position. At present there is a criminal proceeding before the Riverhead Justice Court.

PUBLIC HEARING - continuedShepard M. Scheinberg continues:

In order to make peace, this application had been brought on before the Planning Board and your own Board to seek a change of zone to a professional building use as well as the special use as professional building."

Supervisor Smith: "Shep, this is immediately south of Doc Menendez's old place?"

Shepard M. Scheinberg: "That is correct. It would be immediately north of Dr. Neilan's which I see is the subject of an application as well."

Supervisor Smith: "We're talking about — then an existing structure. Is there any existing problems?"

Shepard M. Scheinberg: "Yes, I believe the Planning Board found particular objection to our recommendations that the parking be in the front yard as it has been for the past year.

First of all, Dr. Ergener's practice being strictly a surgical practice he sees very few patients and Dr. Ergener would be willing to enter into a covenant with the Town of Riverhead specifying that in the event either his practice changed or any other occupant of that building should change from surgical practice, that they would have to come back to either your Board or the Planning Board for a review of the parking. Our particular plan shows seven parking spaces including the garage. Without the garage, it would be six parking spaces. The ordinance requires ten parking spaces. We require probably only three or four parking spaces because of the limitation of his particular type of practice."

Supervisor Smith: "The doctor has a nurse or receptionist?"

Shepard M. Scheinberg: "A receptionist, that's correct. So there would be a maximum of his car and his receptionist's car and he might see one patient per half hour or total of two in any particular hour which would only utilize a total of four. We have six — well seven counting the garage."

Supervisor Smith: "Using the analogy of the last

PUBLIC HEARING - continued
Supervisor Smith continues:
application that we had on Roanoke?"

Shepard M. Scheinberg: "That's correct."

Supervisor Smith: "Have you had any luck with that particular matter you were before us and I believe someone else was and it was a side bit between the Masonic Lodge and that particular doctor. Have you been able to work anything out with Doctor Menendez's successors or the gentleman to the south?"

Shepard M. Scheinberg: "We have not, Mr. Supervisor, and we did not wish to be involved with either side, in particular, property here is different than that which was on Roanoke Avenue. The one on Roanoke Avenue, you had a huge parking area next door that was not utilized much at all, the Masonic Lodge parking area. The parking areas adjacent to Dr. Ergener's property are heavily used. Also we have a different type of practice here. There's also a question of security. It gets kind of dark there at night and there is tall bushes around — very bad neighborhood. Thievery and vandalism goes on in all neighborhoods — preferably in the better neighborhoods. Also noise, lights, things of that sort. I think I've given my argument as to this particular thing. The only other problem we had is the same that we had in Dr. Iacono's and that is winter is upon us and we would request a nine-month period to do any of our installations of parking and recharge."

Supervisor Smith: "Shep, have you proposed a covenant — a covenant in restriction? Have you got that in your application, what you might agree to in terms of covenant?"

Shepard M. Scheinberg: "Other than this oral presentation, Mr. Supervisor, because this came up about a week or so ago and"

Supervisor Smith: "Would you get something in to us?"

Shepard M. Scheinberg: "I certainly will."

Councilman Menendez: "Has the Planning Board gone along

PUBLIC HEARING - continued

Councilman Menendez continues:
with this idea of using the front yard for parking?"

Shepard M. Scheinberg: "Doctor Menendez, I haven't even seen the recommendation of the Planning Board as sent on to you. My partner, Josh Pruzansky appeared before that Board and they seemed all set against any parking in the front."

Councilman Menendez: "Well I think I mentioned to you before that if there was a question of getting more parking, that he could use the back yard of his place for parking. I think . . . (the tape ended)."

Shepard M. Scheinbert: (tape changed and beginning did not get on). . . building for access to our own back yard. If we are forced to give parking in the back yard, we can do it on our own property. We would prefer not to be involved with the neighbors."

Councilman Menendez: "Well I think it was kind of neighborly of the neighbors to offer to be willing to go along with that."

Shepard M. Scheinberg: "I didn't realize that they offered this, Doc."

Councilman Menendez: "I told you several months ago."

Shepard M. Scheinberg: "You had suggested that we approach them. I didn't know that they had offered."

Supervisor Smith: "All right."

Councilman Menendez: "Another thing is, wasn't part of this problem occasioned by the fact that Dr. Ergener opened that place without a permit?"

Shepard M. Scheinberg: "That is a question that has not been . . ."

PUBLIC HEARING - continued

Councilman Menendez: "Isn't that what the Building Department jumped on him for?"

Shepard M. Scheinberg: "That doesn't mean that they're right, Doc. I'm not saying that they're incorrect."

Supervisor Smith: "Don't litigate a case that you may not have to litigate."

Shepard M. Scheinberg: "That's why I'm here for the . . ."

Supervisor Smith: "Permit issues, that's wholly academic."

Shepard M. Scheinberg: "If there are any questions, I'd be happy to answer them?"

Supervisor Smith: "Well it's a public hearing, let's see if anybody else would like to talk."

Henry Saxtein, Town Attorney: "I believe that Dr. Neilan's is on the south of this parcel of property and Dr. Neilan's parking presently is on the northern border of his property with the southern border of Dr. Ergener's property. We would have to see how many parking spaces it would knock out of Dr. Neilan's because I think he's at a deficit in need of parking spaces at the present."

Supervisor Smith: "All I'm asking, Mr. Scheinberg to do is pursue it to some degree and report back. Yes Mr. Nohejl?"

Bill Nohejl, Wading River: "I'm concerned, are we overloading the zone? I'm not against professional business. I see more change of zone coming up. Do we have a number that's been approved? Now don't take it personally, I'm not saying a little old lady or a little old man coming down Roanoke Avenue, not knowing where each one of these professional offices are. Is it this one? Is it that one? Am I going to make a right turn here? Am I going to make a left turn there?"

Supervisor Smith: "They need a big sign."

PUBLIC HEARING - continued

Bill Nohejl: "Not a big sign. How is it going to involve the traffic on Roanoke Avenue? We have a thirty-mile an hour zone there now. If a person starts moving along five miles an hour, ten-miles an hour and doesn't know which way they're going to go . . ."

Supervisor Smith: "Or they back out?"

Bill Nohejl: "Right. What is going to happen? That's why I'm questioning. Are we overloading the zone?"

Supervisor Smith: "The Master Plan, Bill, in this particular neighborhood or for the entire length of Roanoke Avenue calls for this transitional zone along Roanoke Avenue. I don't know whether your question is a question of density or design? What is being discussed by Mr. Scheinberg with both Planning Board, apparently with Mrs. Tormey, who is about to speak, either as a resident or whatever, it is a function quite possible of design. Maybe that can be resolved and thereby eliminating some of the problems that you preceive."

Bill Nohejl: "I'm concerned about something getting into an accident, police getting through or an ambulance getting through that road with people, not knowing where they're going to go."

Supervisor Smith: "I understand."

Bill Nohejl: "That's my concern."

Mrs. Robert Tormey: "I live in the area and I use Southern Parkway frequently to exit onto Roanoke Avenue. If this is approved, I would urge that you consider asking Dr. Ergener to cut down the hedge that's currently on the northerly border of his property and I think probably goes onto the Town property, but I'm not sure and then goes across the front along the Roanoke Avenue side for about four feet. When you're parked or when you're coming out of Southern Parkway you can't see beyond that hedge whether there's traffic coming, proceeding north. If that were cut down, it would open up the area and increase visability considerably."

Supervisor Smith: "Anybody else with reference to the doctor's application? Thank you Sir."

PUBLIC HEARING - continued

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith, for the record, declared the hearing closed at 8:13 P.M.

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

RESOLUTIONS

#583 CALLS FOR CERTIFICATION OF ELIGIBLES' LIST FOR POSITION OF RECREATION CENTER MANAGER

The resolution was offered prior to the previous public hearing.

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

The resolution was thereupon declared duly adopted.

#584 AUTHORIZES SUPERVISOR TO EXECUTE ALL NECESSARY DOCUMENTS RELATING TO O'KANE ACTION

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

WHEREAS, special counsel to the Town Board, Francis Yakaboski, has recommended settlement of all actions pending between the Town and Robert O'Kane and Karen O'Kane, NOW, THEREFORE, be it

RESOLVED, that the Supervisor be, and he hereby is, authorized to execute those documents necessary to settle the aforesaid actions upon the terms and conditions recommended by special counsel.

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

The resolution was thereupon declared duly adopted.

#585 AUTHORIZES SUPERVISOR TO EXECUTE DOCUMENTS RENEWING EXISTING POLICIES WITH ALEXANDER & ALEXANDER

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

WHEREAS, most the insurance policies owned by the Town of Riverhead expire on December 5, 1979, and

WHEREAS, the Town's agent of record, Alexander & Alexander, have advised the Town Board that they are able to renew the existing policies on essentially the same terms and conditions as have existed heretofore,

NOW, THEREFORE, be it

RESOLUTIONS - continued

RESOLVED, that the Town Supervisor be, and he hereby is, authorized to execute such documents, forms, retainers, and contracts as are necessary to insure the Town of Riverhead for the ensuing year.

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

The resolution was thereupon declared duly adopted.

#586 TRANSFER OF FUNDS - TOWN JUSTICE

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

RESOLVED, that the Supervisor be, and hereby is, authorized to transfer the following General Town Accounts:

		<u>FROM</u>	<u>TO</u>
All10.400	Town Justice - Contractual	\$125.00	
			\$125.00
All10.200	Town Justice - Equipment		\$125.00

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

The resolution was thereupon declared duly adopted.

#587 APPROVES SITE PLAN REVIEW FOR RIVERHEAD SAVINGS BANK

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

WHEREAS, Riverhead Savings Bank has applied to the Town Board of the Town of Riverhead for a site plan review pursuant to section 108-38 of the Town Code for plans submitted for a building permit for a proposed drive-in window at the Jerimia Edwards house at Griffing Avenue, Riverhead, New York, according to plans submitted by Lee A. Sagistano, Architect, dated October 2, 1979, drawing #A1.

NOW, THEREFORE, be it

RESOLVED, that the above described plans for the drive-in window be approved as submitted.

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

The resolution was thereupon declared duly adopted.

#588 APPROVES SITE PLAN REVIEW FOR SEROTA AND SONS

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

WHEREAS, Serota and Sons have applied to the Town Board

RESOLUTIONS - continued

of the Town of Riverhead for a site plan review pursuant to section 108-38 of the Town Code of the Town of Riverhead for a building permit for the construction of a walk-in refrigerator at the shopping center located at the intersection of Route 25A and Wading River Manor Road, in the Hamlet of Wading River, Town of Riverhead, New York, pursuant to plans submitted by Teas and Barrett, Engineers-Surveyors dated November 19, 1979 and revised August 21, 1979.

NOW, THEREFORE, be it

RESOLVED, that the above described site plan be approved as submitted.

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

The resolution was thereupon declared duly adopted.

#591 AUTHORIZES SUPERVISOR TO APPLY TO NEW YORK STATE EXECUTIVE DEPARTMENT, DIVISION FOR YOUTH FOR SUPPORT OF A RIVERHEAD JUVENILE AID BUREAU

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

RESOLVED, that the Supervisor be, and he hereby is, authorized to sign and submit an application to the New York State Executive Department, Division for Youth, for the support of a Riverhead Juvenile Aid Bureau.

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

The resolution was thereupon declared duly adopted.

#592 AUTHORIZES SUPERVISOR TO APPLY TO N.Y.S. EXECUTIVE DEPARTMENT, DIVISION FOR YOUTH FOR SUPPORT OF A RIVERHEAD RECREATION PROJECT

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

RESOLVED, that the Supervisor be, and he hereby is, authorized to sign and submit an application to the New York State Executive Department, Division for Youth, for the support of a Riverhead Recreation Department.

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

The resolution was thereupon declared duly adopted.

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

No one wished to be heard.

There being no further business on motion and vote, the meeting adjourned at 8:30 P.M.

Irene J. Pendzick

Irene J. Pendzick, Town Clerk