

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, May 20th, 1975, at 7:30 P.M.

Present:

John H. Leonard, Supervisor
 Robert G. Leonard, Town Justice
 Gregory R. Manning, Town Justice
 George G. Young, Councilman
 Francis E. Menendez, Councilman

Also present: Allen M. Smith, Town Attorney
 Absent: Alex E. Horton, Supt. of Highways

EXECUTIVE SESSION

10:00 A.M. - Stanley Grodski, Supt. of Recreation Dept. re Path and Stairway to Reeves Beach

Supervisor Leonard called the Meeting to Order at 7:30 P.M. and the Pledge of Allegiance was recited.

Town Justice Leonard offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the Minutes of the Meeting of the Town Board of the Town of Riverhead, held on May 6th, 1975, be approved as submitted.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills, submitted on Abstract, dated May 20th, 1975:

General Town	\$39,070.63
Highway Item #1	\$12,133.05
Highway Item #3	\$ 3,803.99
Highway Item #4	\$ 891.28
Special Districts	\$10,993.07
Drug Abuse Program	\$ 439.53
Sr. Nutrition Program	\$ 1,072.74
Federal Revenue Sharing	\$ 6,600.00
Town Hall Capitol Project	\$ 8,746.26

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

BE IT RESOLVED, That the following bills be and are hereby approved for payment:

BOARD OF AUDIT - continued:

General Town	\$39,070.63
Highway Item #1	\$12,133.05
Highway Item #3	\$ 3,803.99
Highway Item #4	\$ 891.28
Special Districts	\$10,993.07
Drug Abuse Program	\$ 439.53
Sr. Nutrition Program	\$ 1,072.74
Federal Revenue Sharing	\$ 6,600.00
Town Hall Capitol Project	\$ 8,746.26

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

REPORTS

Supervisor's, month of April, 1975. Filed.

Supervisor's 1974 Financial Report - CPA Accountants Report. Filed.

Tax Receiver's, dated: May 10th, 1975. Filed.

Report of Captain Palmer re Overtime Parking, Complaint of T. Gallagher, Main Road, Jamesport.

"Captain Palmer reports interviewing Mr. Thomas Gallagher of Main Road, Jamesport, N.Y. on Wednesday, May 14, 1975, in regards to letter sent to the Riverhead Town Board on April 28, 1975.

Mr. Gallagher and the undersigned discussed the parking problem on Main Road in the Village of Jamesport. Mr. Gallagher agreed that the enforcement of the 30 minute Parking was impossible to enforce due to cost and man-power.

The undersigned informed Mr. Gallagher that the Restricted Parking would be enforced.

Orders to that effect were issued to the Sector Car and the Squad Leaders." (Signed)

Report of Chief Grodski re Holiday Inn Driveway

"To New York State Dept. of Transportation - Kindly be advised that an extremely dangerous condition exists in the front of the recently opened Holiday Inn on State Highway Route 25, just west of Riverhead. The entrance and exit to this Inn not only confuses motorists using same, but it has caused several serious accidents and close calls.

I respectfully urge your office to take immediate action and resolve this matter before some innocent motorist is seriously injured or killed." (Signed)

New York State Dept. of Transportation re above matter

"This is in reference to your letter of May 2, 1975, regarding the Holiday Inn driveway on Route 25, Riverhead.

Investigation has shown that confusion to motorists entering Route 25 can result due to the nature of the roadway in this area. To rectify this problem we have ordered the immediate installation of one-way signs on the mall opposite the driveway." (Signed)

REPORTS - continued:OPEN BID REPORT - Old Cushman Scooter - Recreation Dept.

J. Anthony Zaweski
Main Road
Jamesport, N.Y. 11947

Old Cushman Police Truckster 109 \$10.00 Filed.

OPEN BID REPORT - Aluminum Corrugated Culvert Pipe - Highway

After being duly advertised the following bid for Aluminum Corrugated Culvert Pipe and Connecting Bands with Bolts for the period from May 20, 1975 to May 20, 1976 was opened by the Town Clerk on Monday, May 19th, 1975, at 11:00 A.M.:

Capitol Highway Materials, Inc.
Route 6
Baldwin Place, N.Y. 10505

Price per ft. of 12" pipe, 16 gauge	\$ 2.64	
Price per 12" band with bolts, 16 gauge	\$ 2.64	
Price per ft. of 15" pipe, 16 gauge	\$ 3.26	
Price per 15" band with bolts, 16 gauge	\$ 3.26	
Price per ft. of 18" pipe, 16 gauge	\$ 3.90	
Price per 18" band with bolts, 16 gauge	\$ 3.90	
Price per ft. of 24" pipe, 16 gauge	\$ 5.15	
Price per 24" band with bolts, 16 gauge	\$ 5.15	
Price per ft. of 36" pipe, 12 gauge	\$13.55	
Price per 36" band with bolts, 12 gauge	\$13.55	Filed.

PETITION

Petition by the Property Owners north of Camp Grant, on either side of Edwards Avenue, to amend Town Ordinances 3 and 10 and to post Edwards Avenue with No Parking signs and Tow-Away Zones. Filed.

APPLICATION

Application of Jeanne Reynolds for Special Permit to Erect Single Family Dwelling in Ind. A Use District. Filed.
This matter was referred to the Planning Board for its recommendation and report.

COMMUNICATIONS

Sisters of the Holy Family of Nazareth, dated 5/10/75, expressing appreciation for the "beautifully framed Resolution" of the Centenary of their Congregation. Filed.
Copies to Town Board.

Edward J. Piat, dated 5/6/75, tendering his resignation as a Church Crossing Guard, effective June 1, 1975, due to personal reasons. Copies to Town Board, Town Attorney and Police Dept. Filed.

COMMUNICATIONS - continued:

Shoreham-Wading River Central School District, dated 5/9/75, requesting permission of the Town Board to hang a banner from tree to tree across North Country Road, in the vicinity of the Wading River Post Office, on May 24, 1975, to advertise the school's Second Annual Arts Festival to be held on June 6th and 7th.

They further request this matter be considered immediately due to the time factor. Filed.

Copies to Town Board, Town Attorney, Zoning Inspector and Police Chief Grodski.

It was reported that the banner has already been hung.

Dept. of the Army, News Release, dated 5/6/75, submitting information on "Federal authority to regulate the disposal of dredged or fill material in the waters of the United States will be greatly expanded under proposed regulations published in the Federal Register today and would include practically all lakes, streams, rivers and wetlands in the United States.

Under some of the proposed regulations, Federal permits may be required by the rancher who wants to enlarge his stock pond, or the farmer who wants to deepen an irrigation ditch or plow a field, or the mountaineer who wants to protect his land against stream erosion.

The proposed changes in the Corps of Engineers permit regulation apply only to the water disposal of dredged or fill material, but not to permits for construction of piers, wharfs, pilings, dikes and dams. Regulations for the latter are not affected by the proposed rules published in the Federal Register today.

All comments or suggestions on the four alternative regulations (submitted on 3 lengthy pages) received in writing by the Office of the Chief of Engineers, Dept. of the Army, Attn: DAEN-CWO-N, Washington, D.C. 20314 on or before 6 June 1975 will be considered before publication of the final regulations. Filed.

Copies to Town Board, Town Attorney, Planning Board, Building Dept., and Board of Appeals.

Cooperative Extension, dated May, 1975, submitting a summary of questionnaire results compiled by the Regional Plan Association re the Future of Suffolk County.

Questionnaire regarding land use issues here in Suffolk County and specific educational needs on these topics was also enclosed.

Copies to Town Board, Town Attorney, Building and Zoning Depts. Filed.

Barbara Raynor, dated 4/29/75, regarding serious drainage problem in front of her property on West Lane in Aquebogue.

She continues to say that all the water from West Lane runs down into their yard causing severe wash-outs of both lawn and driveway, sometimes a foot deep.

She further states that this area is the main bus-stop area for West Lane and sometimes the children have to walk in ankle-deep water to get on and off the bus.

COMMUNICATION - continued:

She concludes by asking help from the Highway Dept. to find a solution to this frustrating and expensive problem. Filed.
Copies to Town Board, Town Attorney and Supt. of Highways.
This matter was referred to Mr. Horton, Supt. of Highways.

American Petroleum Institute, dated 4/29/75, to the Chairman, Interior and Insular Affairs Committee, U.S. Senate, Washington, D.C., stating as follows:
"Dear Mr. Chairman:

The American Petroleum Institute has been on record for more than two years in favor of a system whereby Federal revenues generated from future Outer Continental Shelf lease sales would be shared with appropriate state and local governments. On two occasions last month, the Institute reiterated this position in statements presented or submitted in connection with Congressional hearings on OCS-related legislation.

The recent Supreme Court ruling affirming the Federal Government's title to Atlantic offshore resources beyond the three mile limit also served to emphasize the urgency of reaching an accommodation between the Federal Government and the state and local jurisdictions on sharing OCS-generated revenues.

We do not feel it appropriate for the industry to suggest how those revenues might be allocated. We do, however, believe that the sooner the question of revenue sharing can be resolved, the better it will be for all-concerned". (End) (Signed) Filed.

Copies to Town Board and Town Attorney.

Mrs. Edward Greenwood, dated 5/12/75, reporting that the sidewalk in front of her home at 340 Maple Avenue, Riverhead is in a raised condition and creates a dangerous situation.

She further stated that she has called the Highway Dept. on several occasions, but to no avail. Filed.

Copies to Town Board, Town Attorney and Supt. of Highways.
This matter was referred to Councilman Young.

Lucius Ware, Supervising Principal of the Laurel Common School District, dated 5/13/75, submitting resolution by their Board increasing the partial tax exemption for property owners 65 years of age or over from 50% to 65%. Filed.

Copies to Town Board, Town Attorney and Board of Assessors.

(1) West Side Realty Co., dated 5/12/75 re Riverhead Plaza Shopping Center, Amendment to Ordinance #26, stating the matter of constructing a bank building in the Riverhead Shopping Center has been before the Board since October of 1974.

He further states that "time is rapidly running out as the bank has indicated, through its attorney, and the real estate broker that brought the parties together, that the Home Loan Bank Board has advised the bank that it must proceed with the construction or the approval for this construction that was given some months ago would be revoked", and urges the Board to act with respect to the aforementioned matter

COMMUNICATION - continued:

immediately.

Filed.

(2) West Side Realty Co., dated 5/15/75, re Amendment to Ordinance #26, Riverhead Plaza Shopping Center, second complaint re inaction of Town Board on aforementioned Amendment.

They further state they understand the next Board Meeting is May 20th and they expect to hear from the Town Board in regards to its decision in this matter.

They conclude by complaining about previous Board decisions and stated as follows:

"Elemental principles of fairness and equity mandate that the Board give serious and immediate consideration to this application made by West Side Realty Co." Filed.

Copies to Town Board and Town Attorney.

Resolution on Calling Public Hearing to Amend Ordinance #26 to be presented later in the Meeting also includes provisions for above mentioned amendment for West Side Realty Co.

Lupton and Luce, Inc., 225 Howell Avenue, dated 5/13/75, complaint re sidewalk, in front of their establishment, raised by the roots of a tree and presenting a definite hazard to pedestrians.

They further state they would appreciate it if this condition could be eliminated. Filed.

Copies to Town Board, Town Attorney and Supt. of Highways.

Town of Riverhead Planning Board, dated 5/16/75, submitting recommendation and report on Petition of Sven Englund for Special Permit to construct a machine shop in Aquebogue, recommending the Town Board grant the aforesaid Special Permit, provided Sven Englund covenants with the Town and he complies with and adheres to the stipulations as set forth in his petition. Filed.

Copies to Town Board and Town Attorney.

Town of Brookhaven, dated 5/16/75, relating to Adoption of Amendment to Chapter 85 of Zoning Code. Filed.

Copies to Town Board and other Town Agencies.

UNFINISHED BUSINESS

- a) Codification Code Adoption - No progress.
- b) Proposed Changes to Waste Ordinance #15 - Progress
- c) Proposed Changes to Zoning Ordinance #26 re Signs - Progress
- f) Matter of Larger Quarters for Riverhead Sr. Nutrition Program - Progress
- g) Richard Woodhull's Complaint re Serious Drainage from Sound Shore Road to L.I. Sound - Supervisor Leonard

reported that members of the Board have been up to the property in question and there is definitely a serious problem, but one that will be hard to correct.

UNFINISHED BUSINESS - continued:g) Drainage - continued:

Councilman Young stated that they had this problem 10 years ago and Alex Horton did what he could to relieve the problem by putting in a pipe and since then he has gone up and filled in the washed out holes as well as he could.

"But 10 years ago, engineers, hired by the Town to survey the problem, reported that a permanent solution to this serious drainage problem would cost \$60,000.00. Today, it would probably cost the Town \$100,000.00."

(Items d) and e) concerning faulty sidewalk at 138 Roanoke Avenue and restoration of two old homes in Riverhead were ordered to be taken off the Agenda.)

Supervisor Leonard recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 8:30 P.M.

Town Clerk submitted affidavits of publishing and posting Public Notice on Change of Zone on Application of Jenasaqua Realty Holding Co.

The affidavits were ordered filed.

Supervisor Leonard then declared the Hearing open and asked if anyone wished to be heard.

Shepard Scheinberg, Esq. spoke as Attorney for Petitioner. (Tape machine went out during the first part of Mr. Scheinberg's presentation, therefore, presentation was lost.)

Mr. Scheinberg then showed pictures depicting the type of building to be used and stated that the petitioner has agreed to enter into a covenant, within, the sole use of this property would be for a professional building and is also willing to submit all specifications and plans either to the Town Board or the Planning Board.

Further discussion as to the exact location and size of property in question followed.

Councilman Menendez asked how many parking spaces were required for a building of this type.

Mr. Scheinberg replied: "Twenty-eight cars."

Judge Leonard asked how much they would lose (speaking of property in rear of Harrow's) with the parking provisions.

Mr. Scheinberg and Unidentified Man explained that they now have 60 ft. and with the parking they would lose 20 ft., leaving them with 40 ft.

Jacob Harding representing Dr. Goldman and Son, Dentists occupying the southeast corner of the "Harrow Building" read a lengthy statement opposing the proposed change of zone. This statement is filed, in its entirety, in the Town Clerk's Office.

Further discussion on parking provisions and property in question followed.

PUBLIC HEARING - continued:

No one else wishing to be heard and no communications having been received thereto, Supervisor Leonard declared the Hearing closed at 9:03 P.M. and re-opened the Meeting.

No action was taken at this time.

PERSONAL APPEARANCES

Supervisor Leonard asked if anyone wished to be heard and the following responded:

Larry Scudder, Riverhead asked for the current status of the proposed Amendment to Ordinance #26 regarding signs and billboards.

Councilman Menendez reported that they drew up an amendment regarding signs and billboards and it was defeated because it couldn't be enforced effectively, so they had to start all over again.

He further stated that the Board now has the Zoning Codes from Southhampton, Southold and East Hampton, who all have similar problems.

Larry Scudder asked: "Hasn't the East Hampton Town Ordinance been upheld in Court?"

Councilman Menendez replied that he thought it had.

He further commented that all three Towns had good points and the Board is trying to combine these points in addition to others relating to Riverhead's own special problems.

Larry Scudder then asked on the progress of the New Town Hall.

He was told there was a resolution regarding Bids for Site Work - New Town Hall, to be presented later in the Meeting.

Richard Carey stated that he endorsed Mr. Scudder's remarks on the Town's Sign Ordinance and then expressed concern over the fact that a Bond Issue for \$25,000.00 was needed to finance the repair work being done on the intersection of Fresh Pond Road and Sound Avenue.

He further stated his dissatisfaction that this was being done instead of using surplus highway funds to finance or at least help finance this project.

He then stressed that he hoped this was a short term Bond Issue that would be paid off in the next budget because he couldn't see why the Town should be going long term on such a proposition.

Supervisor Leonard explained that it was a 5 Year Bond, so it wouldn't be completely paid off in the next budget.

Further discussion.

Mr. Carey then spoke on a drainage problem off Middle Road, on Henry McKay's Property, and said that the Riverhead Nursing Home should be held responsible for putting in inadequate dry wells that caused the serious drainage problems for other property owners on Harrison Avenue Extension.

PERSONAL APPEARANCES - continued:

Arthur Penny asked if the creek in the Town Marina was going to be dredged as it is virtually impassable at low tide.

He was assured that it would be, but the Board had no idea when that might be done.

Mr. Penny then asked if there would be a flood light at the dock and flashing lights within the channel, as before.

Stanley Grodski, Recreation Supt. explained that the flood light was originally put up by the Fire Department for one of their tournaments, but he hadn't turned it on this year.

No satisfactory answer could be given on the matter of the flashing lights in the channel, but Supervisor Leonard said he would look into the situation.

Michael Izworski representing the Mill Pond Improvement Ass'n. stated that his Ass'n. is working with the Peconic Lake Civic Ass'n. and the Riverhead Bicentennial Committee as well as other groups to improve and repair Forge Road and surrounding areas, but they are all concerned with the level of Peconic Lake.

He then asked for a central control to regulate the level of the lake by raising or lowering the dam structure there.

Lengthy discussion ensued.

Supervisor Leonard then replied that he will contact the Conservation Department to check into this problem and report their findings at a later date.

Mr. Izworski then submitted a paper regarding the area above mentioned area entitled "The Historical Forge Mill".

Supervisor Leonard then recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 8:45 P.M.

Town Clerk submitted affidavits of publishing and posting Public Notice Calling Public Hearing on Proposed Amendment to Zone Ordinance #26 on the Addition of New Section 206 (1)(p) - Veterinary Hospital.

The affidavits were ordered filed.

Supervisor Leonard then declared the Hearing open and asked if anyone wished to be heard.

Helene M. Block, Town Clerk then read a Petition signed by 11 residents in the area of Union Avenue, Main Rd., and Shade Tree Lane, Aquebogue, protesting Change of Zone of the Atkinson Property, Main Rd., Aquebogue and asking the Town Board to reject the application for the Animal Hospital as it would not be in keeping with the area. Filed.

PUBLIC HEARING - continued:

Frederick Tedeschi, Esq., Greenport, stated that he represented the Petitioners, Dr. Brown and Dr. Allen and continued as follows:

"This Petition seeks to add a use to Section 206, Business B District, so as to permit the Petitioners to open an Animal Hospital and to practice Veterinary Medicine on the south side of the Main Road in Aquebogue, N.Y.

Now the applicants are Dr. Garrison Brown and Dr. Bruce Allen. They are the only persons interested in this application with the exception of the owner, Mrs. Atkinson.

Now, if we're granted the relief that we seek here, they plan to remodel, rehabilitate, modernize the present building, which is a 35 year old residence."

He went on to say that the exterior of the present building will not be altered, except to add another door. (Presented sketches to the Board showing same.)

Mr. Tedeschi continued by saying: "We picked this structure for several reasons. It's uniquely suited for our purposes and it will benefit this Community.

Now, we are set back 75 feet from the Main Highway. We are well off the Main Highway. We're 50 feet away from the westerly lot line and we're 80 feet from the easterly lot line. We're not on top of anybody. Our southerly lot line is 320 feet away from our building.

All the operations of this Animal Hospital will be within the four walls of this building, except for parking.

All the dog runs, all disposal areas are inside.

We're not going to give you a traffic problem. This is not the type of profession that generates a lot of traffic, like MacDonalds, Burger King or some of the others.

Drs. Brown and Allen will operate their business on an appointment system and the primary use is treating, caring and housing of animals.

Now, the Planning Board said that we didn't conform to the Master Plan and that we were not compatible with the Business B Use. The Master Plan is a very valuable guide, but it's only a guide and the law in this State says that you're not frozen into it. In fact the Supreme Court of this State has said that a comprehensive Master Plan does not unauthorably or irrevocably fix a particular classification. It may be changed, if it is not discriminatory. The existence of a Master Plan is only some assurance against precipitant action.

Now, I submit again that the proposed use, by Drs. Brown and Allen, would be compatible with the Master Plan and with the other uses presently allowed in this Business B District and I would respectfully refer you to page 29 of your Zoning Ordinance #26."

He then read the section of Ordinance #26 re permitted uses.

He then submitted that there was ample precedent throughout Suffolk County for what they were asking and went on to say that through research, they found other Animal Hospitals in Shopping Centers, all next to such businesses as Kentucky Fried Chicken, a movie theater, a Pharmacy, a North Fork Bank and Trust Co. and various private residences, all compatible with their neighbors.

PUBLIC HEARING - continued:

"Now getting closer to home, I don't think there is one thing about this Animal Hospital proposition that would hurt this Town.

Now, there's one more thing I want to call to your attention and that is Drs. Brown and Allen intend to conform with the Manual of Standards of the American Animal Hospital Association and these are very stringent regulations, Gentlemen.

Now, as you probably noticed, attached to the Petition are the signatures of some 31 neighbors in the immediate vicinity of the subject property. They have signified their approval and consent. In addition, we've kept the people in the locality informed of this project and the Doctors have been told that they are welcome, with the exception of the 11 or 12 residents, Miss Block read about on the opposing Petition submitted here tonight."

He then submitted a supplementary Petition in favor of the Animal Hospital, containing 250 names, approximately. He also indicated that some of the signatures were from out-of-towners who have indicated they would use the services of this hospital, thus bringing money and business into the Town from outside sources.

He then concluded by saying he wished the Board would give serious consideration to this matter.

Arthur Di Pietro, Attorney for the property owner, Mrs. Atkinson, stated his case in favor of the Animal Hospital and his client Mrs. Atkinson in a lengthy dissertation, repeating much of the information, Mr. Tedeschi previously stated.

James Reed, Union Avenue, Aquebogue stated it was true that under the Zoning Ordinance #26, Animal Hospitals are not mentioned and it was an oversight that should be corrected.

He then stated that when Zoning Ordinance #26 was amended to conform with the Master Plan, this property in question would not be in Business B District, as it is now zoned, but would become a Medium Density Residence District.

He continued by saying that he nor many of the residents who signed the opposing Petition are against the Animal Hospital per se, just to a business going in that location.

He further asked the Town Board to call a Moratorium on any change of zone until they amend the Zoning Ordinance and the Zoning Map, so there will be no violations before they amend the Ordinance.

Roger Nicosia, Aquebogue stated he was a neighbor of Dr. Brown and praised him highly.

He then stated that it struck him, as he sat there listening to the others, that as it stands now, he could go and put up a Shopping Center, in that location, and within that center, he could put in a fifty stall puppy palace and everything would be legal and according to the Master Plan.

He then said: "Now, when you're asked to add eight years of hard work, a shingle and professionalism to it, how can you say no? It just doesn't make any sense to me. It's already zoned Business B and a Veterinarian Practice seems to have been eliminated from the code as if it never existed. So you're not really asking for a change of code, you're asking for an inclusion of Veterinary Medicine in Business B."

PUBLIC HEARING - continued:

"These men have a right to make a living. As the Town gets bigger, we're going to need another Animal Hospital.

Please consider this proposal very favorably."

Tim Kelly, Shade Tree Lane, Aquebogue appeared in opposition to the Animal Hospital stating there was plenty of space downtown: 20 or 30 stores that they could pick from to go into.

He then complained about the prospect of dogs barking and the fact that there are no Town Sewer facilities there, only cesspools.

Richard Spanburgh, Union Avenue, Aquebogue

"We certainly, as individuals, have no opposition to an Animal Hospital, per se. Our only complaint and that's why we signed the Petition, is where they want to locate the Hospital.

Now, originally, to be completely honest, Drs. Brown and Allen brought over a Petition and we signed it. That Petition said that we would be in favor of them putting an Animal Hospital in there. And at that time I didn't think there was anything that we could do about it, so consequently, we signed it."

He then went on to say that he then read the Master Plan, which called for this property to be residential and being a member of the Aquebogue Bicentennial Committee, he wished to keep it that way.

He then asked if he might have a copy of the Petition containing 250 names to see how many signatures were of people owning residential property, in that area, with no business interests that might be protected if the Ordinance was changed.

He concluded by saying that he and others have put a lot of money into their homes in that area, and further stressed the fact that since the Town Board adopted the Master Plan, they should stick to it and not start allowing any exceptions.

Dr. Alfred Smith stated: "I wish people had as much enthusiasm regarding the medical profession, when they complain about having to take their animals 11 miles out of Town to be treated. What about their kind? If something isn't done about our malpractice insurance we may not have any Hospital after July."

Marian Dillingham, Main Road, Aquebogue stated she lived two houses down from the property in question and her husband had a machine shop in back and that area was certainly zoned Business.

She further stated that she lived next to Brownie Bokina and his place of business was a disgrace, but this Animal Hospital would be an asset and all her neighbors wanted it.

Blanche Schoning, Church Lane, Aquebogue spoke in favor of the Animal Hospital, stating she grew up in Aquebogue and loved it more than the people who just moved to Union Avenue.

She further stated that she had operated a dog kennel, in Aquebogue, for many years, with her dogs outside, and there have been no complaints about noise, that she knows of.

PUBLIC HEARING - continued:

Raymond McKay, Main Road, Aquebogue spoke in favor of the Animal Hospital and commented that he knew the Town Board would use good sense.

Ray McKay, Union Avenue, Aquebogue also spoke in favor of the proposition and added he didn't know why people were making such a big thing of it.

Kenneth Zahler, Union Avenue, Aquebogue opposed the Animal Hospital for the reason that he didn't want Aquebogue to look like the other Towns, the Petitioners' Attorney had cited, with Animal Hospitals stuck in anywhere.

Robert Tooker, Esq. spoke of other residential sections in Town that might be affected some day, if this change of zone went through.

He then went on to cite different cases, in past years, where Animal Hospitals had been next to residences and didn't seem to work out.

Gordon Danby, Sound Road, Wading River spoke in favor of the Animal Hospital, saying he was a good friend of Dr. Brown's and although he does not live in the area in question, he wanted the Board to know that he felt it would not be a favorable practice of the Town to look so far into the future and state what they hope this Town will become, that they do so at the expense of some individual.

He concluded by saying that when Towns want to expand and improve their development, sacrifices and sharing of burdens must be made and done by the Town, as well as the individual.

Ronald Atkinson, Cutchogue, son of Mrs. Atkinson, owner of the property in question, spoke in favor of the Animal Hospital, stating that the few people who seem to be against this issue, all built their homes, knowing that property was already zoned Business B.

James Corwin, Riverhead spoke in favor of the Animal Hospital, stating he and his wife have known Dr. Brown since he was "this high" (gestured with his hand) and also that his wife has worked with him in his surgery.

He further stated that he has to take his wife's professional judgment who is a graduate R.N., that Dr. Brown is one of the best animal surgeons to be found anywhere.

He concluded by saying that if this request was turned down, Dr. Brown would seek his practice elsewhere and Riverhead would be losing one of the finest animal surgeons and if you have animals, you know how important that is.

Joseph Fischer, Calverton spoke in opposition to the zone change saying that although he is presently living in Calverton, he is in the process of building a home on Union Avenue and is against the Animal Hospital only because he feels it would detract from the residential neighborhood.

He then reiterated previous points such as possible traffic congestion and expansion of buildings to handle increased work load.

PUBLIC HEARING - continued:

Frederick Tedeschi, Esq. again stressed the fact that this business would be run on strictly an appointment basis and certainly they would not schedule so many people in one day, as to cause traffic congestion.

He further commented on a point previously brought up concerning proper sewerage facilities to dispose of waste matter from the dogs and stated that he had evidence received from good scientific authority that the waste matter from dogs was one step higher than that of humans and human waste matter was certainly disposed of adequately in the area, and if they can dispose of one, they can dispose of the other in a sanitary manner.

Mr. Di Pietro, in answer to one of Mr. Reed's objections, stressed again the fact that he and his client, Mrs. Atkinson, sincerely believe that this proposal would do far more to maintain the character of the area, in that there would be no acute or extreme physical alteration of the property, than would several of the possible and permitted uses that are authorized.

He continued by saying that without sounding like he was admonishing the Town Board, a municipality couldn't frustrate an otherwise valid application just by means of delay because they anticipate a top to bottom change in the zoning structure in the near future.

He went on to say: "Although the Master Plan is a prognosis for what Riverhead may want to do, we are ruled here and now by the existing Zoning Ordinance and I don't think we should deteriorate this discussion to characterize what I'm saying as a threat.

An individual buys a piece of property and if she doesn't have one alternative then she has other alternatives as to what she has to do with it to raise the money she needs to continue to live. And there are other alternatives, and it would seem to me that they're certainly not as consistent with the best interests of this Town and the people who are here tonight, as this particular application."

He further spoke, this time in regard to Mr. Tooker's statements that residences, offices and animals didn't do too well all together and stated different passages from the Agricultural Section of the Zoning Ordinance in relation to people and animals and concluded by saying that this added use to the Zoning Ordinance would not be a detriment to the zoning structure, people, other business or to the Town of Riverhead.

Mitchell Skryzpecki, son-in-law of Mrs. Atkinson, spoke in favor of the Animal Hospital, but brought up a strong point on reserving the rural atmosphere of Aquebogue, stating that if the Town goes by the Master Plan and changes that property to medium density residence, they would have 4 or 5 houses on one parcel of property and would be defeating their own arguments about over-developing like Centereach, Commack, Selden and the other Towns mentioned earlier.

He concluded by saying that preserving the rural character of the area would be far better achieved by leaving one house there in a very dignified fashion, as specified in the application.

Richard Spanburgh reiterated his remarks made earlier, about wanting to hear from some people who were residents of that area and not just friends of the Doctors or people with business interests on Rte. 25.

PUBLIC HEARING - continued:

Margaret Goodale, Main Road, Aquebogue spoke in favor of the Animal Hospital saying that her husband was a farmer and they are concerned with the rural atmosphere of Aquebogue too, but the new Lutheran Church across the street from them, took up a lot of good farmland and the traffic coming in and out of there is a lot worse than any traffic that might be connected with the Animal Hospital.

No one else wishing to be heard and no more communications or Petitions having been received thereto, Supervisor Leonard declared the Hearing closed at 10:15 P.M. and re-opened the Meeting.

RESOLUTIONS

Councilman Young offered the following resolution which was seconded by Town Justice Leonard.

WHEREAS, Plans, specifications, etc. have been prepared for the site work at the new town hall.

NOW, THEREFORE, BE IT RESOLVED, That the Town Clerk be and she hereby is authorized to publish the annexed notice to bidders calling for bids on said site work to be opened June 16th at 11:00 A.M. by the Town Clerk.

NOTICE TO BIDDERS

Separate sealed proposals will be received by the Town Clerk for the Town Board of the Town of Riverhead until 11:00 A.M., prevailing time on June 16, 1975, at the Riverhead Town Hall, 220 Roanoke Avenue, Riverhead, N.Y., at which time they will be publicly opened and read for the construction of the:

SITE WORK

for the

PROPOSED RIVERHEAD TOWN HALL
N.Y. Rte. 25, East Main St.
Suffolk Co., Riverhead, N.Y.

which work consists of one contract for the entire project:

Contract No. S-1 - Site Work

The information for Bidders, General Conditions, Supplemental General Conditions, Form of Proposal, Specifications and Plans may be examined at the office of the Town Clerk at the Town Hall, 220 Roanoke Avenue, Riverhead, N.Y. Copies thereof may be obtained at the offices of the Architect, Donald A. Denis, A.I.A., Main Road, Aquebogue, N.Y., upon the payment of a deposit of \$25.00, which will be refunded to any bidder who returns the Plans and Specifications in good condition within thirty (30) days following the award of the contract or rejection of the bid.

Each bidder must deposit with his bid a certified check or bid bond for not less than ten (10%) percent of the bid payable to the order of the Supervisor of the Town of Riverhead. Such check or bid bond will be promptly returned to all except the lowest bidder after the formal opening of bids. The check or bid bond of the successful bidder will be returned within two days after the contract has been executed.

RESOLUTIONS - continued:

The successful bidder, upon failure or refusal to execute the contract within ten (10) days after he has been notified of the award of the contract to him, shall forfeit to the Town Board, as liquidated damages, for such failure or refusal, the security deposited with his bid.

The successful bidder shall be required to furnish a Performance and Payment Bond in the amount of One Hundred Percentum (100%) of the accepted bid guaranteeing the completion of the work in accordance with the Drawings and Specifications, and the payment of all obligations arising thereunder in the form and subject to the conditions set forth in the "Instructions to Bidders".

The Town Board reserves the right to reject any or all bids, and to advertise for new bids and to waive any informalities in the Proposals, and to accept or reject any or all alternates or Unit Prices if, in its opinion, the best interest of the Town Board will thereby be promoted.

No bid shall be withdrawn pending the decision of the Town Board which shall be made within forty-five (45) days after date of the bid opening.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard 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 attached notice calling a Public Hearing on June 3, 1975, at 11:30 o'clock A.M. to amend Ordinance No. 26 and she hereby is directed to serve notice hereof on all governmental agencies entitled to notice hereof.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that the 3rd day of June, 1975, at 11:30 o'clock A.M., a public hearing will be held before the Town Board of the Town of Riverhead, at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, to hear all interested persons in connection with the proposed amendments to Zoning Ordinance No. 26 of the Town of Riverhead, in the following respects:

FIRST: That Section 102, DEFINITIONS, be amended as follows:

By amending present definition No. 48, SPECIAL PERMIT BY TOWN BOARD, to read as follows:

RESOLUTION - continued:(48) SPECIAL PERMIT

Special permits for special permitted uses as authorized in this ordinance shall issue from the Town Board. Special permits will issue in the form of a resolution of the Town Board, stating findings and conditions. Special permits of the Town Board shall be valid for one (1) to three (3) years, as specified in the Town Board's resolution. The Town Board, under these provisions and any further rules or requirements of the Planning Board of the Town of Riverhead, requires the following data and information as a basis for approving a special permit:

- (a) A written application, verified by the applicant, not an agent. Where the applicant shall be the person or entity responsible and bound for the construction envisioned by the special permit. Where the applicant is not the owner of the real property, the owner must join in and swear to the truth of the application. Any special permit unless performance of the terms and condition thereof is bonded granted shall be personal to the applicant and shall not be assignable or transferable without a resolution of approval by the Town Board.
- (b) A complete site plan showing the location of all landscaping and other improvements including dwelling units and first floor elevations, and the design of all buildings and structures, drainage, road designs and contours signed, sealed and certified by a New York State licensed engineer or architect certifying that all things shown thereon are correct and comply with all federal and state codes, town and county laws, ordinance and regulations and rules of any applicable special district.
- (c) An abstract of title certified by a New York State licensed attorney at law or title company with offices in Suffolk County, certifying the chain of title to all adjoining parcels for ten (10) years prior to the date of the application.
- (d) Any other information deemed by either Board in its discretion to be necessary to reasonable determination of the application.
- (e) Expert testimony or reports by independent engineers, special counsel, or architects to be paid for by the applicant.
- (f) Any applicant filing for a special permit to erect a one-family dwelling as authorized in this ordinance may request in his or her application waiver of any of the requirements of this section.

RESOLUTION - continued:

- (g) Incorporated in this section by reference are any and all conditions, requirements or modifications set forth elsewhere in this ordinance which are set forth for and with a special permitted use.

Any application made pursuant to the provisions of this section shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall be referred to the Planning Board which will transmit its recommendations to the Town Board within sixty (60) days of referral.

After receipt of the recommendations of the Planning Board, the Town Board shall hold a public hearing upon public notice as required by section 265 of the Town Law, and the applicant shall pay all expenses of said hearing, including but not limited to, publication costs and transcription of testimony. All testimony at the public hearing before the Town Board shall be given under oath. The Town Board may require the sworn testimony of such persons as it deems necessary for a full and complete hearing on the application. The Town Board may adjourn the public hearing for the purpose of taking further testimony or requiring the production of further information.

The Town Board shall determine that:

- (a) The use will not prevent or substantially impair either the reasonable and orderly use, or the reasonable and orderly development of other properties in the neighborhood.
- (b) The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town.
- (c) The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use.
- (d) Such use will be in harmony with and promote the general purposes and intent of this Ordinance.

The Town Board and the Planning Board may consider, among other matters or factors which either Board may deem material, whether:

- (a) The site is particularly suitable for the location of such use in the community.
- (b) The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.
- (c) The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area, or other place of public assembly.

RESOLUTION - continued:

- (d) Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public in relation to the general character of the neighborhood and other existing or permitted uses within it, and to avoid traffic congestion; and further that vehicular entrances and exits shall be clearly visible from the street and not be within 75 feet of the intersection of street lines at a street intersection except under unusual circumstances.
- (e) All proposed curb cuts and street intersections have been approved by the street or highway agency which has jurisdiction.
- (f) Adequate provisions have been made for emergency conditions.
- (g) There are off-street parking and truck loading spaces at least in the number required by the provisions of this Ordinance, but in any case, an adequate number for the anticipated number of occupants, both employees and patrons or visitors; and further, that the layout of the spaces and driveways are convenient and conducive to safe operation.
- (h) Adequate buffer yards, landscaping, walls, fences and screening are provided where necessary to protect adjacent properties and land uses.
- (i) Where necessary, special setback, yard, height, and building area coverage requirements, or easements, right-of-way or restrictive covenants shall be established.
- (j) Where appropriate, a public or semi-public plaza or recreational or other public areas will be located on the property.
- (k) Adequate provisions will be made for the collection and disposal of stormwater runoff from the site and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character.
- (l) Existing municipal services and facilities are adequate to provide for the needs of the proposed use.
- (m) The use will tend to generate or accumulate dirt or refuse, or tend to create any type of environmental pollution including vibration, noise, light, electrical discharges, odors, smoke or irritants, particularly where they are discernible on adjacent properties or boundary streets.

RESOLUTION - continued:

- (n) The construction, installation or operation of the proposed use is such that there is a need for regulating the hours, days or similar aspects of its activity.
- (o) The proposed use recognizes and provides for the further special conditions and safeguards required for particular uses as may be determined by the Town or Planning Boards.
- (p) The design, layout and contours of all roads and rights-of-way encompassed within the site of the application are adequate and meet town specifications.
- (q) Adequate provisions have been made for the collection and disposal of solid wastes including but not limited to the screening of all containers.
- (r) The proposed number of units is justified in light of the number of units otherwise proposed, built, occupied or vacant within the Town of Riverhead.

The Town Board, in its resolution granting a special permit pursuant to this section, may make and include certain conditions in its discretion including, but not limited, to the following:

- (a) The posting of performance bonds to guarantee the performance of any or all conditions imposed by the resolution.
- (b) The imposition of fees or in lieu thereof dedication of land or open space easements in an amount or form to be determined by the Town Board as necessary to adequately recompense the Town for the additional municipal services requirement to be provided as a result of the granting of the special permit.
- (c) The filing with the County Clerk of the County of Suffolk of covenants and restrictions, easements or other recordable agreements running with the land and binding upon all successors of the applicant to guarantee or implement the provisions of the special permit.

In those sections of this ordinance where special permits are authorized by resolution and the provisions of this section the Town Board upon finding and stating said findings in its resolution of approval, that the overall purposes of this Ordinance can be fulfilled by the inclusion in said special permit of a variance from the requirements of any use district may grant in its resolution granting a special permit a variance of up to 5% of any setback, area coverage, height, lot area, floor area, side yard, front yard or rear yard or parking requirements.

RESOLUTION - continued:

By renumbering definition numbered 43 to read 43-1.

By adding a new No. 43-2 to read as follows:

43-2 - RESTAURANT

RESTAURANT - A use in a building having as its sole purpose the preparation and serving of food to patrons for consumption on premises within furnished dining areas and including as a possible accessory the serving of alcoholic beverages with meals and which does not provide for or permit the consumption of such food in vehicles or informally outdoors on the premises. A RESTAURANT shall not be construed to include any form of live entertainment or any form of drive-in, open front or curb service eating establishments; or any form of tavern, bar, a nightclub or similar entertainment establishment.

By amending present definition No. 29 to read as follows:

29 - HOSPITAL

HOSPITAL - A building or buildings used for the diagnosis, treatment or other care of human ailments, other than primarily for specialized care of mental illness, contagious or infectious disease or liquor or drug addicts except that facilities for a limited number of such patients may be provided in accordance with the regulations of the State Health Department. A hospital may include auxiliary services and functions and hospital staff residential quarters.

By renumbering definition numbered 54 to read 54-1.

By adding a new No. 54-2 to read as follows:

54-2 - TAVERN

TAVERN - Any building or use commonly known as a bar, barroom, tavern, saloon, cabaret or night club. A place or building where intoxicating liquors are sold to be drunk on the premises.

A room containing a bar or counter at which liquors are sold or where liquors and refreshments are sold. A room or place of entertainment where live music, live performances or films are permitted in conjunction with the sale of liquors.

SECOND: That the first paragraph of section 301A be amended to read as follows:

Any building, structure, or use existing on the effective date of this Ordinance, or an amendment thereto, may be continued, although such building, structure or use does not thereafter conform to the regulations of the district in which it is located, and may thereafter be extended by Special Permit of the Town Board if the extent of the structural alterations does not exceed twenty-five percent (25%)

RESOLUTION - continued:

of the area of building existing at the time it first became a non-conforming use.

THIRD: That sections 205, 208 and 209 be amended as follows:

By numbering section 205(A)(2) to read section 205(A)(2)(a).

By adding three new sub-sections numbered sections 205(A)(2)(b), 208(A)(2)(d) and 209(A)(2)(k) as follows:

Tavern by special permit of the Town Board.

FOURTH: That the "Zoning Schedule" be amended by adding the following note to the maximum building area in % in all business districts.

NOTE: That maximum building area in % may exceed the stated amount by special permit of the Town Board, but not beyond the requirements of the parking schedule.

FIFTH: That section 206(D)(2) be amended to read as follows:

(2) Where a special permit of the Town Board is required, the provision of these "ADDITIONAL REQUIREMENTS" shall not apply. Where a special exception of the Zoning Board is required; said special exception shall be obtained as a prerequisite to the filing of the site plan.

SIXTH: That the resolution of the Town Board of the Town of Riverhead, adopted December 5, 1972 be amended so that Section 209A, Uses, paragraph 2 (i) reads as follows:

(i) Camps of types 1, 3, 4, 5 and 6 by special permit of the Town Board. All type 2 camp applications filed with the Town Board prior to December 5, 1972 may be considered by the Town Board pursuant to the special permit provisions of this Ordinance and if granted, they are hereby deemed permitted and conforming.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

BE IT RESOLVED, That Patricia S. Tormey be and is hereby appointed and designated as Chairman of the Zoning Board of Appeals of the Town of Riverhead for a period of one (1) year, commencing June 1, 1975 and ending May 31, 1976, and

BE IT FURTHER RESOLVED, That Kenneth Wells be and is hereby designated Acting Chairman of the Zoning Board of Appeals of the Town of Riverhead for a term concurrent with that of the Chairman.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That this Board does hereby consent to the holding of a rodeo at the Double Bar B Ranch at Calverton, New York on July 4, 5 and 6 for a fund drive for the benefit of the muscular dystrophy campaign on the condition that the sponsor provide for internal security subject to the approval of the Supervising officer of the Riverhead Police Department, adequate public toilet facilities, adequate provision for the collection and removal of all waste paper and similar debris and further the filing with the Supervisor of a certificate of insurance naming the Town of Riverhead subject to the approval of the Town's insurance agent.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

BE IT RESOLVED, That the resignation of Edward J. Piat, effective May 31, 1975, be accepted and the appointment of Frank G. Kehlenbeck, Box 303 Wading River, New York, be approved effective June 1, 1975 for Church Crossing Guard.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, the Town Board finds that (1) Microfilming of Town Records is required and economic prior to moving to the new Town Hall (2) the work shall be done by town employees (3) that 3M machines are in use by Town Departments and adjoining Towns at this time and (4) Town records should remain in Town Hall while being copied.

NOW THEREFORE BE IT RESOLVED, That pursuant to the provisions of the General Municipal Law the Town Board does hereby standardize on 3M microfilming products.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That Highway bills on abstracts dated May 20, 1975 as follows:
General Repairs Item 1:

Mobil Oil Corporation, bills dated April 28, 29 and May 2, 5, 1975 totalling \$1,048.31, and

Machinery Item 3:

Island Ford Tractor Sales, Inc., bill dated April 30, 1975 in the amount of \$1,447.10, and George Malvese & Co., Inc., bill dated May 5, 1975 in the amount of \$522.66; be and the same are hereby approved for payment.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Town Justice Leonard.

BE IT RESOLVED, That the bid for the purchase of Aluminum Corrugated Culvert Pipe and Connecting Bands with Bolts for the use of the Town Highway Department, be and is hereby awarded to Capitol Highway Materials, Inc., Route 6, Baldwin Place, N. Y. 10505, as per bid and specification form filed with the Town Clerk as follows:

Price Per ft. of 12" Pipe, 16 gauge	\$2.64
Price Per ft. of 12" Band with bolts, 16 gauge	\$2.64
Price per ft. of 15" pipe, 16 gauge	\$3.26
Price per 15" band with bolts, 16 gauge	\$3.26
Price per ft. of 18" pipe, 16 gauge	\$3.90
Price per 18" band with bolts, 16 gauge	\$3.90
Price per ft. of 24" pipe, 16 gauge	\$5.15
Price per 24" band with bolts, 16 gauge	\$5.15
Price per ft. of 36" pipe, 12 gauge	\$13.55
Price per 36" band with bolts, 12 gauge	\$13.55

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids on One (1) Used Tractor suitable for mower attachment, for use of the Town of Riverhead Highway Department, and be it

RESOLUTION continued:

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 Monday, June 2, 1975, and be it further

RESOLVED, That the Town Clerk be and is hereby designated to open publicly and read aloud on Monday, June 2, 1975, at 11:00 A. M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Tractor. "

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes. Supervisor Leonard stated that he believes the specs call for a tractor over 11 years old and voted, No. Councilman Young stated that if the Board does not find it servicable, it will not buy it.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the following police officer be paid terminal pay, accummulated and all unused time as per conditions of written contract between the Town of Riverhead and the Riverhead P. B. A., Inc. , as follows:

<u>Leonard Pavlakis</u>		
Vacation days: 26	at	\$58. 48
Holidays to date: 4		\$58. 48
Sick days: 70		\$58. 48
Terminal days: (17 complete years at one day's pay for each complete year:		994. 16
TOTAL: 117 days		<u>\$6, 842. 16</u>

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Cornell University, in cooperation with several other organizations, is holding an assessment seminar to be held July 7th to July 11th at Cornell University at Ithaca, New York, on several matters appertaining to assessments and their review:

NOW, THEREFORE, BE IT RESOLVED, That John Ziemacki and Charles Crump be and they hereby are authorized to attend said seminar, and they be reimbursed for their expenses on voucher.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

WHEREAS, There are certain structures within the Town of Riverhead which this Town Board has reason to believe are hazardous to public health and welfare, and

WHEREAS, This Board finds that an investigation should be conducted into said conditions and that the requisite proceedings should be commenced where warranted.

NOW, THEREFORE, BE IT RESOLVED, That Pierre G. Lundberg be and he hereby is retained to investigate and prosecute where necessary any and all owners of structures which constitute a public hazard and he is further authorized and empowered to retain expert assistance in said investigations. Said expenses shall be paid on voucher and special counsel shall be paid reasonable compensation therefore. All reports shall be submitted to the Town Board for its consideration and direction.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard 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 attached notice of public hearing amending Ordinance No. 3 to provide for a stop sign at the intersection of Penny's Landing Road and Sound Shore Road:

PUBLIC NOTICE

PLEASE TAKE NOTICE, That on the 3rd day of June, 1975, at 11:15 o'clock A. M. , a public hearing will be held before the Town Board of the Town of Riverhead, at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, to hear all interested persons in connection with certain proposed amendments to Town Ordinance No. 3, subdivision a, of Town Ordinance No. 3 shall be amended as follows:

1. By adding a new section to Section 3, subdivision a, with respect to stop intersections and stop signs, and specially at the intersection of Penny's Landing Road and Sound Shore Road, add the following words:

"Intersection of Penny's Landing Road and Sound Shore Road with Stop Sign on Penny's Landing Road with entrance from south. "

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard 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 notices to bidders in the attached form.

RESOLUTIONS continued:NOTICE TO BIDDERS

Sealed bids for the purchase of a microfilm camera for the Town of Riverhead, New York, will be received by the Town Board of the Town of Riverhead, at the direction of the Town Clerk at 220 Roanoke Avenue, Riverhead, New York, until 11:00 A. M. on the 2nd day of June, 1975, at which time and place they will be opened and read.

Instructions for bidders, specifications, bid forms and forms of contract may be obtained at the office of the Town Clerk, 220 Roanoke Avenue, Riverhead, New York. Bids shall be on a 3M Camera pursuant to a standardization resolution adopted May 20, 1975.

The Town Board of the Town of Riverhead reserves the right to reject any and all bids or to waive any informalities. It also reserves the right to hold any and all bids open for a period of 30 days from the date of opening. All bids must be in a sealed envelope clearly marked "MICROFILM CAMERA."

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

RESOLVED, That the Town Clerk be and she hereby is authorized to publish and post notices to bidders in the attached form:

NOTICE TO BIDDERS

Sealed bids for the repair of a 966 Caterpillar Bull Dozer for the Sanitation Department, Town of Riverhead, New York, will be received ^{for} the Town Board of the Town of Riverhead at the direction of the Town Clerk at 220 Roanoke Avenue, Riverhead, New York, until 11:00 A. M. on June 2nd, 1975 at which time and place they will be opened and read.

Instructions for bidders, specifications, bid forms and forms of contract may be obtained at the office of the Town Clerk, 220 Roanoke Avenue, Riverhead, New York. Bids shall be on the form as prepared by the Town of Riverhead.

The Town Board of the Town of Riverhead reserves the right to reject any and all bids or to waive any informalities. It also reserves the right to hold any and all bids open for a period of 30 days from the date of opening. All bids must be in a sealed envelope clearly marked "REPAIR OF 966 CATERPILLAR".

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Town Justice Leonard.

-----X

RESOLUTION
NOTICE OF
PUBLIC HEARING

In the Matter of the Application for a Machine Shop Business (non-nuisance) Special Permit pursuant to Riverhead Town Zoning Ordinance No. 26. Section 209A 2 (f) for the Construction of a Machine Shop.

-----X

RESOLUTION continued:

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law and other statutes made and provided in connection with the granting of a Non-Nuisance Industry Special Permit in accordance with Article II, Section 209A 2 (f) and Article I, Section 102 (45) of the Town Ordinance No. 26 of the Town of Riverhead, known as the "Zoning Ordinance of the Town of Riverhead, Suffolk County, New York,"

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Riverhead shall cause a Notice of Public Hearing to be published once in the News-Review in accordance with Article I, Section 102 (45) of said Ordinance, and in accordance with the New York Town Law Section 265;

AND the Town Clerk is hereby authorized and directed to publish a copy once in the News-Review, the official newspaper for said purpose published in the Town, and to post a copy of the same, on the signboard maintained by the Town Clerk, pursuant to Section 265 of the New York Town Law, and file in her office affidavits of said publication and posting.

NOTICE OF PUBLIC HEARING

ON PROPOSAL TO ISSUE A NON-NUISANCE INDUSTRY SPECIAL PERMIT

Pursuant to the New York Town Law, Section 265 and Town of Riverhead Zoning Ordinance No. 26, Article I, Section 102 (45) a public hearing will be held by the Town Board of the Town of Riverhead at 220 Roanoke Avenue, Riverhead, New York, on the 3rd day of June, 1975, at 11:00 A. M., prevailing time, on the Petition of Sven Englund, for a Non-Nuisance Industry Special Permit authorizing the construction of a Machine Shop located on the east side of West Lane, Aquebogue, Town of Riverhead, New York, bounded and described as follows:

"BEGINNING at a concrete monument set in the easterly line of West Lane at the northwesterly corner of land now or formerly of James O. Raynor; running thence north 23 degrees 45 minutes 00 seconds west 100.00 feet to other lands of Louis Stakey to a point; running thence north along other lands of Louis Stakey north 66 degrees 15 minutes 60 seconds east 473.21 feet to lands now or formerly of Emil Breitenbach to a point; running thence south along lands now or formerly of Emil Breitenbach south 14 degrees 06 minutes 00 seconds east 133.68 feet to a concrete monument; running thence along other lands now or formerly of Emil Breitenbach south 50 degrees 55 minutes 40 seconds west 322.33 feet to a concrete monument and lands now or formerly of James O. Raynor; running thence along lands now or formerly of James O. Raynor north 23 degrees 45 minutes 00 seconds west 116.98 feet to a concrete monument; running thence south 66 degrees 15 minutes 00 seconds west 144.95 feet along lands of James O. Raynor to the monument on the east side of West Lane at the point or place of BEGINNING. "

Any person desiring to be heard on the proposed issuance of a Special Permit Use should appear at the time and place specified.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

RESOLVED, That the following be and are hereby appointed Park Laborers, effective May 19, 1975 to and including September 5, 1975, to be paid bi-weekly at the following hourly rate and to serve at the pleasure of the Town Board:

Peter Podlas	\$2.50
Timothy J. Allen	\$2.75
James D. Bender	\$2.75
Lawrence Slade Penny	\$2.75
Richard Steven Chizever	\$2.75

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Town Justice Manning.

WHEREAS, The Association of Towns is holding a zoning seminar to be held June 5th at Cornell University at Ithaca, New York on several matters appertaining to problems facing this community.

NOW, THEREFORE, BE IT RESOLVED, That Mrs. Patricia Tormey, Chairperson of the Zoning Board, Mr. Frank Polacek, Chairperson of the Planning Board, Mr. George Young, Councilman and Mr. Allen M. Smith, Town Attorney be and they hereby are authorized to attend said seminar and they be reimbursed for their expenses on voucher.

The vote, Councilman Menendez, Yes, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the Meeting adjourned at 10:40 P.M., to meet Tuesday, June 3rd, 1975, at 10:30AM.


Helene M. Block, Town Clerk

HMB/mhj