

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, October 17, 1978 at 7:30 P.M.

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

Also present: David P. Fishbein, Town Attorney

Absent: Alex Horton, Supt. of Highways

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

Supervisor Smith: "Ladies and gentlemen we have one initial item that I would call to your attention before we begin the agenda this evening and that is to remind you of the Timothy Hill Children's Ranch Telethon Radioathon which will be on this Sunday. We've worked with the founders and sponsors of the Timothy Hill Children's Ranch and there's a proclamation that we've made making Sunday Timothy Hill Children's Ranch Day in the Town of Riverhead and we encourage each of you to participate as you will, not only in the day, but all the efforts that evolve around the Timothy Hill Children's Ranch."

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

RESOLVED, That the Minutes of the Town Board Meeting held on September 19, 1978 and the Minutes of the Special Town Board Meeting held September 26, 1978, be approved as submitted.

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

The resolution was thereupon declared duly adopted.

BILLS

Bills were submitted on Abstracts dated October 17, 1978 as follows:

General Town	\$34,873.85
Capital Projects	\$15,417.96
Community Development	\$ 1,520.00
Ambulance	\$ 7.50

RESOLUTIONS - continued

Parking Meter \$ 23.74

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

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

General Town	\$34,873.85
Capital Projects	\$15,417.96
Community Development	\$ 1,520.00
Ambulance	\$ 7.50
Parking Meter	\$ 23.74

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

The resolution was thereupon declared duly adopted.

Supervisor Smith: "We have present some of the department chairmen and should occasion arise during the course of the evening or you have a question relating to those departments, we'll direct the questions to them."

OPEN BID REPORT - SUPPLY AND APPLY ASPHALT CONCRETE

After being duly advertised the following bids for Supply and Apply Asphalt Concrete for the Highway Department were opened on October 10, 1978 at 11:15 A.M.

LYON & REBOLI PAVING CONTRACTORS, INC.
58 Comsewogue Road
East Setauket, New York 11733

PRICE PER TON ASPHALT CONCRETE - TYPE 1AC -
SUPPLIED, HAULED, APPLIED AND ROLLED: \$ 28.50

DISTANCE OF PLANT IN MILES FROM TOWN OF RIVERHEAD: _____

Distance Left Blank _____ Filed.

MIDHAMPTON ASPHALT CORPORATION
15 Remsen Avenue
Roslyn, New York 11576

PRICE PRE TON ASPHALT CONCRETE - TYPE 1AC -
SUPPLIED, HAULED, APPLIED AND ROLLED: \$ 28.75/ton

DISTANCE OF PLANT IN MILES FROM TOWN OF RIVERHEAD: _____

Distance Left Blank _____ Filed.

OPEN BID REPORT - SNOW FENCE - HIGHWAY DEPARTMENT

After being duly advertised the following bids on Snow Fence for the Highway Department were opened on Monday, October 16, 1978 at 11:00 A.M.

MID-ISLAND LUMBER & SUPPLY CO., INC.
415 Roanoke Avenue
Riverhead, New York 11901

SNOW FENCE: Pickets shall be 1/4" x 1-3/4" x 4', spaced apart 2" with 12-1/2 gauge galvanized wire - painted with red mineral preservative - in ~~100'~~ 50' rolls.

DELIVERY DATE: Immediate

DELIVERED BID PRICE FOR: 200 rolls snow fence, 50' \$3,700.00

per roll

\$18.50 per roll

Filed.

EASTERN WHOLESALE FENCE CO., INC.
274 Middle Island Road
Medford, New York 11763

SNOW FENCE: Pickets shall be 1/4" x 1-3/8" x 4", spaced apart 2" with 12-1/2 gauge galvanized wire - painted with red mineral preservative - in 100' rolls.

Alternate to specifications: Pickets shall be 3/8" x 1 1/2" x 4', spaced apart 2" with 12 1/2 gauge galvanized wire - painted with red preservative - in 100' rolls or 50' rolls as noted

DELIVERY DATE: 30 Days Maximum ARO

DELIVERED BID PRICE FOR: In 100' rolls @ \$40.68/C \$4,068.00

In 50' rolls @ \$18.72/L \$3,744.00

Filed.

REPORTS

Recreation Department - for the month of September, 1978. Filed.

Supervisor's Office - Financial Statement for the month of August, 1978. Filed.

APPLICATIONS

Site Plan - Joseph Muratore (sales & service of commercial equipment, Edwards Avenue, Calverton). Filed.

Site Plan - Paul Chew (sales & service of snowmobiles, Main Rd., Aquebogue). Filed.

Site Plan - Robert Mance (truck repair, Pulaski St., Riverhead). Filed.

Supervisor Smith: "That applications of Muratore and Chew, under unfinished business, and Mr. Spitalieri will be acted on later on in the evening."

COMMUNICATIONS

Mortimer Barr, 10/14/78 - requesting a hearing with the Town Board re: property on Middle Road. Filed.

Jamesport Fire Dept., 9/20/78 - inviting Board members to Open House on 10/15/78 at 1 to 4. Filed.

Holzmacher, McLendon & Murrell, 9/28/78 - certifying work of contractor on Townwide Street Lighting (Contract #2) Filed.

Planning Board, 10/6/78 - recommending approval of special permit application of Joseph Picone, with conditions. Filed.

Planning Board, 10/6/78 - notifying Board that term of one Board member expires on 12/31/78. Filed.

Patients Aid Center, 10/6/78 - supporting Riverhead Airpark as an asset to community. Filed.

Holzmacher, McLendon & Murrell - 10/5/78 re: Northwest Area Street Lighting. Filed.

COMMUNICATIONS - continued

Holzmacher, McLendon & Murrell - 9/28/78 re:
Townwide Street Lighting. Filed.

Holzmacher, McLendon & Murrell, 9/29/78 - certifying
work of contractor on Northwest Area Street Lighting. Filed.

Laurel School District, 10/12/78 - statement of tax
to be raised and the equalization rate for District. Filed.

Southampton Town - 4 Notices of Adoption to Zoning
Ordinance #26 re: single dwellings, signs, tennis courts &
residence district; & 1 notice of Public Hearing on 11/14/78
regarding proposed amendment to Zoning Ordinance #26. Filed.

Dept. of Transportation, 10/12/78 - re: outdoor
advertising control program. Filed.

Suffolk County Dept. of Planning - received today
10/17/78 - re: Notices of Adoption of Amendments to Southampton
Zoning Code - if no objections by 11/2/78 - will be assumed
there are none. Filed.

UNFINISHED BUSINESS

Site Plan Application - Charles Spitalieri (expansion
of existing junk yard, Kroemer Ave.)

Special Permit Application - Joseph Picone (manufacture
of precast concrete products)

Supervisor Smith: "Under unfinished business, I made
mention of the the site plan of Mr. Spitalieri and Mr.
Picone are subject to resolutions later on in the evening.

That brings us to that portion of the agenda where
we will listen to anyone choosing to address the Town Board.
Those of you who may be present with reference to the two
public hearings, the first being with reference to an amend-
ment to the Code of the Town of Riverhead permitting for the
amortization of signs and those of you who are here to address
the Town Board with reference to the Town Budget, I would ask
you please hold your comments for 8:00 and 8:15 respectively.
If someone is here and wishes to address the Board on a matter
that is not the subject of either signs or the Town Budget,
we'd like to hear from you now?"

PERSONAL APPEARANCES

Joanne Zahler, Union Avenue, Aquebogue; She gave photos of damaged Suffolk Life Box and PennySaver pole to Town Board Members, then proceeded to explain: "I'm here in reference to an occurrence yesterday morning in front of my house. I don't consider myself a crude person, but I'm going to, in order to set up the happenings of yesterday, I'm going to give you exactly the events as they occurred including the crude language.

Yesterday morning around 11:00, the dog started to bark. There was some fussing out at the edge of my property, so I went down my driveway and I saw a man taking down brush, saplings such as seen in the pictures at the front of my property. He didn't have an emblem, a Town emblem on the equipment so I approached the man to find out what he was doing. He refused to shut off the equipment to speak to me. I said Sir what are you doing. Please turn that equipment off. Stop right now. I want to know who you are, why you are here. He said if you don't like what I am doing, you call Mr. Horton. He sent me. He repeated that over and over. I said to him I'm going to stand in front of this machine until you stop what you are doing and speak to me. He said at that point, you old b---h, pardon me, get out of my way or I will run you over and he brought the piece of equipment to my feet.

At that point, I turned on my heels and went into the house and called the Highway Department. I was told that he was a man sent by them by the name of Miller to do the brush wacking in front of my house down the block. For some reason when the gentleman when asked nicely to turn the piece of equipment off and explain to me what he was doing there refused. Mr. Horton's office radioed him and he came over in a car, I repeated the occurrence to him. He said he found it hard to believe that he would speak to a lady in that fashion with a smile, and then he said he had no right to speak to you that way. I asked him please for the man to apologize. Well I guess that was too much to ask. I never did receive an apology.

As you can see from the pictures, the job done was sloppy at best. Now I'm sure with the first hard rain, all the brush and saplings have been removed, I'll have a run-off problem. The dirt, it will erode. There's nothing there to hold the dirt back. But more than anything, I was incensed by the fashion with which I was spoken to. I don't feel that there is any excuse."

Supervisor Smith: "Mrs. Zahler, I assume this is your Suffolk Life Box and this is a consequence."

PERSONAL APPEARANCES - continued

Joanne Zahler: "It was standing before the brush wacking, but that's what I have left now. I do hope that the Highway Department will see to it that my box is replaced and my PennySaver pole. If nothing else, I think that should be done. I wanted to bring this to your attention."

Supervisor Smith: "Thank you Ma'am. Is there anyone else?"

Richard Spanburg, Union Avenue, Aquebogue; "In regard to what we just heard here a minute ago, I personally spoke to Mr. Horton yesterday after the initial destruction of what he considered a trimming job. I continually implored Mr. Horton in the nicest way possible and I mean the nicest way possible, to explain to me why the machine had to be doing what it was doing. Why it had to be destroying as much property as it was destroying, showing him the job that his man had done and imploring him please not to continue the job until he could explain to me what are the rights of the Highway Department in destroying wooded property.

Now many of the streets in this Town aren't wooded in so far as the front of their property is concerned. Most of them have cleared lawns. On Union Avenue, it happens to be different. We have on one side, hundreds of acres of farmland and on the side where the homes are, many of the homes are in the back of the woods, rather than being on the front of the road. So, therefore, the woods are what we consider part of our property. Although the Town is entitled to eight feet, I believe, no one has been able to give me the exact answer as to how much footable the Town is entitled to clear away. But I implored Mr. Horton in the nicest way possible, to at least stop what he was doing so that something could be decided, if not by the Town Board, then by someone.

We had an experience here about 16 years ago with the Superintendent of Highways, at that time, Zembko, destroying all the trees in the Town because that seemed to be the thing to do at the time. I mean, when is anyone in this Town going to have the authority to tell Mr. Horton or whoever the Highway Superintendent is that he cannot treat the citizens of this Town as if we have no say in what goes with our property. We are assessed thousands of dollars of property, taxes, we have to pay them and yet we try to keep up our homes. He comes down in thirty seconds and destroys a block that we put a lot of love and care and work into and the man won't even give you an answer.

The man accused me of being in cahoots with the Supervisor of the Town and causing trouble for the Supervisor and that's why I was raising a stink. I assured Mr. Horton that

PERSONAL APPEARANCES - continuedRichard Spanburg continues:

whatever Allen Smith has towards me or I for him, has nothing to do with what he was doing there. Allen Smith has never asked me on any occasion to come down and say a thing pro or con on behalf of Mr. Horton. He hasn't tonight, and I'm not here for this reason, and I asked through private circles for Mr. Horton to be in attendance tonight so that he could at least give me an honest clear answer as to what the responsibilities of this Highway Department are or aren't. And I think the Members of the Town Board should decide finally once and for all, who is Alex Horton accountable to. Is he accountable to the Town Board? Is he accountable to the residents of the Town? Or is he just accountable just to himself? I think there should be an oversite committee to review the actions of Mr. Horton. In this particular case, I think that there should be Members of the Town Council appointed to investigate what has gone on here to find out this is not idle chatter, just not an emotional thing. I don't think that we should be reprimanded on Union Avenue by lack of services by the Town Highway Superintendent because of the actions of sticking up for things that we believe in. There are a few people that come down here and complain about something they don't care about. But I think that when you do come down here and you lodge a legitimate complaint that it should at least be up to Mr. Horton to answer these complaints on the basis of merit and not on the basis of driving off in a car and treating the residents of the Town as if we have no say so in what goes on. Does the Town Board have any item on how they would like to approach this particular matter rather than just hear us out and it's just forgotten. Because this time we don't want it forgotten."

Supervisor Smith: "Mr. Spanburg, may I suggest, among other things, that each of the Members of the Town Board within the next week come down to your residence, or residences at some reasonable hour, examine what has been done, and then when we get together next week, select a course of action."

Richard Spanburg: "Well it was only because of my sister-in-law and my urging of Mr. Horton in what he was doing that he started to pull back on the job he was doing, and started to make the job more of a trimming job than a hatchet job. If we weren't there to protest this, that wooded area would be dissimulated like my sister-in-laws place was and that's a disgrace."

Supervisor Smith: "We'll get to your sister-in-laws then."

PERSONAL APPEARANCES - continuedRichard Spanburg: "Thank you."Supervisor Smith: "Yes Sir."

Mrs. Danowski, Kingswood, Riverhead; "I had an episode with Mr. Horton last December '77 when an application for a Civil Service position was filled out and submitted to the Highway Department, a man who is competent of filling three vacancies on the Highway Department. Each time he was contacted about the position, he told me 1) the Town Board is responsible for the hiring of personnel, I have nothing to do with it. My application — my husband's application was submitted to the Town Board. This was December 5, 1977. A week ago Wednesday after checking with Civil Service for a man that was competent of filling a vacancy, I found out that the Civil Service application was still in the top draw with no explanation. In checking with Hauppauge to the Civil Service people, they are now doing an investigation which I feel will help someone in the future. Now I would like to know, in front of all the people, who actually is responsible for the hiring of the personnel? I have never been able to get a clear answer. Is it Mr. Horton? Is it the Town Board? Would someone please answer this?"

Supervisor Smith: "Mrs. Danowski, when you say in the top draw, you mean . . ."

Mrs. Danowski: "Of his desk. The envelope in which it was presented to him December of '77."

Supervisor Smith: "Mr. Horton?"

Mrs. Danowski: "Yes."

Supervisor Smith: "The traditional answer to your question would be something akin to the Highway Superintendent has jurisdiction over hiring and firing in his department. That has substantially eroded in recent years with the negotiations etc., that the Town Board is now responsible for all employees. It is also eroded in the sense that the Town Board is responsible for the payroll and for the resolutions of appointment. So there is no clear cut answer. I happen to be of the opinion that the Town Board is responsible for the selection and employment of employees in all departments of the Town. To some

PERSONAL APPEARANCES - continued

Supervisor Smith continues:
degree that is disputed by Mr. Horton."

Mrs. Danowski: "Now excuse me. Is this for, there are two categories. One is a competitive and one is an in-competitive. In this case it was competitive which means the man was qualified according to Civil Service in Hauppauge, he was qualified for three positions which he could have filled under Civil Service."

Supervisor Smith: "I don't disagree with your interpretation. You've got the words a little confused, that's all. There's competitive by exams."

Mrs. Danowski: "Correct."

Supervisor Smith: "The positions that you're talking about are not competitive in that sense. There are minimal qualifications for mechanics."

Mrs. Danowski: "Then why when he gets an application doesn't he submit it to the property authority."

Supervisor Smith: "I'm not Mr. Horton Ma'am. You've got to take that up with him."

Mrs. Danowski: "So in other words, he does the hiring, you actually do the firing."

Supervisor Smith: "No. You asked me Ma'am why he did not forward the application. I don't know why the man did not forward the application."

Mrs. Danowski: "There was just no excuse. He just said — he didn't give me any."

Supervisor Smith: "Then he didn't forward it and he didn't give you an excuse."

PERSONAL APPEARANCES - continued

Mrs. Danowski: "Well then I think the Town Board ought to have in the future, some sort of a resolution where if any applications are submitted to him, they should all be turned over to the proper parties."

Supervisor Smith: "I think the Town Board would agree with you to that. Mr. Young acting as liaison with Mr. Horton will convey that sense to him."

Mrs. Danowski: "Thank you."

Supervisor Smith: "Is there anyone else in the room who wishes to address the Town Board on any matter that is not the subject of a public hearing this evening?"

RESOLUTIONS

#484

CHANGE NOVEMBER 7, 1978 MEETING DATE

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

RESOLVED, That since the first regularly scheduled meeting for November falls on Tuesday, November 7th, 1978, and WHEREAS, November 7, 1978 is election day,

HEREBY, BE IT RESOLVED, That the regularly scheduled meeting for November 7, 1978 be, and is hereby changed to be held on Wednesday, November 8, 1978, and

FURTHER RESOLVED, That the Town Clerk is hereby authorized to publish and post notice of change of meeting date, as follows:

PUBLIC NOTICE

WHEREAS, November 7, 1978 is election day; that the regularly scheduled meeting of the Town Board of the Town of Riverhead is hereby changed to be held on Wednesday, November 8, 1978

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

The resolution was thereupon declared duly adopted.

#485

AUTHORIZES COURT AND/OR RECALL PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, That the following Police Officers be paid recall and/or court pay from September 1, 1978 to and including September 30, 1978, as per P.B.A. Contract:

RESOLUTIONS - continued

1.	Dorfer, T.	9-26-78	4 hrs.	\$ 54.00
2.	Dunleavy, J.	9-06-78	8 hrs.	112.32
3.	Green, D.	9-28-78	4 hrs.	54.00
4.	Kurpetski, J.	9-25-78	4 hrs.	56.16
5.	Mickoliger, L.	9-03-78	8 hrs.	108.00
6.	Romaniello, F.	9-15-78	6 hrs. 13 min.	83.92
7.	Sadowski, Ed.	9-07-78	4 hrs.	57.24
8.	Troyan, P.	9-18-78	4 hrs.	54.00
9.	Zaleski, J.	9-24-78	4 hrs.	54.00
				TOTAL
				\$633.64

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

The resolution was thereupon declared duly adopted.

#486 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS TO BE PAID FROM REVENUE SHARING

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

BE IT RESOLVED, That the following Police Officers be paid overtime pay from September 1, 1978 to and including September 30, 1789, to be paid from Revenue Sharing.

1.	Cheshire, D.	9-14-78	5½ hrs.	\$ 65.01
2.	Pleickhardt, J.	9-07-78	3/4 hr.	10.12
3.	Swiatocha, J.	9-01-78	1 hr.	11.82
				TOTAL
				\$ 86.95

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#487 AUTHORIZES RECALL AND/OR COURT PAY FOR POLICE OFFICER
TO BE PAID FROM REVENUE SHARING

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

BE IT RESOLVED, That the following Police Officer be paid recall and/or court pay from September 1, 1978 to and including September 30, 1978, to be paid from Revenue Sharing.

1. Swiatocha, J.	9-02-78	8 hrs.	\$ 94.56
	9-08-78	8 hrs.	94.56
	9-25-78	4 hrs.	47.28
	9-30-78	4 hrs.	47.28
			<hr/>
		TOTAL	\$283.68

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

The resolution was thereupon declared duly adopted.

#488 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

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

BE IT RESOLVED, That the following Police Officers be paid overtime pay from September 1, 1978 to and including September 30, 1978, as per P.B.A. Contract, and including August 31, 1978.

1. Densieski, A.	9-17-78	½ hr.	\$ 6.75
2. Dunleavy, J.	9-26-78	4¼ hrs.	59.67
3. Romaniello, F.	8-31-78	2½ hrs.	33.75
4. Zaleski, J.	9-14-78	6 hrs.	81.00
			<hr/>
		TOTAL	\$181.17

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

The resolution was thereupon declared duly adopted.

#489 AUTHORIZES RECALL PAY FOR DETECTIVES

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

BE IT RESOLVED, That the following Detectives be paid Recall Pay from September 1, 1978 to and including September 30, 1978 as per P.B.A. Contract.

RESOLUTIONS - continued

1.	Boden, H.	9-17-78	4 hrs.	\$ 59.36
2.	Summerville	9-26-78 9-30-78	16 hrs.	240.00
TOTAL				\$299.36

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

The resolution was thereupon declared duly adopted.

#490 AUTHORIZES OVERTIME AND RECALL PAY FOR SERGEANTS
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Sergeants be paid Overtime and/or Recall Pay from September 1, 1978 to and including September 30, 1978, as per P.B.A. Contract.

1.	Grossman, A.	9-09-78	1 hr.	\$15.03
2.	Underwood, R.	9-13-78	4 hr.	\$65.32
TOTAL				\$80.35

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

The resolution was thereupon declared duly adopted.

#491 TRANSFER OF FUNDS
Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the Supervisor be, and he hereby is, authorized to transfer the following funds in the General Fund Account:

	<u>FROM</u>	<u>TO</u>
A1410.400 Contractual Account (Town Clerk)	\$120.00	
A1410.200 Equipment Account (Town Clerk)		\$120.00

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued
#492 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 as listed below:

James Baldelli	10½ hrs.	@	\$ 8.22	\$ 86.31	Columbus Day 10/9/78
Frank Columbus	10½ hrs.	@	\$ 9.30	\$ 97.65	Columbus Day 10/9/78
Edward Gadzinski	3 hrs.	@	\$10.06		Recharge basin 10/4/78
	10½ hrs.	@	\$10.06		Columbus Day 10/9/78
	3 hrs.	@	\$10.06		Recharge Basin 10/10/78
	3½ hrs.	@	\$10.06		Recharge Basin 10/11/78
	3½ hrs.	@	\$10.06	\$236.41	Recharge Basin 10/12/78
TOTAL				\$420.37	

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

The resolution was thereupon declared duly adopted.

#493 AWARDS BID FOR SUPPLY & APPLY CONCRETE - HIGHWAY
DEPARTMENT

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

RESOLVED, That the Bid for Asphalt Concrete, Type 1Ac, to be supplied, hauled, applied and rolled in various sections of the Town of Riverhead, be and is hereby awarded to:

Lyon & Reboli Paving Contractors, Inc.
58 Comsewogue Road
East Setauket, New York 11733

at the price of \$28.50 per ton, in conformity with specs on file with the Town Clerk.

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

The resolution was thereupon declared duly adopted.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of public notice that a Public Hearing will be held before the Town Board on October 17, 1978 at 8:00 P.M. to hear all those persons interested in the proposed amendments to the Code of the Town of Riverhead.

The affidavits were ordered to be placed on file.

Supervisor Smith: "The hearing that is before the public this evening has a long and varied history going back some three years approximately. At that particular time, at which time I and Mr. Regula did not sit on, considered certain amendments to the sign ordinance as if the Town of Riverhead that prohibited signs in a general sense throughout the Town of Riverhead. Since that time, during the past two years and the first three quarters of this year, certain amendments have been made to the ordinance to permit certain types of signs to establish regulations on others. In the proposal that was passed in early 1977, it was provided for an amortization period for signs. It was the intention of the Town Board at that particular time, to make the amortization period, which means is a phase out period applied to all signs, reading and rewording the ordinance and with the deadline approaching this next spring, it is noted that the amortization period was only being applied under the letter of the ordinance to billboards and not to all non-conforming signs.

The purpose of tonight's hearing is to establish some uniformity with reference to dates as to when all signs will become non-conforming except those that are permitted and to provide further that all signs whether they be billboards or other non-conforming signs will be permitted what is called an amortization period or a phase out period. And we've already had one application with reference to the McDonald's sign under this proposal and Mr. Danowski who's the Special Town Attorney with reference to this matter, conducted what's called an examination before trial in the lawsuit between the Town and the billboard interest today and he advises me that it is the intention of the billboard interest and the sign interest in Town generally to apply for amortization periods until such time the signs either comply or are removed. So this issue before the public tonight is whether or not the Town Board is correct in applying the amortization provisions to all signs that do not comply with the ordinance. Does anyone wish to address the Town Board on this issue?

Mr. Fishbein points out that it's not only the sign provisions that are on in that hearing .

PUBLIC HEARING - continued
Supervisor Smith continues:

The Town Board at one of it's discussions with the Planning and Zoning Boards has adopted a rule that provides for alternative layouts for subdivisions. We are trying to get away from the standard approach of Levittown, if you will, with reference of taking 100 acres and drawing two streets down the middle and wacking up everything in squares along that way and we provide for that in any subdivision, there must be sketch plans showing at least three alternative methods of development of a parcel of property, one of which will be a cluster as it is known. This could help preserve some farmlands, woodlands, some short frontage, etc. To make that meaningful, we have to amend the ordinance to say that in all residential districts we will permit clustering which is not currently the reading of the ordinance and lastly with reference to an application by Pro-Putt Golf to establish a business in the Town of Riverhead. On Route 58, we propose to amend the business districts in the Town to provide for other recreational uses in business and industrial areas by special permit of the Town Board. Again, that's that particular procedure whereby the Town Board can pass or not pass a particular application depending upon the merits of safety, screening, appearance, and things of that nature similar to the Bekermus oil application that's been current in the news.

Is there anyone who chooses to address the Town Board on either of those amendments which were included with the sign amendment?"

Bill Nohejl, Wading River; "In reference to the clustering at present, each house would have a cesspool, if it's on 40,000 square feet. Now what would it be on if it was clustered? Would the person making development have to have a recharge or . . ."

Supervisor Smith: "It would depend upon the layout Bill. If you have — I can think of clusters where you could use conventional cesspools."

Bill Nohejl: "I'm in favor of clustering. I'm not arguing that."

Supervisor Smith: "It could be, for instance, if you take a super big piece of property, let's say 500 acres or something of that nature, that where you reduce the amount of roads that you put down which clustering, for instance, can do."

PUBLIC HEARING - continued

Bill Nohejl: "You don't have to explain. I'm well aware of that but, I want to know about the sanitary conditions."

Supervisor Smith: "That cost in savings on roads, for instance, might justify the installation of a sewage treatment plant."

Bill Nohejl: "It might and it might not."

Supervisor Smith : "It might not. All that we're saying tonight is that rather than doing as we have done in the past, in the Town of Riverhead, where you come in with one preliminary or sketch plan showing one decision and the Town Board, more accurately the Planning Board is put in the position of saying we like it or we don't like it. We're now asking the applicant to come in with at least two different designs in the conventional sense and one cluster approach and these can differ."

Bill Nohejl: "I like the concept of cluster, but yet I don't want to see someone chased away if they imposed on putting a sewage treatment in."

Supervisor Smith: "That would not be a determination made by the Town Board necessarily, it would be by the Suffolk County Department of Health and the cluster Review Committee of the County of Suffolk."

Bill Nohejl: "Thank you."

Supervisor Smith: "Is there anyone else with reference to signs, clustering, or Pro-Putt Golf, which is not the language we use, but we say any other recreational use?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:08 P.M.

RESOLUTIONS

#496 REPEALS PREVIOUS BID & RE-AWARDS BID - HIGHWAY DEPARTMENT
Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLUTIONS - continued

WHEREAS, Sealed bids for the purchase of two (2) hydraulic spreaders for the Riverhead Highway Department were duly advertised for and said bid was duly awarded to the lowest net price bidder, Capitol Highway Materials, Inc., subject to Bid Specifications, and

WHEREAS, Capitol Highway Materials, Inc. cannot furnish said equipment pursuant to said Bid Specifications, and the Superintendent of Highways has advised that the next highest bidder, Trius, Inc. does meet with the Bid Specifications,

THEREFORE, BE IT RESOLVED, That the Bid for two (2) hydraulic spreaders for the Riverhead Highway Department as duly advertised is hereby awarded to:

TRIOUS, INC.
369 Duffy Avenue
Hicksville, New York

for the delivered Bid Price of \$12,386.00; and

BE IT FURTHER RESOLVED, That Resolution Number 468 adopted on October 3, 1978, awarding the bid to Capitol Highway Materials, Inc. is hereby repealed.

Before the vote, Supervisor Smith stated: "There is an explanation of letter on file.

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

The resolution was thereupon declared duly adopted.

#499 CALLING FOR PUBLIC HEARING - SPECIAL PERMIT, PICONE
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 notice of public hearing:

PUBLIC NOTICE

PLEASE TAKE NOTICE, That a Public Hearing will be held on November 8, 1978 at 8:00 P.M., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons in the request of Joseph Picone to allow the manufacture of precast concrete products as a non-nuisance industry, located in Calverton, New York.

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

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#500 APPOINTS SECRETARY TO SUPERINTENDENT OF HIGHWAYS

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

WHEREAS, Jessie Tomlinson has resigned from the position of Secretary in the Highway Department, and

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

NOW, THEREFORE, BE IT RESOLVED, That Dorothy Bilek be, and she hereby is, appointed to the position of Secretary to the Superintendent of Highways as an exempt position, effective October 16, 1978, at an annual salary of Eight thousand nine hundred fourteen and 57/100 Dollars, (\$8,914.57).

The vote, Regula: "Yes, before I vote, I would like to say we interviewed Mrs. Dorothy Bilek and she looks like she's going to be able to handle that job at the Highway Department, especially with all the men and all. I think most of the Town Board were very impressed this afternoon when we talked these things over with Mrs. Bilek. So I think we finally have the person we need for that job. I vote Yes."

Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

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 before the Town Board on October 17, 1978 at 8:15 P.M., to hear all persons who wish to be heard for or against the preliminary budget as compiled.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Ladies and gentlemen, for those of you that are here to address the Town Board on the preliminary budget, there is a copy of both my budget message and the preliminary budget as adopted by the Town Board up here on the front desk. I would ask as you ask questions of us, come to the microphone, either make your statement or ask your question and we will attempt to give you the answers. Would someone like to begin?"

Richard Spanburg, Aquebogue; "There's just one question I'd like to know, maybe because I'm ignorant I'm not aware of the answer. Has there ever been a resolution

PUBLIC HEARING - continuedRichard Spanburg continues:

proposed that this Budget, this Town Budget be put in a public referendum so the citizens of the Town at lodge, can vote on the budget as a whole and if so, what has been done to that respect?"

Supervisor Smith: "It is not something that is permitted by law in the State of New York. The only remaining item that is the subject of that kind of vote, is the school budget which probably comes from our New England heritage of Town Meetings kind of a thing."

Richard Spanburg: "But the Town Budget itself, you can't vote on?"

Supervisor Smith: "No Sir. You cannot by statute."

Richard Spanburg: "Then if you disapprove of some sections of the Budget, what is your opportunity to change that?"

Supervisor Smith: "You tell us tonight."

Richard Spanburg: "I see. So then it's just up to the Supervisor and Members of the Town Board?"

Supervisor Smith: "Yes Sir, that is correct."

Richard Spanburg: "To have the final vote as to whether or not these items . . ."

Supervisor Smith: "Yes."

Richard Spanburg: "Where in the budget does it say or state a salary schedule for the employees of the Town."

Supervisor Smith: "It does not and we have a list of employees that you can see as I stated in my budget message. The negotiations with the Civil Service Employees and the P.B.A.

PUBLIC HEARING - continuedSupervisor Smith continues:

have not in this particular point in time been settled. So there are two alternatives that will occur as a result of this process that we find ourselves in either programs at such time either a settlement or an arbitration are made, if they are in excess of the dollars that Mr. Hansen and I have computed or proposed in the budget, there will either have to be an abolishment of program as is outlined in the budget or employees will have to be laid off."

Richard Spanburg: "Why wasn't a provision ever made that this budget get a public referendum, not only for Riverhead Town obviously?"

Supervisor Smith: "Sir I can't tell you that. It's been that way since I studied law and a long time before that."

Richard Spanburg: "Thank you."

Supervisor Smith: "Yes. Sir. Anyone else choosing to address the Town Board with reference to the budget?"

Bill Nohejl, Wading River: "Mr. Spanburg just asked about the employees salary. Who determines what salary they are to be paid?"

Supervisor Smith: "In the case of the Police, it will be determined by a gentlemen named Carey who is a Professor from up the Island. He's the third member of the arbitration panel. The P.B.A. appoints one member of the arbitration panel, the Town Board appoints a member of the arbitration panel, and the Public Employees Relations Board appoints a member of the arbitration panel and the Public Employees Relations Board which is a state agency sends down, I think it's nine names and with a toss of the coin, the P.B.A. Attorney and Town Attorney begin striking names off and the guy who is left last stricken is the winner and he becomes the head of the arbitration panel and the reality of the situation is that that is the person that makes the decision."

Bill Nohejl: "I'm not referring to that. I'm referring to the Town employees here, not police or . . ."

PUBLIC HEARING - continued

Supervisor Smith: "The Town Board makes that decision Sir."

Bill Nohejl: "I noticed your legal notice about the raises for the Councilmen and your raise."

Supervisor Smith: "The Town Law requires, Mr. Nohejl, that the salaries of the Town Board and elected Town Clerk and elected Highway Superintendent must be published."

Bill Nohejl: "How about the building and the recreation and the sewer."

Supervisor Smith: "No."

Bill Nohejl: "That means that's to your discrepancy as to what they are paid."

Supervisor Smith: "Yes Sir, in what you get into is labor negotiations. We have to bargain collectively with the employees of the sewer district, the water district, the highway department, the general town, recreation department, etc."

Bill Nohejl: "I was under the impression that when you were to take a term of office, you had a preset rate."

Supervisor Smith: "That is not correct Sir. The Taylor Law in the year 1965, I believe, was passed by the New York State Legislature and then granted to public employees the right to organize and bargain collectively. If the Town Board were to say arbitrarily there's not going to be any raises and we won't talk to you about fringe benefits or anything else like that, we would be hit with an unfair labor practice before the PERB (Public Employees Relations Board) as I was two years ago by the P.B.A."

Bill Nohejl: "I can't find it right now, but I see benefits here is about \$150,000, I can't recall."

PUBLIC HEARING - continued

Supervisor Smith: "The benefits are rather large. They're about half way through that document Sir."

Bill Nohejl: "Then that's for this coming year. What will it be for the following year?"

Supervisor Smith: "Still higher."

Bill Nohejl: "Much higher."

Supervisor Smith: "It's a big piece of change. One of our big increases is benefits in this particular budget."

Bill Nohejl: "I notice it's a big one and I know it's got to go up the ladder, because it doesn't stand still."

Supervisor Smith: "True."

Bill Nohejl: "And I'm concerned how much up the ladder it's going to go."

Supervisor Smith: "So are we and you've heard me speak in favor of the proposition 13 kind of thing, but that is not the law of the land at the moment."

Bill Nohejl: "I mean I have no qualms about that person working for the Town and having their pensions and funds that's coming to them after a period of time, but after a while, they start escalating so rapidly, I don't see how the hell we're going to keep with them."

Supervisor Smith: "That is a concern that's voiced often in my office when I have the five members of the Town Board or the other four members of the Town Board together with me."

Bill Nohejl: "See I'm sitting on the other side of the fence because I don't have a pension fund. I depend on my property and things of that type."

PUBLIC HEARING - continued

Supervisor Smith: "You would have to work five times as hard as you currently work to get some of the benefits that are included here."

Bill Nohejl: "I would have to work five times as hard?"

Supervisor Smith: "You bet. And that would be damn tough for you. You work pretty hard."

Bill Nohejl: "I didn't quite follow that. Say that again."

Supervisor Smith: "Let's take a patrolman's retirement in 20 years at half pay. When you call your broker tomorrow to check and see how the market's doing, ask him what he would charge you a year for the next 20 years for an annuity for you to retire at half pay 20 years from now."

Bill Nohejl: "It would be . . ."

Supervisor Smith: "It would be a tremendous piece of money. We pay that annually. Mr. Hansen and I cut a check out of here to the State Retirement System for that kind of money and that's a lot of money."

Bill Nohejl: "Yes I know, but . . ."

Supervisor Smith: "If you got the answer to that one, you're really contributing something tonight."

Bill Nohejl: "I noticed you got about \$65,000 more for lighting in here. I think that's underestimated."

Supervisor Smith: "You may be correct."

Bill Nohejl: "I think that's going to be about double that. As I stated before, we had the car in the garage, now we have to pay for it to run it."

PUBLIC HEARING - continued

Supervisor Smith: "Well let's hope I'm right and you're wrong."

Bill Nohejl: "I think you're wrong because with all these little things going up around Town here, somebody's got to pay for . . ."

Supervisor Smith: "We'll still take yours down, Bill."

Bill Nohejl: "Yes, but I still got to pay for them all."

Supervisor Smith: "Okay."

Dick Benedict, Fanning Blvd., Riverhead: "I didn't get time to peruse this thing, it's pretty thick, but on page 34 under drainage, I see we have nothing. Is that under some other department, or would all the drainage problems we have and all the meetings I've been to, they're doing all kinds of studies and everything, we don't intend to fund this unless we have "Small Cities" or somebody else pay?"

Supervisor Smith: "Mr. Benedict we've transferred the flood and erosion item and the drainage item into the general revenue sharing budget is that correct Mr. Hansen? Page 97."

Dick Benedict: "That's the general fund though. How much is set aside to cure some of the drainage problems in this Town?"

Supervisor Smith: "Mr. Benedict we've stated before at the last meeting, for instance, we authorized the first of what will probably be a number of resolutions to pay for some of the drainage problems out of bonding. So we make the assumption that a drainage facility will not be a one-year item. It will last for a number of years and that therefore prudent management of the tax dollar would indicate that the way to finance that is to finance it through tax dollars over the years that it will be in use. There is a fund remaining in the year 1978 and we have been using that to do the drainage work up above you."

PUBLIC HEARING - continued

Dick Benedict: "Well I'm not only interested in up above me, we're not just waiting for "Small Cities" or Revenue Sharing to cure our drainage problems are we?"

Supervisor Smith: "No Sir."

Dick Benedict: "We have money in the budget for that?"

Supervisor Smith: "The work has been on going in and about the Hartman Farm up above you. Cleaning up some of those sumps. One of the side benefits of the housing that we've been talking about with reference to 500 Doctor's Path, has been the installation of a rather large dike. At that particular area and the study that you make reference to says that a great deal of your problem is occasioned at Middle Road and Fanning Street or Blvd."

Dick Benedict: "We have them all over Riverhead."

Supervisor Smith: "I'm just talking about your particular one is the large amounts of water that are coming all the way from Sound Avenue down to you and we've done some work already and we intend to do more work to intercept that water such that it doesn't get to you in the first place."

Dick Benedict: "It's just that maybe it's misleading in here that I didn't see it. Thank you."

Supervisor Smith: "Yes Sir."

Councilman Young: "There's a big thick book on my desk that you can look at that tells all the different — it costs us \$18,000. It was done by engineers and I surveyed the whole Town and almost every problem is explained in this book."

Supervisor Smith: "And it is our intention to proceed with those recommendations through the . . ."

PUBLIC HEARING - continued

Dick Benedict: "That's what I was going to say. If we don't have money to proceed with the recommendations, this study didn't help a hell of a lot."

Supervisor Smith: "All right. I understand that."

Dick Benedict: "Thank you."

James Reed, Aquebogue; "Good evening. Just one point, and it's a very minuscule thing. It's measured against the whole Town Budget and that is the increase in salary of the Councilmen. Now I notice and Allen this is no criticism, I noticed last year we went through the same thing. Somebody criticized the point that the Supervisor's message and the salary schedule wasn't attached to the whole budget and I suppose it would make it easier to read, but for reasons I suppose you explained earlier, it's not quite possible. But anyway, I don't even know what the salary of the Councilmen. Is it \$8,855 and the proposed increase is to \$11,000. The only reason I know this because I saw it in, I think it was the News-Review."

Supervisor Smith: "That's where it . . ."

James Reed: "I do apologize, not because it's not that much of an increase and I say measured against the total budget, it's so minuscule it would affect the taxpayer by half a cent, I suppose if it was figured out, but I think and this comes up every time there's elections for a new Councilman, the fact that the age old argument that's never really been settled, whether it's a full-time Councilman or part-time Councilman and how much the duties really are. And, of course, my argument has been and will continue to be the job is only part time and the pay should be part time and when somebody runs for the position, they should take the salary that is there. Now I have no argument at all with the increase in the Supervisor's salary which is what a \$2,000?"

Supervisor Smith: "Yes \$3,000."

James Reed: "Because yours is full time and you're doing a very good job of being full time at it and you have

PUBLIC HEARING - continued
no other duties. But I would like to register one little protest about the Councilmen's increase and that's my objection. Thank you."

Supervisor Smith: "Thank you Mr. Reed."

Mrs. Danowski: (Inaudible)

Supervisor Smith: "Mrs. Danowski, if you wish your comments to come out on the record, you're welcome to come up and ask the question and either I or the Councilmen will answer."

Mrs. Danowski: "I agree with Mr. Reed about the payment for the Councilmen."

Supervisor Smith: "Mrs. Danowski, I have to say your name so that the young lady who transcribes the minutes has it."

Mrs. Danowski, Kingswood: "I agree with Mr. Reed about the salary for the Councilmen, for the simple reason that the Town people elect the Councilmen to budget their money and yet run the Town as well as the School Board. The School Board is elected by the Town people and they don't get five cents for their work and I think that for the eleven to seventeen hours per month, which the Councilmen do spend time in because we have been watching the hours, I think there was 16 hours the month of September."

Councilman Young: "I was on the phone with you for an hour the other night."

Mrs. Danowski: "But that was not at the Town Hall. That is the only way anybody can get any of the officials is to call them at home. We came down several times and the State Senator only gets \$23,500 for their position and yet our Supervisor is getting \$28,000. That is quite a difference and yet . . ."

Supervisor Smith: "I'm not getting it yet Mrs. Danowski."

PUBLIC HEARING - continued

Mrs. Danowski: "All right. And yet \$11,000 for a Councilman on a part-time basis, we have a treasurer who only gets \$14,000. Mr. Flanagan am I right with that figure?"

Walter Flanagan: "Yes."

Supervisor Smith: "Tax Receiver Ma'am."

Mrs. Danowski: "Tax Receiver and he only gets \$14,000 on a full-time job. So I certainly think that for the hours that we ought to make a motion to at least, if they want it, give them 5% what the government allows the government employees 5.85."

Councilman Young: "I'd love to take 5% since our last raise. That's five years ago, that's 25%."

Mrs. Danowski: "Of course, I would take the job for \$11,000. For 16 hours work, I think it's fantastic."

Supervisor Smith: "Okay. Thank you. Is there Anybody else that would like to address the Town Board this evening?"

Philip Peluso, Northville Turnpike: "I agree with the lady and regards that I calculated about a 22% increase for the Councilmen and I was going to ask how many hours and is it deserving. Because I remember voting, when I did vote, the salary was \$8,000, originally somewhere around there. I remember when I came it was \$2,500, as Mr. Young said."

Councilman Young: "How long ago was that?"

Philip Peluso: "When I came."

Councilman Young: "Yes."

Philip Peluso: "Well I moved into Town 17 years ago."

PUBLIC HEARING - continued

Councilman Young: "I started at \$4,500 15 years ago."

Philip Peluso: "I thought it was \$2,500."

Supervisor Smith: "The point of it is that . . ."

Philip Peluso: "The point of it is that 22% increase for how many hours that's what I'm kind of curious about. I can see the man working, but a 22% increase is kind of stiff for one year."

Councilman Young: "It's not one year. We didn't get a — the last raise we got was five years ago — 4 years ago. So we haven't had a raise in four years. So if you divide four years into 22%, you're getting 5% a year."

Philip Peluso: "I would have suggested trying to take 5% for every one of the past four years, not all at once. It kind of gets you. As for Mr. Smith's salary, I feel that you deserve every cent of it, personally. You are doing — I'm quite proud to have you as a Supervisor."

Supervisor Smith: "Thank you."

Philip Peluso: "I know the Councilmen personally. I don't begrudge them the increase, just the idea I'm trying to keep the lid, or I'm starting to attend these meetings to kind of slow down. Because I'm in a position where I can't — not all myself, but a lot of other people. It's just getting too high for us. That's my opinion."

Supervisor Smith: "Thank you Sir."

Philip Peluso: "The street lighting, is that finished now or is . . ."

Supervisor Smith: "No unfortunately."

Philip Peluso: "Who is handling the complaints?"

PUBLIC HEARING - continued

Supervisor Smith: "Mr. Lombardi and a gentleman named Bob Scheiner, who is home hiding for a fear that he'd get lynched tonight by the street lighting people."

Bill Nohejl, Wading River: "I just want to correct George. Now George you say for the last four years. Suppose every other employee came along and said look we didn't get a raise for the last four years and say well we deserve it too. You're opening up a can of worms by saying that you know. Because if it wasn't corrected over the past years you can't make it up in one year."

Councilman Young: "We're here to listen and if you fellows can convince us that we shouldn't get the raise, we won't take it."

Bill Nohejl: "How can we convince you George?"

Supervisor Smith: "Thank you Mr. Nohejl."

Dick Benedict, Fanning Blvd: "In reference to salaries, Grumman just came across the Board with a general increase as of Saturday, 5% in two years to 25,000 employees. Now that comes out to 2½% per year."

Supervisor Smith: "Yes Sir. I'd like to see Grumman making more money so we could pay the many people who work in Riverhead and live here a little more. Anyone else on the Town Budget?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:37 P.M.

Supervisor Smith: "We've had a number of people enter the room since I last asked if there was anyone who wished to address the Town Board on any matter that was not the subject of a public hearing and if there are no more public hearings and the Yankees are probably winning. Does anyone else like to address the Town Board on any matter?"

PERSONAL APPEARANCES

Unidentified man: "How do I get in touch with Mr. Scheiner?"

Supervisor Smith: "727-3200 ext. 238."

Unidentified man: "Who's idea was this anyway?"

Supervisor Smith: "Four public hearings very similar to this one talking about public lighting and changing lamps and lumans and putting new ones up and taking old ones down and it seems the only way we can get the public out to hearings on lighting is to turn the lighting off for a week and then all hell breaks loose. Part of our problem depending where your home is, I've said at prior meetings, we got a contractor that's in semi-bankruptcy on the west end of Town. Part of the problem in the immediate hamlet area here is a problem of coordination between the Union that represents the private contractor which is IBW and the Union for the Long Island Lighting Company and there's certain jurisdictional disputes about who can unplug a fuse and who can plug a fuse back in.

Unidentified man: "I'm objecting to them being put up."

Supervisor Smith: "If you don't want them in front of your house, we will make sure it doesn't happen in front of yours, similar to Mr. Nohejl. You should form a club."

Unidentified man: "It has already been done."

Supervisor Smith: "Sir we have four different and distinct public hearings."

Chuck Spitalieri: "Is this meeting going to be closed right now?"

Supervisor Smith: "No. You have something on your mind."

PERSONAL APPEARANCES - continued

Chuck Spitalieri, Wading River; "I didn't know if my being here was right. I have East Island Auto Parts."

Supervisor Smith: "If you wait three more resolutions, you might get a permit. Is there anyone else with a question?"

No one else wished to be heard at this time.

RESOLUTIONS

#501 AUTHORIZES PAY FOR COMMUNITY DEVELOPMENT EMPLOYEES

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

BE IT RESOLVED, That the following employees be paid overtime pay, to be paid from Community Development, Capital Projects as follows:

Lawyer Jackson	11 hrs.	@ \$7.36	\$80.96
Arthur Dangelmier	8 hrs.	@ \$7.36	\$58.88

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

The resolution was thereupon declared duly adopted.

#502 AUTHORIZES NOTICE TO BIDDERS FOR 1979 AMBULANCE

Before being offered, Councilman Menendez stated: "This is three pages which in essence authorizes the Town Clerk to post and publish notice to bidders for a new 1979 ambulance for the Town of Riverhead. We have two ambulances now, one of them is completely worn out. It's a 1964. That's the one we're going to replace with a new one."

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.

NOTICE TO BIDDERS

1979 AMBULANCE
FOR THE
TOWN OF RIVERHEAD

RESOLUTIONS - continued

SEALED BIDS will be accepted on November 6, 1978, by the Town of Riverhead in strict accordance with the specifications available at the office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, to be in the Town Clerk's Office by 11:00 A.M.

Interested bidders will quote on a complete Ambulance vehicle, fully equipped as per specifications, F.O.B.

Bids must be sealed and plainly marked: "AMBULANCE VEHICLE BID".

ALL EXCEPTIONS TO SPECIFICATIONS Shall be listed on a separate sheet and headed "EXCEPTIONS TO THE SPECIFICATIONS" and any bidder submitting a bid without EXPLICIT DETAILED EXCEPTIONS will be required to meet every detail of these specifications, regardless of the cost to the bidder. A general exception cannot be taken for any paragraph, and a full word-for-word WRITTEN COMPARISON must be included with the body of the bid.

Each bid submitted must contain a non-collusion certificate.

The mention, in the specification, of any item of equipment by Brand Name is intended to convey the degree of quality required. Any article or material which will conform to equal quality will be considered as equal; however, exception must be taken and the qualifications of the exception will be considered.

Vehicle must have a minimum 65" Headroom to allow as much stand-up working area as possible.

Vehicle must meet dimension and construction specifications to allow ample room for Patient and Attendants and to meet Federal Transportation Standards for the G.V.W. of the vehicle, plus carrying capacity.

Warranty will be the standard chassis One (1) year Manufacturer's Warranty or 12,000 miles from time of delivery. Body construction will be warranted for as long as owned by the Town of Riverhead.

The Town Board of the Town of Riverhead reserves the right to reject any or all bids, and to accept the proposal and bid which the Town Board feels to be in the best interest of the Town.

Bidder will include in bid price all expense paid inspection trip to the factory, for three (3) men, where the Ambulance is being constructed.

Mileage on Ambulance speedometer at time of delivery should not exceed 400 miles, any exception to this request must be taken.

Bidder will supply a certified check in the amount of five (5) percent of bid which will be held by purchase until Ambulance is delivered and accepted as meeting specification.

All bids shall remain open for acceptance for ninety (90) days from the date of bid opening.

RESOLUTIONS - continued

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

The resolution was thereupon declared duly adopted.

#503 APPROVES APPLICATION OF CHARLES SPITALIERI FOR JUNK YARD

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

WHEREAS, Chapter 108 of the Code of the Town of Riverhead provides for site plan review of any application for a commercial use, and

WHEREAS, Charles Spitalieri has submitted a proposed site plan of certain lands on Kroemer Avenue for use as a junk yard, drawn by Howard W. Young, dated June 19, 1978, and

WHEREAS, The Town Board has considered the above site plan,

NOW, THEREFORE, be it

RESOLVED, That the Town Board does approve said site plan, subject to the following conditions:

FIRST: The owner shall maintain a twenty-five (25) foot buffer zone, south of his northerly lot line, that will not be used for the proposed use as a junk yard, but shall be maintained as a green space, as set forth below.

SECOND: Said buffer zone shall be planted with Japanese black pine trees, set on staggered intervals ten (10) feet on center. Said plantings shall be six (6) feet in height at the time of planting.

THIRD: The easterly, northerly and westerly lot lines shall be enclosed by a fence of not less than six (6) feet in height; said fence shall either be of chainlink with screening woven, or attached thereto, or of the stockade variety.

Before the vote, Supervisor Smith stated: "You have a fence up there now. Is it at least six feet?"

Charles Spitalieri: "It's a six foot stockade."

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

The resolution was thereupon declared duly adopted.

#504 APPROVES APPLICATION OF JOSEPH MURATORE FOR ADDITION

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

WHEREAS, Chapter 108 of the Code of the Town of

RESOLUTIONS - continued

Riverhead provides for site plan review of any application for a commercial use, and

WHEREAS, Joseph Muratore has applied for site plan review of an additon to an existing building on the easterly side of Edwards Avenue, as is shown on a site plan, drawn by Howard W. Young, last dated October 5, 1978, and

WHEREAS, The Town Board has considered the above-referenced site plan,

NOW, THEREFORE, be it

RESOLVED, That the Town Board does approve the above-referenced site plan as drawn by Howard W. Young without modification.

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

The resolution was thereupon declared duly adopted.

#505 APPROVES APPLICATION OF PAUL CHEW

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

WHEREAS, Chapter 107 of the Code of the Town of Riverhead provides for site plan review of any application for a commercial use, and

WHEREAS, Paul Chew has applied to the Town Board for site plan review of certain premises on the southerly side of Route 25 in Aquebogue, as shown on a site plan, drawn by Donald A. Denis, dated October 6, 1978, and

WHEREAS, The Town Board has considered the above referenced,

NOW, THEREFORE, Be it

RESOLVED, That the Town Board does approve the above-referenced site plan, as drawn, subject to the following condition: That this site plan shall remain subject to the jurisdiction of the Riverhead Town Board, and that, if further conditions and circumstances in the opinion of the Town Board warrant the erection of a fence or fences along the lot lines at the subject location, the applicant will install the same at the direction of the Town Board.

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

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote the meeting adjourned at 8:47 P.M.

Irene J. Bendzick

Irene J. Bendzick, Town Clerk