

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, August 7, 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.

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

RESOLVED, That the Minutes of the Town Board Meeting held July 3, 1979, July 17, 1979 and the Special Town Board Meetings held July 10, 1979 and July 24, 1979, 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 submitted on abstract dated August 7, 1979 as follows:

General Town	\$ 49,444.22
Community Development	\$ 7,504.20
Capital Projects	\$ 99,916.28
Federal Revenue	\$ 48.00
Ambulance	\$ 177.50
Special Districts	\$ 8,454.17
Central Garage	\$ 6,562.55
Highway Item #1	\$ 10,647.50
Highway Item #3	\$ 2,149.07
Highway Item #4	\$ 1,942.20

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	\$ 49,444.22
Community Development	\$ 7,504.20
Capital Projects	\$ 99,916.28
Federal Revenue	\$ 48.00
Ambulance	\$ 177.50
Special Districts	\$ 8,454.17
Central Garage	\$ 6,562.55
Highway Item #1	\$ 10,647.50
Highway Item #3	\$ 2,149.07
Highway Item #4	\$ 1,942.20

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

The resolution was thereupon declared duly adopted.

Spencer Fisher, from Lion's Club, Chairman of Canoe Race; "Ladies and gentlemen I am from the Riverhead Lion's Club. I was chairman of the canoe affair that we had on July 21st and the Supervisor, as soon as he heard about this, took the ball right in the hand and as you probably well know, he challenged Marty Lang and Marty Lang accepted and, of course, the rest is history. The Riverhead Lion's Club thought that we would like to present a little trophy to Allen Smith, and he can have it over here and the people in the Town of Riverhead until next year because we all had such a good time at it that we'd like to do it again."

Supervisor Smith: "How many times do you have to win this before you retire it from competition?"

Spencer Fisher: "Six."

Supervisor Smith: "The best out of six, okay. Thank you very much. (The remainder of Supervisor's remarks regarding competition were undecipherable due to machine malfunction)."

8/7/79

679.

OPEN BID REPORT - PECONIC RIVER MARINA & PARK - CONTRACT #3 - SITE PREPARATION

After being duly advertised the bids for the Peconic River Marina - Contract #3 - Site Preparation were opened by the Town Clerk on Thursday, July 19, 1979 at 11:00 A.M.

DESCRIPTION	QUANTITY	BIDDER Hampton Drainage & Pav. Manorville, NY		BIDDER Technipaving Corp. Islip, NY		BIDDER Amma Constr. Co. Northport, NY	
		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
7-A F&I PORT. CEMENT CONCR. CURB (ALL AREAS EXCEPT CURBED ISLAND)	1,180 LF	\$ 5.	\$5,900.	\$7.70	\$9,086.	\$6.87	8106.80 (3)
7-B* F&I PORT. CEMENT CONCR. CURB (CURBED ISLAND AREA)	460 LF	5.	2,300.	7.70	3,542.	6.87	3160.20
8-A PAVEMT. RESTORATION (ALL AREAS EXCEPT CURBED ISLAND)	700 SY	6.	4,200.	8.47	5,929.	12.50	8,750.
8-B* PAVEMT. RESTORATION (CURBED ISLAND AREA)	300 SY	6.	1,800.	7.47	2,241.	12.50	3,750.
9* PAVEMENT STRIPING	LUMP SUM	L.S.	450.	L.S.	1,080.	L.S.	1,250.
10* F&I TRAFFIC SIGNS	16 UNITS	150.	2,400.	140.	2,240.	187.50	3,000.
11*** ADD. GRANULAR FILL	50 CY	5.	250.	6.	300.	5.00	250.
* OPTIONAL ITEM							
** ALTERNATE ITEM							
*** CONTINGENCY ITEM							
TOTAL BID (SUM OF ALL ITEMS EXCEPT 3-D & 3-E)			\$ 64,372.50		\$ 70,672		\$ 71,668.10 (4)
TOTAL ALT. BID #1 (SUM OF ALL ITEMS EXCEPT 3-A & 3-B)			63,922.50		70,908		71,668.10 (5)
TOTAL ALT. BID #2 (SUM OF ITEMS 1-A, 2A-1, 2-B, 3-A 3-B, 4-A, 4-B, 6, 7-A, 8-A, 10 & 11)			45,117.50		53,052		49,745.40 (6)
TOTAL ALT. BID #3 (SUM OF ITEMS 1-A, 2A-1, 2-B, 2-D, 3-E, 4-A, 4-B, 6, 7-A, 8-A, 10 & 11)			44,667.50		53,288		49,745.40 (7)
CERTIFIED CHECK OR BID BOND			CERT. CHECK		CERT. CHECK		5% BID BOND
PLANS & SPECS RETURNED			SPECS		SPECS		PLANS & SPECS

8/7/79

680.

OPEN BID REPORT - IMPROVE BY PAVING PARKING AREA AT NORTH WADING
RIVER ROAD AND SOUND AVENUE, WADING RIVER

After being duly advertised the bids to improve by paving parking area at North Wading River Road and Sound Avenue Wading River, were opened by the Town Clerk on Thursday, July 26, 1979 at 11:00 A.M.

<u>BIDDER</u>	<u>BID AMOUNT</u>
R.O. Welch Asphalt Co. 1064 Woodcrest Avenue Riverhead, New York 11901	(NO BID)
Technipaving 366 Moffitt Blvd. Islip, N.Y. 11751	\$ 14,760.00
Lizza Industries Inc. 15 Remsen Avenue Roslyn, N.Y. 11576	\$ 25,988.00
Lyon & Reboli Paving Contr. 56 Comsewogue Road East Setauket, N.Y. 11733	(NO BID)
Mohawk Blacktop Corp. 10 East 9th Street Huntington Station, N.Y. 11746	\$ 13,950.00
Rason Asphalt 15 Columbia St. Port Jefferson Station, N.Y. 11776	\$ 12,888.00
Hampton Drainage & Paving Corp. 61D North Strret Manorville, N.Y. 11949	(NO BID)
Central Suffolk Paving Inc. P.O. Box 158 East Patchogue, N.Y.	\$ 12,500.00
Muirfield Contracting Inc. 16 Health Place Garden City, N.Y.	(NO BID)

REPORTS

Building Department: for month of July, 1979. Filed.

Recreation Department: for month of June, 1979. Filed.

Police Department: for month of July, 1979. Filed.

APPLICATIONS

Fireworks: Riverhead Auto Raceway, Inc. (8/24 & 8/31)

Change of Zone: Dr. Bala Hari Pillai (Res. C to Bus, PB at 912 Roanoke Avenue)

Special Permit: Riverhead Automotive (1689 West Main Street)

Carnival: Riverhead Rotary (August 14 to 19, Great Eastern Parking Lot, Rte. 58)

Fireworks: Jamesport Fire Department

Special Permit: Dr. John Franzone (PB District, Linda Avenue & Route 25, Aquebogue)

Supervisor Smith: "A few of those are the subject of resolutions this evening. We'll take them in the order as they appear on the agenda. At 8:00 and 8:15, again hearings with reference to certain zoning amendments, excuse me, code amendments and the application of Mr. Schlegel with reference to a storage facility on Route 25 near the intersection of 25 and 25A."

COMMUNICATIONS

Town of Southold, 7/27/79 - copy of resolution authorizing Supervisor to negotiate an agreement with four East End Towns. Filed

Town of Shelter Island, 7/27/79 - copy of resolution authorizing Supervisor to sign a contract with NYS Dept. of Environmental Conservation & four East End Towns. Filed.

Shoreham-Wading River School Board, 7/24/79 - motion approved to increase income ceiling for Senior Citizens from \$7,200 to \$8,000 for tax exemption. Filed.

COMMUNICATIONS - continued

Town of Southampton, 7/25/79 - copy of resolution authorizing Supervisor to negotiate an agreement with four East End Towns.

Southampton Town, 7/26/79 - corrected "Notice of Adoption" amending sec. 1-30-20.47. Filed.

Suffolk County Dept. of Planning, 7/18/79 - if no objections received by 8/6/79 re: Brookhaven amendment to Zone Ordinance, will be assumed there are none. Filed.

Manorville Fire Department, 7/13/79 - advising that "overwhelming majority of the department voted that district territory should be left as it presently is". Filed.

County Legislature - resolution granting Senior Citizen tax exemption to income up to \$8,000. Filed.

Southampton Town - notice of public hearing on proposed zone amendment, on 8/14/79. Filed.

Suffolk County Dept. of Planning, 7/30/79 - will take no further action, having heard no adverse response. Filed.

Suffolk County Dept. of Planning, 7/30/79 - if no objection received by 8/16/79 re: Southampton zoning amendment, it will be assumed there are none. Filed.

Brookhaven Town, 8/1/79 - advising of Public Hearings on 8/14/79 re: Amendments to Code. Filed.

H2M Corp., 8/6/79 - recommending award of Contract #3 & #4, Peconic River Marina & Park. Filed.

UNFINISHED BUSINESS

Magee Service - Special Permit application for 10,000 gallon tank on Route 58, Riverhead.

Ray McKay - site Plan application for fish stand on Route 25, Aquebogue.

UNFINISHED BUSINESS

Larry Galasso - Zone change application; Ag. to Bus. B, Route 25, Aquebogue.

Edward Zilnicki - Special permit application for Type 6 Camp, Roanoke Avenue, Riverhead.

Frank Schlegel - Special permit application for storage building, Route 25, Calverton.

Supervisor Smith: "Under unfinished business, before I recognize persons wishing to be heard, there is a resolution with reference to Magee Service. There are matters on hand with reference to Mr. McKay which will remain on the agenda as will the application of Mr. Galasso, I think it's being withdrawn for now. There is a resolution relative to Mr. Zilnicki. There is a hearing tonight with reference to Mr. Schlegel and Brasby's has already been done.

We're now at that portion of the agenda where we will choose to address the Town Board on any matter. I would add, if you are here with reference to a matter that is the subject of a public hearing with reference to the parking or with reference to the application of Mr. Schlegel, please hold your comments until those public hearings are called. If you're now here to address the Town Board, it's your opportunity to do so."

Steve Haizlip, Calverton; "Mr. Supervisor and members of the Town Board, I have read in Newsday on the 27th of May, where the full assessment for the town, and the veterans wouldn't be able to get the exemption due to the fact that there's revaluation of the town. I wrote to the State Equalization Board and I'd rather read from that because I've got the wire here. Now, it looks like the Town Board has an option to have a permissive referendum to mail out a ballot to get the veterans exemption after our town taxes. Now, what it looks like to me is, how come the tax can be higher, but veterans not have the maximum?"

Supervisor Smith: "Mr. Haizlip, that would be a function of homerule, the assemblymen and senators represented us as Suffolk County proposed. The particular state legislation that would apply is in committee on the veterans exemption, as you know. Earlier in the year, as a request of some of our local veterans groups, this Town Board did pass a resolution supporting this legislation. It would equalize the veterans exemption in accordance with the full value assessing what is generally called

PERSONAL APPEARANCES - continuedSupervisor Smith continues

for in the State of New York for the Town of Riverhead and the other jurisdictions. Where the veterans are affected, in the Town of Riverhead, full value assessing will not have an impact on your tax bill this year, will not have an impact upon your tax bill next year until the bill that you have paid in the summer of 1980. Whatever legislative action must be taken with reference to that tax bill, if this one member of the Town Board is going to be here, I would support it. That is a sense of the resolution that was previously adopted by the Town Board and I believe it was unanimously adopted."

Steve Haizlip: "I understand that the Town Board has already taken action to (the rest was inaudible due to the malfunction of the tape recorder)."

Supervisor Smith: "(Inaudible) by resolution with reference to the initiative Sir at the time (inaudible) on resolution (malfunction of machine) Mr. Cohalan to seek the necessary legislation (inaudible) permit a (inaudible) in the veterans exemption with the full value assessing. I can't speak for the rest of the Board, but as one member of the Board, whatever (inaudible) legislation needs to be done, at this level, I would vote for."

Steve Haizlip: "Before I leave, would you and the members of the council be interested in (the rest inaudible due to malfunction of tape recorder machine)."

Supervisor Smith: "Yes Sir. Mr. Saxtein we'll (inaudible) Thank you Sir."

Dick Benedict, Fanning Blvd; spoke about the drainage problems on Fanning Blvd. and to date he hasn't seen anything being done, and to get rid of the sand in there, etc.

Supervisor Smith: "I took — I forget how many people are over there (could not transcribe due to malfunction of tape recorder) and I had (inaudible) to take the field that we were going to use for the new road pump station (inaudible) are not going to let us do it. I don't know the stories he's telling you, but Zahn Williamson was with me. (inaudible due to malfunction of machine)."

RESOLUTIONS - continued

Dick Benedict: (Inaudible due to the malfunction of the tape recorder machine), they don't know what they want to do there, (inaudible) and the County wants to do another thing." (He went on, but the rest was inaudible).

Supervisor Smith: "(Inaudible) such time as it is determined (inaudible) the Town (inaudible) or otherwise we can't just take the bulldozer in there and do it."

Dick Benedict made a statement, but due to the malfunction of the tape recorder could not be transcribed.

Supervisor Smith: "If you want to talk to Mr. Hurley (then it was inaudible for a short while), they didn't want the big machine in there. They didn't want to give us the (inaudible) that we're going to take out of there and put over on the (inaudible). Conversely we are working with reference to drainage specifications to the north of you. We happen to have the property that is known as 500 Doctors Path. We happen to serve the five of the (inaudible) for the purposes of drainage. (Inaudible due to malfunction) we're negotiating for an expansion of the sump at (inaudible) and there will probably be other drainage facilities proposed by the engineers with reference to the (inaudible) and with reference to the (inaudible due to malfunction)."

Dick Benedict: (Due to the malfunction of the machine, could not transcribe). Is that what you're doing?"

Supervisor Smith: (Inaudible due to tape recorder malfunction). We have told you we will do it. We just can't get permission from these people, they won't let us in there."

Dick Benedict: (Inaudible due to the malfunction of the tape recorder Superintendent from the Suffolk County (the rest was inaudible)."

Supervisor Smith: "(Inaudible due to malfunction of the tape recorder) the change which I doubt they're going to do without some (inaudible) from Mr. Hurley or from the County of Suffolk."

PERSONAL APPEARANCES - continued

Dick Benedict: "Mr. Hurley is the Legislator. I mean somebody from the County who (the rest was inaudible)."

Supervisor Smith's statement was inaudible due to the malfunction of the tape recorder.

Dick Benedict: "(The beginning was inaudible due to the malfunction of the recorder) it's ridiculous. It's not even a sump."

Supervisor Smith: "The beginning inaudible). We have offered to use the Town machinery and the Town (inaudible) even though it is a County responsibility. They just won't give us the permission. (The rest was inaudible due to malfunction),

Charles Cuddy, Attorney for Riverhead Automotive Deliveries; "Mr. Supervisor and Members of the Town Board. I came on behalf of the application that is before you on Riverhead Automotive Deliveries (a little bit inaudible) a gas station at 689 West Main Street. This application has previously been before you by another application, Mr. Stevenot in 1977. At that time, the Board granted to Mr. Stevenot of Peconic Excavators a two-year special permit and that permit would be up in the first week in October of this year. And we ask at this time two things. First that there be a public hearing called so that my client who is being represented by Mr. Piazza, who is the principal of (a little bit inaudible) of Riverhead (this also is inaudible). We ask that you call a hearing for a public hearing so that we can have a special permit. We also ask at this time, that an existing permit be transferred or that you permit us to use that premises for a gasoline service station from this date until October. If no one on the Board objects, I would appreciate your allowing us to use that service station. Mr. Piazza is in a position where he can get the gasoline (inaudible) and he would very much like to do that,"

Supervisor Smith: "I (a little bit inaudible) the way you put that in the negative. We all sit here quietly and you go home and assume that we gave you permission."

Charles Cuddy: "I (a little bit inaudible) this because this is unusual prediction (inaudible) in the ordinance and (inaudible) that the second permit is a personal permit. In this case the (inaudible) , who is Mr. Stevenot (inaudible)

PERSONAL APPEARANCES - continued
as the 31st of August. So we're in a position (inaudible)
of (inaudible) to operate it as it was operated."

Supervisor Smith: "We assume that your request, it
contains all the provisions whatever they were that were
imposed upon Mr. Stevenot (the rest is inaudible)."

Charles Cuddy: "That's right. (the rest inaudible)."

Councilman Lombardi: "Can you get gas?"

Charles Cuddy: "Yes."

Supervisor Smith; "(the beginning inaudible) operating
(inaudible) procedure until such time as there is a public
hearing to consider his own request for a special permit to
operate."

Charles Cuddy: "Incidentally, we have been (this little
bit is inaudible) to the Planning Board (inaudible) go
there last week. We've already gone,"

Supervisor Smith: "(Inaudible)."

Charles Cuddy: "(Inaudible)."

Supervisor Smith: "Why don't you give us a moment
to consider it and we'll take it up with the resolution
section, okay."

Charles Cuddy: "Thank you."

Supervisor Smith: "Yes Sir."

Edward Harris, 1121 Ostrander Avenue, Riverhead;
Asked if the Town Board has any intention what-so-ever in
presenting the Veterans exemption referendum on the November
ballot.

PERSONAL APPEARANCES - continued

Supervisor Smith: "(The beginning inaudible) Mr. Saxtein has in front of him terms of the enabling legislation. There were several rules that were (inaudible) before the state legislature, before the juror (inaudible) subject to (inaudible) signature. Would you take a look at it for a moment. If you would while we're dealing with some of these other hearings, I can answer it once I've looked at the enabling legislation."

Edward Harris: "(The beginning inaudible) Mr. Saxtein, (inaudible) subject to permissive referendum."

Supervisor Smith: "If I could (inaudible) for a second (this is inaudible) . Is there anybody who has a question on the agenda. We will listen to anyone choosing to address the Town Board."

No one wished to be heard at this time.

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 hear all interested persons regarding the proposed amendments to the Town Code, which pertain to the addition to Chapter 101, Article 5, Section 101-16, Parking Fields, to be held on Tuesday, August 7, 1979 at 8:00 P.M. The affidavits were ordered to be placed on file.

Supervisor Smith: "We would add to the particular section that Mrs. Pendzick mentioned. Parking Fields, as follows: The Town Board may, by resolution, adopt such regulations as it may deem just and proper for the regulation of parking, stopping and standing in public parking fields. Such regulations may include, but are not limited to, restrictions on the time parking stalls may be occupied, and the length of time they may be occupied. Such regulations, when adopted, shall be on file with the Town Clerk for public inspection. Enforcement of said regulations shall be conditioned upon proof of signing and or striping in the regulated parking fields, so as to provide reasonable notice of the subject regulations.

(The beginning is inaudible) that are familiar with

PUBLIC HEARING - continuedSupervisor Smith continues:

the parking fields in the village of Patchogue, in the (inaudible) similar to what has been considered by the Town Board in this amendment. In other words, what we have is a public parking (inaudible) in those areas where there are public parking fees and (inaudible for a while) consumer parking available to (inaudible a while) the very source of (inaudible). We find, unfortunately, that under the (inaudible) of (inaudible) others who are not, for instance, who are not here to (inaudible) but to merely park (inaudible) in that public parking facilities that were created for the purpose of (inaudible). The idea of the hearing (inaudible) certain parking stalls most immediately adjacent to the commercial establishments adjoining the (inaudible a little while) with certain (inaudible) regulations, the one, for instance, that as used in Patchogue to indicate that there is no parking before 9:30 (inaudible) and the employees of the store owners from working in the stalls most immediately next to the stores and that there be a (inaudible) for the use of those (inaudible). The (inaudible) requires some unfortunate problems, but we will — we're talking here about regulations rather than doing this with ordinances, for instance, there was difficulties and fortunately we could change, for instance, the parking meters, things of that particular nature (inaudible) should this particular amendment to our Town Code be adopted.

Is there anyone present in the room who would choose to address this particular amendment? Nobody? Mr. Tytell? I would add that (inaudible a little bit) that has not necessarily affiliated with the Chamber of Commerce or the (inaudible) association that has the (inaudible) the various alternatives (inaudible) considerations in putting this ordinance on for public hearing on for tonight. Mr. Tytell?"

Paul Tytell, Manager of Sears & he also represents the Parking Committee of the Chamber of Commerce; "I've discussed this with Allen and I want to make it known to the entire Board the feeling of the downtown merchants. The Parking is absolutely essential to our business and the viability of the downtown area. So the Chamber who (inaudible) supports the (inaudible) program of restricting parking. The customer pays our salaries. The customer pays our taxes, and there is a substantial tax base down there. So I just wanted to express the downtown merchants, as well as the chamber. Our support for whatever legislation is necessary to restrict parking to have the jurors, the employees park elsewhere and (inaudible) with retail customers that made that downtown valuable, that pay our salaries, that pay our taxes. Thank you."

PUBLIC HEARING - continued

Supervisor Smith: "Thank you Mr. Tytell. Anybody else choosing to address the Town Board on this particular topic? I'm sure just as soon as the red stripes go out and the tickets (inaudible) all sorts of people will come out of the woodwork and our (inaudible) police officers (inaudible). Yes, Mrs. Hoff?"

Marie Hoff, Wading River; "Is the two hour limit only in certain areas?"

Supervisor Smith: "The beginning (inaudible) Mrs. Hoff (inaudible) similar to what is used in Patchogue there, there is no parking before 9:30 and a two hour limit in those parking stalls. We're talking about primarily the group that Mr. Tytell has been involved with (inaudible this little bit) in each of the (inaudible) if you will behind the stores. It is a substantial number of (inaudible) when you add up each (inaudible). It is a little more than six stalls when you get down and talk about the parking lot to the west of Griffing Hardware and when you talk about (the tape ends) . . . where we change things by resolution and (inaudible) post notices of the parking regulations in the areas where they would be enforced (inaudible a little bit) to the Town Board and to the Police Department (inaudible) to regulate surveyors (inaudible) might appear. Anybody else on this one?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:06 P.M.

Supervisor Smith: "What I would like to do is to take a brief break to consider Mr. Cuddy's request. Let's see if I can read this quickly."

Supervisor Smith recessed the meeting after which a public hearing was held.

PUBLIC HEARING - 8:15 P.M.

The Town Clerk submitted affidavits of publishing and posting of public notice that a Public Hearing will be held on Tuesday, August 7, 1979 to hear all interested persons regarding the Special Permit application of Frank Schlegel, to construct a warehouse and storage yard located on the north side of Route 25, Calverton.

The affidavits were ordered to be placed on file.

PUBLIC HEARING - continued

Supervisor Smith: "The property that is subject to this public hearing is on the north side of Route 25. It is to the east of, I believe, it's the Sunoco Station at the intersection of 25A and 25 and to the west of Timber Drive. Mr. Schlegel proposes to build a building at that particular location and that is an industrial zone, I believe, for the storage of certain, of heavy duty equipment. Is there anybody here this evening who wishes to testify before or against the application of Mr. Schlegel for this facility? If no one wishes to . . ."

Dottie Jermusyk, Route 25, Calverton; "I've gotten numerous calls from my neighbors concerning this application. The chief concern seems to be noise. As you know, we have our share of noise in this Town with Grumman across the street. The concern there is, is this gentleman going to come in like 12:00 in the morning and rev up a half a dozen bulldozers or perhaps at 7:00 at night decide to (inaudible) or whatever you do to repair bulldozers. So this seems to be the concern with residents of Timber Park."

Supervisor Smith: "All right. Then I would also assume you would want certain screening, fencing and hours of cooperation if it were granted?"

Anyone else with reference to the application of Mr. Schlegel? If there is no one else who wishes to offer testimony with reference to this public hearing, I will declare the hearing closed and point out that the Town Board in acting upon Mr. Schlegel's application will take into consideration the Planning Board's recommendations, our own knowledge and (inaudible) of the particular area (inaudible)."

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.

Supervisor Smith: "(The beginning is inaudible) is before me which is the actual law, which is the gentleman who's next to you, refers to (this little bid inaudible) is that at such time as full value assessing were to come to the Town of Riverhead which (this is inaudible) in April or May of the year 1980, a local law would be (this is also inaudible). (This is inaudible) veterans of the Town of Riverhead (this is also inaudible) a local law (inaudible) is subject to permissive referendum thirty days after that local

PERSONAL APPEARANCES - continuedSupervisor Smith continues:

were to be adopted by the Town Board and if it were not challenged by anyone with a petition for (inaudible) on the (inaudible) it would be law in the Town of Riverhead. I cannot tell you that I would even be here next year, but if I am, I would certainly support a resolution for such a local law and the adoption of the same. But as I say we don't know that until later on this year and into next year. This year on this roll, '79-80 roll fractional evaluation applies (inaudible a little bit) before you have this year. Yes Sir."

Steve Haizlip: (Statement inaudible).

Supervisor Smith: (Statement inaudible).

Steve Haizlip: (Statement inaudible).

Supervisor Smith: "Yes Sir."

Steve Haizlip: (Statement inaudible).

Supervisor Smith: "I would suggest if (inaudible) that they not wait until thirty days immediately prior to the (inaudible) which occurs (the rest is inaudible). Yes Sir."

Ed Harris: "Is there anything that states that legislature must be enacted thirty days prior (this little bit inaudible) six months. (The rest was inaudible)."

Supervisor Smith: "(The beginning is inaudible) there is full valuation (inaudible) at this point."

Ed Harris: (His statement inaudible).

Supervisor Smith: "We're at it (little bid inaudible) if George (the rest is inaudible)."

Unidentified Speaker: (inaudible)

PERSONAL APPEARANCES - continued

Supervisor Smith: "(The beginning is inaudible) that such a local law (inaudible) with the other members of the Town Board and if they wish to do it prior to November that's all right. Any other questions of fractional full value assessing or anything else? (Inaudible a little bit) stand there that long."

Unidentified Speaker: (Statement inaudible).

Supervisor Smith: "Yes Sir."

Lt. Larry Grattan: "On behalf of the Police Department, Mr. Smith, I would just like to question the fireworks applications. For instance, as the 4th of July thing, they do cause some problems for us and (inaudible) to possibly restrict the area of the 4th of July (inaudible). The last one is for the race track, it's the end of August."

Supervisor Smith: "(A few sentences inaudible). All right. Anybody else on this portion of the agenda. Mr. Cuddy if we determine whether or not this special permit of Mr. Stevenot (inaudible) would you (inaudible)."

Charles Cuddy: "Yes."

Supervisor Smith: (Inaudible).

Charles Cuddy: (Inaudible).

Supervisor Smith: "All right. Mrs. Tormey, yes, yes thank you. Anybody else, we'll start with resolutions."

Supervisor Smith recessed the meeting after which the meeting resumed.

RESOLUTIONS

#356 TERMINATES SERVICES TEMPORARY LABORER - HIGHWAY DEPT.
Councilman Young offered the following resolution
which was seconded by Councilman Regula.

BE IT RESOLVED, That the employment of Donald Harris, Temporary Laborer in the Highway Department, be and is hereby

RESOLUTIONS - continued
 terminated, effective July 27, 1979.

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

The resolution was thereupon declared duly adopted.

#358 RESCINDS RECREATION AIDE - RECREATION DEPARTMENT
 Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

WHEREAS, Regina White was appointed Recreation Aide effective July 2, 1979 to and including August 10, 1979 and,

WHEREAS, Regina White has indicated her inability to serve,

BE IT, THEREFORE RESOLVED, That the appointment of Regina White made in a Town Board Resolution under date of June 5, 1979, be and is hereby rescinded.

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

The resolution was thereupon declared duly adopted.

#359 AUTHORIZES STANDBY PAY FOR DETECTIVES

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

BE IT RESOLVED, That the following authorizes standby pay for Detectives as per current PBA contract for the period January 1, 1979 to June 30, 1979. (Less recall days).

1. Boden, H.	35 days	\$347.11
2. Palmer, W.	48 days	495.02
3. Summerville, A.	40 dyas	412.52
4. Underwood, R.	34 days	<u>381.65</u>

TOTAL \$1,646.30

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

The resolution was thereupon declared duly adopted.

#360 APPOINTS LABORER - HIGHWAY DEPARTMENT

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

WHEREAS, A vacancy exists in the Highway Department

RESOLUTIONS - continued

for a laborer,

WHEREAS, William Jermusyk has applied for the position,

NOW, THEREFORE, be it

RESOLVED, That William Jermusyk be and he hereby is appointed to the position of Laborer in the Highway Department for a probationary period of eight (8) weeks to be automatically renewed to a probationary period of six (6) months at the annual base salary of NINE THOUSAND FOUR HUNDRED THIRTY-NINE and 23/100 DOLLARS (\$9,439.23) effective July 30, 1979.

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

The resolution was thereupon declared duly adopted.

#361 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR SNOW FENCE - 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 10,000 feet of snow fence for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A.M. on August 21, 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 August 21, 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 Snow Fence".

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

The resolution was thereupon declared duly adopted.

#362 AUTHORIZING PUBLIC AUCTION FOR SALE OF ABANDONED VEHICLES & USED SURPLUS POLICE VEHICLES

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

WHEREAS, the Riverhead Town Impound area is overcrowded with unclaimed or abandoned vehicles, pursuant to Vehicle and Traffic Law Section 1224, and rules and regulations pursuant thereto, and

WHEREAS, the Riverhead Police Department has five (5) used, surplus police vehicles,

NOW, THEREFORE, be it

RESOLUTIONS - continued

RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Public Auction for sale of said vehicles, and conspicuously post said Notice in at least three (3) public places in Riverhead, at least six (6) days before said sale on August 18, 1979 at 9:00 A.M. o'clock, at the Town Impound Area, Route 58, Riverhead, New York.

RIVERHEAD POLICE DEPARTMENT AUCTION

		Color	
AV-01	1970 Volkswagon	Yellow	VIN 1102771392
AV-02	1974 Dodge	Brown	WH23G4A261476
AV-03	1967 Chevrolet	Green	164697T239804
AV-04	1967 Dodge	Blue	LL41A72129655
AV-05	1975 Datsun	Yellow	HLB210599960
AV-06	1970 Oldsmobile	Gray	342570G106554
AV-07	1969 Buick	Brown	454379Y148648
AV-08	1972 Chevrolet	Brown	iL69H2T275646
AV-09	1966 Chevrolet	Gray	168376T231621
AV-10	1973 Ford Van	Blue	E34BHQ81800
AV-11	1972 Ford	Blue	2T10X148806
AV-12	1970 Chevrolet	Gold	164360T132918
AV-13	1971 American Motors	Green	ALSO60E705091
AV-14	1969 Opel	Tan	399166649
AV-15	1967 Plymouth	Brown	PH23F276238088
AV-16	1968 Ford	Green	8E60F232392
AV-18	1971 Ford	Yellow	1E74Y110469
AV-19	1970 Datsun	Blue	PL1510099549

ALSO TO BE AUCTIONED

1.	1977 Ford LTD (Police Car)	7B63C209149
2.	1977 Ford LTD (Police Car)	7B63C209145
3.	1977 Ford LTD (Police Car)	7B63C209150

RESOLUTIONS - continued

It also reserves the right to hold any and all bids open for a period of thirty (30) days from the date of opening. All bids must be in a sealed envelope clearly marked to show the item or items bid.

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

The resolution was thereupon declared duly adopted.

Supervisor Smith: "The ones that we have already, I assume, this one is going to be compatible, it's the same price (the rest is inaudible)."

Irene J. Pendzick: "We have the specs (inaudible) by the Town Attorney."

Supervisor Smith: "Is it the same as the others?"

Unidentified Speaker: (Inaudible).

Supervisor Smith: "Isn't there a state contract price on those? Someone should (the rest inaudible)."

#364 AUTHORIZES OVERTIME COMPENSATION - SANITATION DEPARTMENT
Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

RESOLVED, that the following employees of the Sanitation Department be compensated at time and one-half for overtime worked overhauling Michigan 275B payloader, as listed below:

Frank Columbus

7/24/79	10 hours		
7/25/79	10 hours		
8/01/79	10 hours		
	<u>30 hours</u>	@	\$ 9.525 \$285.75

Edward Gadzinski

7/21/79	8 hours
7/22/79	8 hours
7/24/79	2 hours
7/25/79	2 hours

RESOLUTIONS - continued

7/30/79	3	hours		
8/01/79	3	hours		
8/02/79	3	hours		
8/03/79	3	hours		
8/04/79	7	hours		
8/05/79	3	hours		
	<u>42</u>	hours	@ 10.305	\$432.81

TOTAL AMOUNT \$718.56

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

The resolution was thereupon declared duly adopted.

#366 GRANTS FIREWORKS PERMIT TO JAMESPORT FIRE DEPARTMENT
Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

WHEREAS, Jamesport Fire Department has applied for a permit for display of fireworks to be held at South Jamesport Avenue, Jamesport, New York, on the evening of the 28th day of July, 1979, and

WHEREAS, said applicant has filed with the Town Clerk a Certificate of Insurance naming the Town of Riverhead with a coverage limit of \$1,000,000 for Public Liability and \$1,000,000 for Property Damage, and a sketch showing location where the fireworks are to be discharged by Zambelli Fireworks, the firm in charge of setting off said fireworks, and Tony Capicotti and Frank Letteri.

WHEREAS, The Town Attorney has read and approved all papers filed in this connection, now, therefore,

BE IT RESOLVED, that the Town Clerk be and is hereby instructed to issue a Fireworks Permit for the public display of fireworks to Jamesport Fire Department for the evening of July 28, 1979, and

BE IT FURTHER RESOLVED, That the issuance of said Permit is subject to conditions and provisions as contained in Section 405-Subd. 3 of the State of New York.

Before the vote, Supervisor Smith stated; "Some of the gentlemen at the Jamesport Fire Department, let this particular one slip through the cracks. They contacted Mr. Lombardi, and he went down checked the insurance and the sketch. (This little bit inaudible) approval of a fireworks permit after the fact."

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#367

GRANTS FIREWORKS PERMIT TO RIVERHEAD RACEWAY

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

WHEREAS, the Riverhead Auto Raceway, Inc., has applied for a Permit for a display of fireworks to be held at Route 58, Riverhead, New York, on the evening of the 24th and 31st day of August, 1979, and

WHEREAS, Said applicant has filed with the Town Clerk a Certificate of Insurance naming the Town of Riverhead with a coverage limit of \$1,000,000 for Public Liability and \$1,000,000 for Property Damage, and a sketch showing location where the fireworks are to be discharged by N.Y. Pyrotechnic Products, the firm in charge of setting off said fireworks, and Felix Grucci, Jr. and Al Taylor,

WHEREAS, the Town Attorney has read and approved all papers filed in this connection, now, therefore

BE IT RESOLVED, that the Town Clerk be and is hereby instructed to issue a Fireworks Permit for the public display of fireworks, to: Riverhead Auto Raceway, Inc., for the evenings of August 24th and 31st, 1979, and

BE IT FURTHER RESOLVED, That the issuance of said Permit is subject to conditions and provisions as contained in Section 405-Subd. 3 of the State of New York.

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

The resolution was thereupon declared duly adopted.

#368

AUTHORIZES USE OF GROVE STREET FOR BLOCK PARTY

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

WHEREAS, the Youth Talent Workshop of the South Fork Council for Children and Youth Services have requested the use of Grove Street for a Community Block Party on August 11, 1979, from 6:00 P.M. to 1:00 A.M.,

Before the vote, Supervisor Smith stated; "(Inaudible) the resolution Doc Menendez seconded. Does Grove Street cause any problems (the rest was inaudible)."

Irene J. Pendzick: (Inaudible).

Supervisor Smith: (Inaudible).

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

Before the following resolution was offered Supervisor Smith stated: "Let me explain to the people present that what we'll be doing is dealing with the (inaudible) or elimination of certain of the work in the contracts. There are (inaudible) alternates (the rest of this was inaudible) you subject a curve. It involves (inaudible) consideration that Mr. Scheiner and Mr. Hansen has been working on this afternoon (the rest inaudible). I recommend to the Board, that we can do that (inaudible) as we talked about this morning. There are funds available to us and contract #3 with a total contract price of \$61,717.50 and contract #4 would be \$23,256.00 (the rest was inaudible)"

Irene J. Pendzick: "Do you want to change these?"

Supervisor Smith: "Well the first figure would be \$61,717.50 and then (the rest was inaudible)"

#369 AWARDS CONTRACTS NOS. 3 and 4 - RIVERFRONT PARK
Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, the Town Board has twice advertised for bids with reference to Contract No. 3 of the Riverfront Park Improvement Project and has held Contract No. 4 in abeyance until such time as Contract No. 3 was successfully bid,

NOW, THEREFORE, be it

RESOLVED, that Contract No. 3 of the Riverfront Park Improvement Project be awarded to Hampton Drainage and Paving at a contract price of Sixty-one thousand seven hundred seventeen and 50/100 (\$61,717.50) Dollars, and that Contract No. 4 be awarded to Richards Nursery Inc. for a contract price of Twenty-three thousand two hundred fifty-six (\$23,256.00) Dollars, in accordance with plans, specifications and the directions of our consulting engineers, Holzmacher, McLendon, and Murrell.

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

The resolution was thereupon declared duly adopted.

#370 AWARDS CONTRACT - WADING RIVER PARKING
Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Town Board has advertised for bids for the repaving of the public parking area in Wading River,

NOW, THEREFORE, be it

RESOLVED, that the contract for the paving of the Wading River Public Parking Area be awarded to Central Suffolk

RESOLUTIONS - continued

Paving Incorporated, at a contract price of Twelve thousand five hundred and 00/100 (\$12,500.00) Dollars, in accordance with the plans and specifications on file with the Town Clerk, and the directions of the Town Board's consulting engineers, Young and Young.

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

The resolution was thereupon declared duly adopted.

#371 AUTHORIZES SUPERVISOR TO SIGN CONTRACT WITH DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

WHEREAS, the Supervisor has negotiated with the other four towns of Eastern Suffolk County and the New York State Department of Environmental Conservation, resulting in a proposed contract, a copy of which is filed in the Office of the Town Clerk,

NOW, THEREFORE, be it

RESOLVED, that the Town Supervisor be, and he hereby is, authorized to execute the contract and take those steps necessary for the performance of the same.

Before the vote, Supervisor Smith stated: "I want to explain to those of you present who might be interested in this (inaudible). The (inaudible) of the Town of Riverhead on this particular contract would be the last signature of the five. There are two items that concern the Town Board. Between the time that this project initially conceived and the time (inaudible) signing (inaudible) the contract some things have changed (inaudible for a while) that some change or not (inaudible) the Town Board of the Town of Riverhead to do (the TAPE ENDED). (The beginning is inaudible) and what we will do in execution of this contract is provided (inaudible a bit) to obligate a future Town Board in doing whatever comes (inaudible) it was not intention (inaudible) in the negotiation process. (The beginning inaudible is the (inaudible a bit) the entire (inaudible), etc., taking several weeks and meeting several weeks and meeting several deadlines that are coming up on us. The consequence there is in this contract that we have before us certainly (inaudible) that we have never seen certain agreements between the federal government and the state department with reference to this particular site. The (inaudible) also said that our signatures and cooperation in this effort is (inaudible) upon those documents that are (inaudible) of the same."

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#372

GRANTS SPECIAL PERMIT TO MAGEE SERVICE

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

WHEREAS, Magee Service, Inc., has applied to the Town Board of the Town of Riverhead by letter dated April 24, 1979 for a special permit pursuant to section 108-51 (A) of the Town Code to install a ten thousand (10,000) gallon below ground fuel tank at their present place of business located on the south side of County Route 58 between Woodcrest Avenue and Osborn Avenue in the Town of Riverhead, and

WHEREAS, this application was referred to the Planning Board on May 2, 1979, and

WHEREAS, the Planning Board by resolution dated July 6, 1979 recommended that the Town Board grant this special permit application of Magee Service, Inc., to install a ten thousand (10,000) gallon below ground fuel tank with the following conditions:

- (1) the tank be coated with black asphaltum;
- (2) the tank be properly vented and installed according to the provisions of the National Fire Code, and

WHEREAS, a public hearing was held before the Riverhead Town Board on July 17, 1979, at 8:15 P.M., wherein no opposition was held concerning this special permit application of Magee Service, Inc., now, therefore, the Town Board makes the following findings:

(1) the real property which is the subject of this application is zoned Industrial A. Fuel storage at this location is a pre-existing, non-conforming use and the addition of a ten thousand (10,000) gallon underground tank will not extend the use more than twenty-five (25%) per cent.

(2) Proposed storage tank is to be of one-quarter inch thick steel (gauge two) which is an excess of the usual storage tank of gauge seven.

(3) That due to the present supply conditions throughout the petroleum industry, additional storage facilities for the retail sale of home heating fuel will be a benefit of the health, safety and welfare of the community.

NOW, THEREFORE, be it

RESOLVED, that the application of Magee Service, Inc. to install a ten thousand (10,000) gallon below-ground tank on land owned by it on the southerly side of Route 58 between Woodcrest Avenue and Osborn Avenue in the Town of Riverhead, New York be granted subject to the following conditions that:

RESOLUTIONS - continued

- (1) the tank be coated with black asphaltum;
- (2) the tank be properly vented and installed according to the provisions of the National Fire Code.

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

The resolution was thereupon declared duly adopted.

#373 GRANTS SPECIAL PERMIT FOR TYPE 6 CAMP, SUBJECT TO
CONDITIONS

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

WHEREAS, Edward Zilnicki has applied to this Town Board for a special permit to utilize a trailer as a Type 6 Camp pursuant to the provisions of section 108-21(B) (5) of the Code of the Town of Riverhead on lands owned by himself on the west side of Roanoke Avenue 1,763 feet south of the intersection of Roanoke Avenue and Sound Avenue, New York, and

WHEREAS, this application was referred to the Planning Board which made no recommendations on this application, and

WHEREAS, a public hearing was held on this special permit application at which hearing all persons wishing to give testimony for and against the application were heard, and

WHEREAS, the Town Board has considered the above and has further considered the facts and circumstances relating to this application by investigation and through their own knowledge of the lands and uses subject to the application,

NOW, THEREFORE, the Town Board does make the following findings:

FIRST: The real property which is the subject to this application is zoned Agricultural A. A Type 6 Camp (as defined in Section 108-3 of the Code of the Town of Riverhead), is a special permitted use in the Agricultural A Zone. The granting of such a special permit is governed by the further provisions of Section 108-3.

SECOND: The land, which is the subject of this application, is prime farmland. This designation has been made by various State, County and Federal agencies. These agencies have declared the preservation of these lands as farmland to be a matter of public policy and priority. The use of this land for farming is dependent upon its economic viability to the farmer. By reasons of certain changes in the farm economy, the subject land can and will be used more profitably for the production of green crops than the production of potatoes. Green

RESOLUTIONS - continued

crops cannot be produced without a reliable source of hand labor. Experience in the production of green crops demonstrates that the required labor force is best supplied by a resident building under the immediate supervision of a resident farmer. Denial of the subject application might preclude the economic use of the subject land as farmland and, therefore, its eventual loss as open space.

THIRD: The Town Board finds that the best interest of the public as a whole can be satisfied by granting the application of Edward Zilnicki subject to certain conditions,

NOW, THEREFORE, be it

RESOLVED, that the application of Edward Zilnicki to utilize a trailer as a Type 6 Camp on certain land owned by him on the easterly side of Roanoke Avenue, Riverhead, New York, be granted subject to the following conditions that:

- (1) the trailer be set back from Roanoke Avenue one hundred and fifteen (115) feet;
- (2) occupancy of the trailer shall be limited to 4 persons employed on the farm of the applicant, or his successor. Occupancy shall be permitted only from March 1st to November 31st. There shall be no rentals of this trailer. The trailer shall be subject to at least an annual inspection by the Building Department of the Town of Riverhead. Said trailer shall at all times comply with the conditions of this special permit and all other applicable laws, ordinances, and rules governing its use and occupancy.

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

The resolution was thereupon declared duly adopted.

#374 ADOPTION OF LOCAL LAW #1-1979

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

WHEREAS, the Town Board of the Town of Riverhead has duly published and posted proposed Local Law 31-1979, authorizing the Building Inspector, the Zoning and Building Administrator and Fire Inspector to issue appearance tickets for violations of the Town Code, and

WHEREAS, a public hearing was held on the proposed local law on July 17, 1979 at 8:00 o'clock P.M., before the Town Board of the Town of Riverhead, wherein no opposition was voiced to said proposed Local Law,

RESOLUTIONS - continued

NOW, THEREFORE, be it

RESOLVED, that local law #1-1979 is hereby enacted by the Town Board of the Town of Riverhead as follows:

Pursuant to the provisions of the Municipal Home Rule Law, the Building Inspector, the Zoning and Building Administrator, and the Fire Inspector are hereby authorized to issue an appearance ticket as defined by section 150.10 of the Criminal Procedure Law for violations of those sections of the Town Code of the Town of Riverhead over which they have jurisdiction.

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

The resolution was thereupon declared duly adopted.

Before the following resolution, Supervisor Smith stated: "We've negotiated contracts and leases for projects of Tidewoods, Manor Lane and other various and sundry places about Town. This notice will appear in the News-Review in its edition on Thursday. Is anybody particularly interested in hearing the legal notice read. It's available with Mrs. Pendzick, should anybody wish to read it."

#375 AUTHORIZING PUBLICATION AND POSTING OF THE FOLLOWING NOTICE

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

WHEREAS, Contracts of sale and/or lease, and/or easement have been negotiated between the Town of Riverhead and the owners of the properties described in the following Public Notice in order to provide drainage facilities,

NOW, THEREFORE, be it

RESOLVED, That the Supervisor, Town Clerk, and Town Attorney be and they hereby are authorized to publish and post the following notice and further are authorized to execute said contracts upon the passage of the requisite period of time.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to section 11(A) of the Town Law, the Town Board of the Town of Riverhead by resolution adopted August 7, 1979 authorized the execution of the following contracts for the purchase and/or lease of real property and/or easements therein which are subject to permissive referendum upon petition as is provided by section 90 et seq., of the Town Law. Said resolution authorized the following contracts for the purchase of interests in real property in order to provide drainage facilities:

RESOLUTIONS - continued

An agreement between the Town of Riverhead and John P. Kujawski & Sons, Inc., for the lease of approximately one (1) acre of property located on the east side of Manor Lane approximately one (1) mile north of State Route 25 in the Hamlet of Jamesport, Town of Riverhead, for the purpose of drainage. It is proposed that the cost of acquisition (cost to be determined) be paid from drainage bonds funds of the Town of Riverhead.

An agreement between the Town of Riverhead and Marguerite W. Weir, the North Fork Bank and Trust Company, as trustees under the will of James E. Weir, deceased, and James E. Weir III for the purchase of real property located on the easterly side of Manor Lane, approximately 3/4 of a mile north of State Route 25, in the Hamlet of Jamesport in the Town of Riverhead comprised of two parcels totaling approximately 16.7 acres for a total purchase price of \$62,790.00. It is proposed that the cost of acquisition be paid by drainage bonds funds of the Town of Riverhead.

An agreement between the Town of Riverhead and Kenneth and Susan Wind for the purchase of a twenty foot wide drainage easement on the property located on Highview Drive in the Tidewoods Subdivision in the Hamlet of Wading River in the Town of Riverhead. The cost of the drainage easement shall be \$0.00. It is proposed that the cost of acquisition of this easement be paid by drainage bonds funds of the Town of Riverhead.

An agreement between the Town of Riverhead and Ralph and Nancy DeLucia for the purchase of a twenty foot wide drainage easement on the property located on Highview Drive in the Tidewoods Subdivision in the Hamlet of Wading River in the Town of Riverhead. The cost of the drainage easement shall be \$0.00. It is proposed that the cost of acquisition of this easement be paid by drainage bonds funds of the Town of Riverhead.

An agreement between the Town of Riverhead and John and Elizabeth Ottaviano for the purchase of a twenty foot wide easement on their property located on the corner of Highview Drive and Plainview Drive in the Tidewoods Subdivision in the Hamlet of Wading River in the Town of Riverhead. The cost of the drainage easement \$0.00. It is proposed that the cost of acquisition of this easement be paid by drainage bonds funds of the Town of Riverhead.

RESOLUTIONS - continued

An agreement between the Town of Riverhead and Alexander Horton for the purchase of a twenty foot wide easement on his property located on South Road in the Beverly Hills Subdivision in the Hamlet of Wading River in the Town of Riverhead. The cost of the drainage easement shall be \$0.00. It is proposed that the cost of acquisition of this easement be paid by drainage bonds funds of the Town of Riverhead.

An agreement between the Town of Riverhead and Lloyd DeFriest, as executor of the Estate of Otto B. DeFriest, for the purchase of approximately two acres of property upon the easterly side of Osborn Avenue approximately 900 feet north of Reeves Avenue in the Town of Riverhead. The cost of the properties, which would be used for drainage, shall be \$3,600.00 per acre. It is proposed that the cost of acquisition of this easement be paid by drainage bonds funds by the Town of Riverhead.

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

The resolution was thereupon declared duly adopted.

#376 DIRECTS TOWN ATTORNEY RE: ARTICLE 78 PROCEEDINGS
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, the Town Board of the Town of Riverhead and James DeLuca and Raymond Wiwczar, Building and Zoning Administrators of the Town of Riverhead, have been named as respondents in an Article 78 proceeding captioned Eugene H. Bailey et al. v. Allen Smith, et al.

NOW, THEREFORE, be it

RESOLVED, that Henry S. Saxtein, Town Attorney, and Peter S. Danowski, Deputy Town Attorney, are hereby authorized to defend the Town in the Article 78 proceeding captioned Eugene E. Bailey, et al. v. Allen Smith, et al., and be it

FURTHER RESOLVED, that Supervisor Allen M. Smith is authorized to answer said action on behalf of the Town Board of the Town of Riverhead and on behalf of Raymond Wiwczar and James DeLuca, Building and Zoning Administrators.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#377

SUPERVISOR AND TOWN ATTORNEY AUTHORIZED TO INSTITUTE
LEGAL PROCEEDINGS RE STATE BOARD OF EQUALIZATION AND
ASSESSMENT

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

RESOLVED, that the Town Supervisor and Town Attorney are hereby authorized to institute whatever legal proceedings are determined necessary to seek a review of the State Board of Equalization and Assessment's determination dated June 19, 1979, which determination did, in fact, prove and confirm a report and recommendation of hearing officer dated June 4, 1979, and which determination did further determine that a Suffolk County Legislature fairly and equitably determined the equalization rate on November 10, 1977.

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

The resolution was thereupon declared duly adopted.

#378

GRANTS USE OF GRANGEBEL PARK FOR CONCERT

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

WHEREAS, Townscape, Inc., and the Eastern Suffolk School of Music have scheduled a concert featuring Kirby Jolly's American Concert Band and the Suffolk County Show Mobile for the evening of August 17, 1979 at Grangebél Park in Riverhead, and

WHEREAS, Townscape, Inc., and the Eastern Suffolk School of Music have requested permission from the Town of Riverhead for the use of Grangebél Park for this concert,

NOW, THEREFORE, be it

RESOLVED, That Townscape, Inc., and the Eastern Suffolk School of Music may use Grangebél Park for a concert on the evening of August 17, 1979, and be it

FURTHER RESOLVED, That the Town Board of the Town of Riverhead authorizes the purchase of additional liability insurance for this concert on August 17, 1979.

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

The resolution was thereupon declared duly adopted.

#379

AUTHORIZES TOWN ATTORNEY TO DEFEND PARTIES IN
STELLA MENON LAWSUIT

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

WHEREAS, The Town of Riverhead, Riverhead Town Police, Riverhead Town Police Sergeant Grossman, Riverhead Town Sergeant Grattan and Stella Brant, Court Clerk of the Justice Court, have

RESOLUTIONS - continued

been named as defendants of a suit by Stella Menon,

NOW, THEREFORE, be it

RESOLVED, That the Town Attorney of the Town of Riverhead is authorized to defend the above named parties in this baseless action.

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

The resolution was thereupon declared duly adopted.

#380 APPOINTS AUTOMOTIVE MECHANIC - MUNICIPAL GARAGE

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

WHEREAS, Michael Sendlewski has satisfactorily completed his six month probation period,

NOW, THEREFORE, be it

RESOLVED, That Michael Sendlewski be and he hereby is appointed permanently to the position of Automotive Mechanic at the Municipal Garage at the annual base salary of TEN THOUSAND NINE HUNDRED SIXTY THREE AND 90/100 (\$10,963.90) effective July 29, 1979.

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

The resolution was thereupon declared duly adopted.

#381 FURTHER APPROVES SITE PLAN FOR PRO-PUTT GOLF

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

WHEREAS, On numerous prior occasions a site plan for certain facilities, known as the Pro-Putt Golf Course on the north side of County Road 58, has been reviewed by this Board, resulting in a resolution of this Board on the 10th day of April, 1979, approving said site plan, and

WHEREAS, The terms and conditions of said site plan approval, as shown in the prior resolution by notations of the Supervisor thereon have been professionally drawn on a site plan, entitled: Site Plan Prepared for Pro-Putt Golf at Aquebogue, Town of Riverhead, Suffolk County, New York, last dated July 26, 1979, by Howard W. Young, and

WHEREAS, One change exists from the prior approved site plan, in that the applicant has obtained permission from the County of Suffolk to drain the most northerly parking stalls into the Suffolk County swale to the east of the subject premises,

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby approve the site plan for Pro-Putt Golf, last revised, July 26, 1979, and the same shall remain subject to such further resolutions of the Town Board as may be just and proper in the circumstances.

RESOLUTIONS - continued

Supervisor Smith: "Mr. Benedict would you like to see a copy of this latest draft before we vote on it?"

Dick Benedict: "Yes."

Supervisor Smith: "We'll hold that as being moved and seconded and we'll take a vote in a few moments."

(See the vote for this resolution on page 719.)

#382 SITE PLAN OF SUFFOLK COUNTY NATIONAL BANK APPROVED
Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Code of the Town of Riverhead requires that all site plans for commercially developed property in the Town of Riverhead shall be subject to the review of the Town Board of the Town of Riverhead, and

WHEREAS, the Suffolk County National Bank has submitted to the Town Board, a site plan for the improvement of its satellite office at the intersection of Roanoke Avenue and County Road 58, as shown on a map prepared for Suffolk County National Bank, last dated July 25, 1979, by Howard W. Young, and

WHEREAS, this site plan has additionally been reviewed by the Zoning Board of Appeals,

NOW, THEREFORE, be it

RESOLVED, that this Town Board does hereby approve the site plan prepared for the Suffolk County National Bank, last dated July 25, 1979, with the condition that the area designated "New Parking Area, If Required in the Future", shall be reserved for expanded parking facilities at this site in the event that experience shows that additional parking is required at this location.

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

The resolution was thereupon declared duly adopted.

#383 AUTHORIZES CONDEMNATION STEPS FOR CERTAIN LAND AT
KAY ROAD, ETC.

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

WHEREAS, the Town Board and the Town Supervisor have attempted to negotiate contracts for purchases of certain land

RESOLUTIONS - continued

at Kay Road and land south of Reeves Road, for the purposes of new drainage facilities, and

WHEREAS, title needs to be cleared with reference to a drainage facility on Sound Avenue, immediately to the west of Weigert's store,

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney, Town Clerk, and Town Supervisor be, and they hereby are, authorized to take those steps necessary for the condemnation of as much interest in said lands as is necessary for the completion of the contemplated drainage project, said authorization shall include the authority to retain the services of land surveyors, to retain the services of appraisers, to set dates for public hearings, to place notices of hearing, and such other and further steps as may be necessary for the condemnation of the above-referenced properties.

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

The resolution was thereupon declared duly adopted.

#384 APPOINTS TEMPORARY EMPLOYEE

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

RESOLVED, that Kevin Blasko be, and he hereby is, appointed as a temporary summer employee in the Office of the Town Assessor for the purposes of aiding the Assessors in the audit function of the re-valuation project, at an hourly rate of Three and 12/100 (\$3.12) Dollars to serve at the pleasure of the Town Board, effective August 6, 1979.

Before the vote, Supervisor Smith stated: "I'm sure the \$3.12 is the re-val rate, but whatever it is, whatever the young people get should be his rate."

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

The resolution was thereupon declared duly adopted.

#385 AUTHORIZES MAINTENANCE CONTRACT WITH SAV-MOR MECHANICAL INC.

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

RESOLVED, that the Supervisor be, and he hereby is, authorized to execute a maintenance contract with Sav-Mor Mechanical Inc., for an annual maintenance contract for the heating and ventilating systems in the Town Hall, at a contract

RESOLUTIONS - continued

price of Twelve hundred and 00/100 (\$1,200.00) Dollars, pursuant to a proposal, dated June 29, 1979.

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

The resolution was thereupon declared duly adopted.

#386 AUTHORIZES CONSTRUCTION OF CURBS AND GUTTERS
Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

WHEREAS, the following applications for the construction of curbs and gutters have been received by the Town Board and reviewed by the Highway Committee, it is recommended that curbs and gutters be constructed at the cost to the applicant for the sum of \$2.50 per foot as listed hereinafter:

APPLICANTS

Mrs. Ethel Boden
898 Ostrander Avenue, Riverhead, NY

Mr. & Mrs. Raymond DeFrese
333 Howell Avenue, Riverhead, NY

Mr. & Mrs. Robert Hodge
20 Flora Lane (Also Terry Place)
Riverhead, NY

Mr. Wells N. Hulse
128 Prospect Place, Riverhead, NY

Mr. & Mrs. Harold E. Burns, Jr.
140 Prospect Place, Riverhead, NY

Mr. Thomas McKay
990 Harrison Avenue, Riverhead, NY

Mr. Paul Pysarenko
911 Osborne Avenue, Riverhead, NY

Mr. & Mrs. Anthony Szklany
49 Sunrise Avenue, Riverhead, NY

Mr. & Mrs. Gerard Doroski
96 Sunrise Avenue, Riverhead, NY

Mr. & Mrs. Arne Abrahamsen
102 Sunrise Avenue, Riverhead, NY

RESOLUTIONS - continued

BE IT FURTHER RESOLVED, that the following applicants be approved when the water extension work has been completed on their street.

APPLICANTS

Mr. John W. Berezny, Jr.
940D, Linda Avenue, Riverhead, NY

Mr. & Mrs. Jason Klipp
925A, Broad Avenue, Riverhead, NY

Mr. & Mrs. Richard Smith
905 Lsnda Avenue, Riverhead, NY

NOW, THEREFORE, BE IT RESOLVED, That the above stated applications be approved and that Curbs and Gutters be constructed pursuant to a contract with the aforementioned applicants, and be it

FURTHER RESOLVED, That the Supervisor be authorized to sign the said contracts in behalf of the Town when the moneys to be paid by above said applicants are turned over and the contracts have been signed by them, and

BE IT FURTHER RESOLVED, That upon the execution of the contract the Contractor be directed to perform the work.

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

The resolution was thereupon declared duly adopted.

#387

AUTHORIZES PUBLICATION OF NOTICE TO BIDDERS FOR
ELECTRONIC DATA PROCESSING SYSTEM (COMPUTER)

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

RESOLVED, That the Town Clerk be, and she hereby is, authorized to publish and post the following Notice to Bidders for an Electronic Data Processing System (Computer) in the News-Review, in its August 9, 1979, edition.

NOTICE TO BIDDERS

Sealed bids are hereby requested on the following: Electronic Date Processing System, Software, and Related Services, all in accordance with specifications on file with the Town Clerk, Town of Riverhead, Town Hall, 200 Howell Avenue, Riverhead, New York. Said specifications may be obtained from the Town Clerk during regular business hours on weekdays (Monday through Friday) from 9:00 A.M. to 4:00 P.M., during the month of August.

Sealed bids on the above must be filed and submitted

RESOLUTIONS - continued

in writing, to the Town Clerk, Town of Riverhead, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, no later than 11:00 A.M. (local time) on August 21, 1979,

Bids must be marked "Electronic Data Processing System".

Said bids will be publicly opened in the Town Board Meeting Room at 11:00 A.M. on August 21, 1979 and thereafter considered by the Town Board of the Town of Riverhead.

THE TOWN BOARD RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS AND TO WAIVE ANY INFORMALITIES.

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

The resolution was thereupon declared duly adopted.

#388 AUTHORIZES HIGHWAY SUPERINTENDENT TO CONSTRUCT NEW DRAINAGE FACILITIES AT RIVER ROAD AND OLD RIVER ROAD

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

WHEREAS, River Road and Old River Road contain therein certain pipes and drainage facilities that the Highway Superintendent deems inadequate to handle the current water levels required of them, and

WHEREAS, the Highway Superintendent has advised the Town Board that correction of these conditions can be made by the installation of certain new facilities,

NOW, THEREFORE, be it

RESOLVED, that this Board does hereby authorize the Highway Superintendent to construct said facilities for a contract price of Four thousand eight hundred eighty and 00/100 (\$4,880.00) Dollars.

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

The resolution was thereupon declared duly adopted.

#389 GRANTS SPECIAL PERMIT TO RIVERHEAD AUTOMOTIVE DELIVERY SERVICE, INC.

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

WHEREAS, Riverhead Automotive Delivery Service, Inc., has applied to this Town Board through its attorney, Mr. Charles Cuddy, for a special permit to continue operating a gasoline station as granted to the former tenant of the premises at 1689 West Main Street, Mr. Robert Stevenot of Peconic Excavators, Inc., and

WHEREAS, This Town Board has considered the application and finds it to be beneficial to the Town to increase the sources of supply of gasoline,

RESOLUTIONS - continued

NOW, THEREFORE, be it

RESOLVED, That the Board does approve the request of Riverhead Automotive Delivery Service, Inc., and grants permission to continue the operation of a gasoline station for the duration of the permit heretofore granted Mr. Robert Stevenot of Peconic Excavators, Inc., on the same terms and conditions as imposed by the prior resolution of this Board.

Before the vote, Supervisor Smith stated: "It's understood now, Mr. Cuddy, that you can get your paperwork done (the rest was inaudible)."

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

The resolution was thereupon declared duly adopted.

#390 APPOINTS TEMPORARY EMPLOYEES IN MUNICIPAL GARAGE

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

RESOLVED, that Frank Ruskowski, be and he hereby is, appointed a 30-day temporary employee as a mechanic in the Municipal Garage, effective July 10, 1979, at the rate of Four and 82/100 (\$4.82) Dollars, per hour, and be it

FURTHER RESOLVED, that Mark Tooker, be and he hereby is, appointed a 30-day temporary employee as a mechanic in the Municipal Garage, effective July 23, 1979, at the rate of Four and 82/100 (\$4.82) Dollars, per hour.

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

The resolution was thereupon declared duly adopted.

#391 APPOINTS AUTOMOTIVE EQUIPMENT OPERATOR - HIGHWAY DEPT.

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

WHEREAS, Ronald Rambo has satisfactorily completed his six month probation period,

NOW, THEREFORE, be it

RESOLVED, that Ronald Rambo be and he hereby is, appointed permanently to the position of Automotive Equipment Operator in the Highway Department at the annual base salary of TEN THOUSAND FIVE HUNDRED FIFTY FOUR and 03/100 (\$10,554.03) DOLLARS effective August 6, 1979.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#392

TRANSFER OF FUNDS

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

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

	<u>FROM</u>	<u>TO</u>
Justice Contractual All10.400	\$50.00	
Justice Equipment All10.200		\$50.00

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

The resolution was thereupon declared duly adopted.

#393

AUTHORIZES TIME AND ONE-HALF OVERTIME COMPENSATION
ASSESSORS OFFICE EMPLOYEES

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

RESOLVED, That the following employees of the Riverhead Assessors Office be paid time and one-half overtime compensation:

Victoria Martin	8	\$8.39	\$67.12
Susan Keeney	4	\$7.79	\$31.16
Doris Edwards	4.5	\$6.41	\$28.85
	<u>16.5</u>		<u>\$127.13</u>

FURTHER RESOLVED, That the explanatory report relating to aforesaid overtime submitted by the Assessors office 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.

#394

TOWN BOARD OPPOSES MOVING THE SUFFOLK COUNTY SUPREME
COURT FROM RIVERHEAD TO HAUPPAUGE

Councilman Young offered the following resolution which was seconded by the Entire Board and Unanimously adopted.

WHEREAS, it has been proposed that the Suffolk County Supreme Court be moved from Riverhead, west to Hauppauge, and

WHEREAS, the Suffolk County Supreme Court is the single-largest industry in Riverhead affecting the location of legal offices, secretaries, hundreds of jurors weekly, title and abstract companies, court stenographers, County Clerk's records, Court personnel, and sheriff's personnel, etc., and

RESOLUTIONS - continued

WHEREAS, no cogent reason has been given to move the Suffolk County Supreme Court from Riverhead,

NOW, THEREFORE, be it

RESOLVED, that the Town Board fo the Town of Riverhead hereby strongly opposes the unjust proposition of moving the Suffolk County Supreme Court from Riverhead.

#395 AUTHORIZES PUBLISHING OF THE FOLLOWING NOTICE -
DR. BALA HARI PILLAI

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

RESOLVED, that the Town Clerk be, and she hereby is authorized to publish and post the following Public Notice.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, August 21, 1979, at 8:15 o'clock P.M. to hear all persons concerning the application of Dr. Bala Hari Pillai for:

- 1) A change of zone from Residence C District to Business PB District pursuant to §102-112 of the Town Code; and
- 2) A special permit to construct and maintain a professional office of a medical doctor pursuant to sections 108-112A (1) (0) and 108-3 of the Town Code.

The proposed medical doctor's office is to be located on a lot presently occupied by a single-family residence on the southeast corner of Southern Parkway and Roanoke Avenue, in the Town of Riverhead, County of Suffolk, New York.

Any person wishing information on this application may examine it at the Office of the Town Clerk during normal business hours. Any person wishing to address the Town Board with reference to this matter should appear at the above stated time and place and they will be heard.

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

The resolution was thereupon declared duly adopted.

#396 APPROVES APPLICATION OF RIVERHEAD ROTARY CLUB TO
CONDUCT A CARNIVAL OR SHOW

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

WHEREAS, the Town Board has received an application by the Riverhead Rotary Club, pursuant to the provisions of Chapter

RESOLUTIONS - continued

90 of the Code of the Town of Riverhead, and

NOW, THEREFORE, be it

RESOLVED, that the application of the Riverhead Rotary Club to conduct a carnival or show, pursuant to Chapter 90 be, and the same is, approved subject to the provisions of Chapter 90.

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

The resolution was thereupon declared duly adopted.

#396A

BOND ANTICIPATION NOTE RESOLUTION - CONSTRUCTION
OF ROADS IN THE NORTHVILLE HOMES ROAD IMPROVEMENT

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

BOND ANTICIPATION NOTE RESOLUTION
AUGUST 7, 1979 - A RESOLUTION
AUTHORIZING THE RENEWAL IN PART OF
OF A \$12,600 BOND ANTICIPATION
NOTE OF THE TOWN OF RIVERHEAD,
NEW YORK, FOR THE CONSTRUCTION
OF ROADS IN THE NORTHVILLE HOMES
ROAD IMPROVEMENT DISTRICT BY THE
ISSUANCE OF A NEW NOTE IN THE
PRINCIPAL AMOUNT OF \$8,400.

(Recital)

WHEREAS, The Town of Riverhead, in the County of Suffolk, New York, has heretofore duly authorized, sold and issued its \$12,600 Bond Anticipation Note in connection with the construction of roads in the Northville Homes Road Improvement District, it is now necessary and desirable to provide for the renewal in part, of said Note by the issuance of a new Note in the principal amount of \$8,400 now, therefore, be it

RESOLVED, BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD, IN THE COUNTY OF SUFFOLK, NEW YORK, AS FOLLOWS:

SECTION 1. The \$12,600 Bond Anticipation Note - 1979 for construction of Roads in the Northville Homes Road Improvement District of the Town of Riverhead, in the County of Suffolk New York, dated August 31, 1979, maturing August 31, 1970, numbered 1-R-12, heretofore duly authorized, sold and issued pursuant to the Resolution duly adopted by the Town Board on August 7, 1979, is hereby authorized to be renewed, in part, by the issuance of a new Note in the principal amount of \$8,400, said Note dated August 31, 1979, having been heretofore authorized to be redeemed to the extent of \$4,200, all as herein above referred to in the State of New York. The maturity of said renewal Note herein authorized shall not be later than one year from its date.

RESOLUTIONS - continued

SECTION 2. The terms, for, and details of said renewal Note shall be as follows:

Amount and Title:	\$8,400 for the construction of roads in the Northville Homes Improvement District.
Dated:	August 31, 1979
Matures:	August 31, 1980
Number:	1-R-12
Denomination:	\$8,400
Interest Rate:	$5\frac{1}{2}$ % per annum, payable at maturity
Placement of Payment of Principal and Interest:	Supervisor's Office, Riverhead, New York
Term of Note:	Substantially in accordance with the form prescribed by Law.

SECTION 3. Said Note is hereby sold to North Fork Bank Trust & Company, Mattituck, New York, at the price of par, to bear interest at the rate of $5\frac{1}{2}$ % per annum, payable at maturity, and the Supervisor is hereby authorized to deliver said Note to said purchaser upon receipt of the principal amount, plus accrued interest, if any, from the date of said Note to the date of delivery.

SECTION 4. Said Note shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and shall be a general obligation of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town, without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest of said Note and provision of the Note to mature in such and for the payment of interest to be due in such year.

SECTION 5. Said Note shall be executed in the name of the Town by its Supervisor and the corporate seal of said Town shall be affixed hereto and attested by its Town Clerk.

SECTION 6. This resolution shall take effect immediately.

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

Unidentified speaker: (Inaudible).

Supervisor Smith: "It is still in the works and (a little bit inaudible) for the while that is shown (a little more inaudible). That is one of the negotiations that is involved, if we collide (inaudible) we may not even use them there, but we may use them some place else."

Unidentified speaker: "(Inaudible)."

Supervisor Smith: "It's part of our (inaudible a bit) I don't think it's any secret in this particular instance (inaudible a little bit) to establish (inaudible) for the land that was taken from there than now constitutes (inaudible) to the east of where (the rest was inaudible)."

Unidentified speaker: (Inaudible)

Supervisor Smith: "We are (inaudible) for it. We are voting on resolution #381."

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

The resolution was thereupon declared duly adopted.

Supervisor Smith: "Does anybody else wish to address the Town Board?"

No one else wished to address the Town Board.

There being no further business on motion and vote, the meeting adjourned at 9:35 P.M.

Irene J. Pendzick