

3/20/73

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, March 20, 1973, at 7:30 P. M.

Present:

John H. Leonard, Supervisor  
 Thomas R. Costello, Town Justice  
 Robert G. Leonard, Town Justice  
 Vincent B. Grodski, Councilman  
 George G. Young, Councilman

Also present: Francis J. Yakaboski, Town Attorney  
 Absent: Alex E. Horton, Supt. of Highways

Supervisor Leonard called the meeting to Order at 7:30 P. M.

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

RESOLVED, That the Minutes of the Town Board Meeting held on March 6, 1973, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, 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 Abstracts dated March 20, 1973:

Special Districts	\$ 6,841.44
General Town	\$11,053.59
Highway Item #1	\$13,535.08
Highway Item #3	\$ 1,517.27
Highway Item #4	\$ 2,309.51

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

RESOLVED, That the following bills be approved for payment:

Special Districts	\$ 6,841.44
General Town	\$11,053.59
Highway Item #1	\$13,535.08
Highway Item #3	\$ 1,517.27
Highway Item #4	\$ 2,309.51

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

REPORTS

Tax Receiver's, dated March 12, 1973. Filed.  
 Supervisor's, month of February, 1973. Filed.

PETITIONS

TOBY MILLER for SPECIAL PERMIT to develop a Holiday Inn Motel  
 and Restaurant on N. Y. State Route 25, Northeastern exit 72 of Long Island  
 Expressway. Filed.  
 Matter referred to Planning Board for its recommendation and report.

BRASBY-TALLBE ENTERPRISES, INC., FOR CHANGE OF ZONE from  
 Agriculture A to Business A, Main Road, Aquebogue, N. Y. Filed.  
 Matter referred to Planning Board for its recommendation and report.

COMMUNICATIONS

Gladys Huggins, dated 3/12/73, tendering resignation as Clerk Typist in  
 the Office of Town Clerk, effective March 30, 1973. Filed.

Susan Keeney, dated 3/12/73, requests resumption of duties in Assessors'  
 Office, effective April 2, 1973. Filed.

Town of Brookhaven, dated 3/1/73, relating to proposed amendment to  
 Zone Ordinance-public hearing-March 20, 1973, at 11:00 A. M. -amend-Section  
 85-247 Resubdivision of real property. Filed.  
 Copies to Town Agencies.

N. Y. State-District Corps of Engineers, dated 2/23 acknowledging  
 receipt of resolution (oil transshipment) and advising it will be made a part of  
 their record. Filed.

Town of Southampton, dated 3/1/73, relating to proposed amendments to  
 Zoning Ordinance to be heard at a public hearing on March 20, 1973 at 7:30 P. M. Filed.  
 Copies to Town Agencies.

Alex E. Horton, Supt. of Highways, dated 3/7/73, advising the Town Board  
 that as Supt. of Highways it is his duty to recommend the restoration of highways  
 in the Town, and questioning Judge Costello's ability to do so. Filed.

Judge Costello stated that he had made reply to Mr. Horton and submitted  
 copies of his letter to the Town Board.

Elaine F. Kaldor, CPA, dated 3/6/73, requesting additional fee of \$300.00  
 to cover supplemental days to accomplish the necessary work of the Supervisor's  
 Annual Report and Audit for 1972. Filed.

Town Board denies request for additional fee.

Daniel Wiwczar, dated 3/12/73, making complaint on unlicensed cars parked  
 in residential area of Greenbrier Road. Police Chief advised him the matter is in  
 Court. Mr. Wiwczar would like to know if this matter will ever be cleared up. Filed.  
 Copies to Town Board and Police Chief.

Town Clerk to advise Mr. Wiwczar that the Town Justices are doing all possible  
 to correct the situation court-wise.

COMMUNICATIONS continued:

Robert W. Quinn, President, Riverhead PBA, dated 3/16/73, requesting reopening of negotiations on wages for 1973. Filed.  
Copies to Town Board.

Travelers Insurance Co., dated 3/13/73, advising Inspection of Boilers at the Highway Department, Water District, Sewer District and Police Headquarters, finds the equipment in satisfactory condition. Filed.  
Copies to aforesaid departments.

Suffolk County Department of Health, dated 3/13/73, advising recent inspection disclosed three violations at the Riverhead landfill.

1. Unsatisfactory daily soil cover.
2. Refuse protruding through completed areas.
3. Improper spreading and compaction of the refuse.

Asking situation be corrected. Filed.

Copies to Town Board and Sanitation Department.  
Referred to Supervisor for reply.

Committee of Jamesport Residents, dated 3/2/73 (copy of letter to School Board Members) advising that a public meeting of the Jamesport area residents was held on the Jamesport School property and <sup>it was</sup> decided to recommend to the School Board that the property be kept in the public domain as a community center - to be used for meetings of the Girl Scouts, Boy Scouts, Cub Scouts, Senior Citizens, Youth Groups, Civic Organizations, Arts and Crafts Classes, Branch of the Riverhead Free Library and Historical Museum. If use of building not economically sound, than grounds be used as an outdoor recreational area and war memorial. Filed.

Copies to Town Board and Building Inspector.

PERSONAL APPEARANCES

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

Dr. A. H. Smith asked the Board if it had given any consideration to the National Flood Insurance Program.

Town Attorney Frances Yakaboski replied: "The Board has authorized the Town Attorney and the Supervisor to proceed to prepare the necessary forms, resolutions, etc."

Dr. Smith informed the Board that Congressman Pike has offered to help in any way.

Town Attorney said this was good to know and the Town will avail itself of his good offices.

Harold Evans, Chairman of the Conservation Advisory Committee talked to the Board on the Gypsy Moth Program.

Mr. Evans stated that his Committee has compiled a letter giving basic recommendations on this subject and asked if the Board would be willing to release and distribute this information jointly with the Committee.

The Board agreed to release and distribute the letter with the committee.

PERSONAL APPEARANCES - continued

Robert L. Tooker, Esq., spoke on the following four (4) matters:

1. Lots owned by Mr. Carrera in Terminal Park, Wading River Estates. Lots were purchased in 1965 - portion of lots were subdivided and roads were put in across from Woods Property called Quail Hollow. The subdivision is completed. Mr. Carrera now wants to build some houses on remainder of these lots. He owns 16 lots and pieces of 8 more. Lots undersized by today's standards. Most of them are 50 ft. in width.

Mr. Carrera submitted layouts to Building Inspector who consulted with Town Attorney and there seems to be some confusion as to what way Mr. Carrera should proceed. Mr. Carrera wants to build 8 homes - they will cost \$40,000 to \$50,000.

Mr. Tooker asked:

- a. Is Mr. Carrera entitled to build houses on this road which is not a public highway?
- b. Is Mr. Carrera entitled to combine lots to make bigger lots to build on or is he compelled to build on smaller lots?

After discussion, Mr. Tooker was advised to take his problem to the Board of Appeals.

2. In regard to the Extension of the existing Business Use District so as to include the Building known as the Convent. Mr. Tooker has since appeared before the Planning Board on this matter - they have made a determination but have not communicated it to the Town Board. On the assumption that they will communicate before the next Board Meeting, Mr. Tooker asked to be put on the agenda for the March 30th Executive Session in connection with the expansion of the Business Area.

3. Riverview Estates Subdivisions: Supervisor Leonard stated that the Board had advised Mr. Polacek of the two year extension request and advised Mr. Tooker to make such request to the Planning Board.

Mr. Tooker asked if the Town has employed an engineer that he could confer with in connection with the expansion of the Sewer and Water District facilities. He would like to work with the engineer to see how much area he will want out of the Subdivision.

Mr. Tooker was advised to contact Harold Dombek, P. E. of Holzmacher, McLendon, and Murrell.

4. Gas Station - Rte. 58 (north side of road) where you come off the Expressway. Application made for building permit on 6 parcels of property - this station has never been open - tanks were never put in, nor the pumps. The station has been built, but it was never opened. In November 1972, the State gave back portions of easements back to the property owners and as far as the State is concerned, the gas station can be opened.

Mr. Munson told the representative of the Company, that he can't have it as a gas station as it was never opened as one, and the Town Board has approved the Texaco Gas Station across the street.

After discussion the Town Attorney agreed to look into the files of this application.

PERSONAL APPEARANCES - continued

Richard Carey spoke to the Board on the matter of the New York State Agricultural Districting Law.

Mr. Carey advised that John Talmage, Herbert Smith, Bill Hylo and Dan Fricke, who are serving as members of a Committee, are desirous of meeting with the Town Board for the purpose of forming a program or contract with the Town Board.

The Town Board agreed to schedule a meeting with the Agricultural Committee.

Richard Carey said he is curious about resolution #24 "Calls Public Hearing - Elect Two additional Councilmen", and asked what is behind it.

Councilman Young replied saying: "The Town Board consists of two Justices, two Councilmen and one Supervisor. The State now has a set-up where the Town Board can be made up of four Councilmen and One Supervisor. We are a second class town - Easthampton, a second class town, has done this - Southampton, a first class town, had to do this. The theory is that because a Justice makes a law and also administers the law, that there is an inborn conflict of interest - the person who makes the law shouldn't have to administer it - it has been legal for 175 years and probably is still legal, but I personally don't feel that we are giving the citizens of the Town the legal protection that they should have. Now I don't want to make this change if the people don't want a change.

Now, resolution #24 calls for a Public Hearing where we can thoroughly air this thing and find out how the people feel about this - it will cost the people a little bit more money because it means two more elected officials.

The reason I am supporting it, is I feel the people are getting a little bit gypped because of this inborn conflict. I am not casting aspersions on our two Justices. I think they are good Justices and for ten years on this Board I do not know of anything our Justices have done that could be in any way interpreted as a conflict of interest."

Dr. Caryl Granttham said: "With all due respect to what Mr. Carey just said about following the agenda, I've never found that you didn't permit us to speak and whether I am to speak following the agenda, or not, I would say that the Riverhead First Committee approves the Resolution to hold this hearing and from there going to all the implications of increasing this Board to four Councilmen. We think this is a good move and will give the Town an opportunity to observe both sides. We support this resolution and I commend this Board for putting it on the Agenda."

HIGHWAY DEPARTMENT

No report.

BUILDING DEPARTMENT

No report.

POLICE DEPARTMENT

Police Chief Grodski informed the Board that portions of the Peconic Avenue Bridge are in need of immediate repair.

Chief Grodski was informed that bids have been obtained for such repairs and this matter is being handled by the Recreation Supervisor.

Richard Manning asked why this was being handled by the Recreation Department.

Mr. Manning was advised that Mr. Horton refused to repair the bridge so the matter was referred to the Recreation Supervisor.

The bridge runs into the Parking District Field and the Recreation Supervisor has charge of the Parking District Fields.

UNFINISHED BUSINESS

HARBOR ROAD DRAINAGE - Town Attorney reported that Mr. Horton was to look into and talk to the people involved regarding a proposal that the costs be borne half and half by the persons residing on Harbor Road and the Township.

INCREASE MARINA RATES - Town Attorney reported that the Town has a two (2) year award lease after bid to the current operator - the license is revocable at any time by the Town Board. That a chart has been sent out to various persons docking at the Marina, showing a 10% increase in fees being requested this year. There has been no approval by the Town Board to increase these fees. Also the operator of the Marina has advised all persons seeking to dock their boats at the Marina that any boat or equipment sold at the Town Marina by the individual would be required to pay a 5% Commission to the operator and in the event the operator was responsible in bringing about the sale, that the owner would be responsible for a 10% Commission. The rate increase and the Commission Charge seem to be major changes in the conditions.

Arthur Penny informed the Board that he had received notice that a payment on the new rate is due by March 15th, 1973.

After discussion, the Board decided to call a meeting with Mr. Zarcadoolas, for Friday March 23, 1973 at 1:30 P. M. to resolve the violations of the contract.

SURPLUS ITEMS - Assessors Office: Matter tabled for return from vacation of Chairman, Board of Assessors.

## RESOLUTIONS

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

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay time and one-half compensation for overtime snow operations as follows:

Timothy Benton - February 16, 17 and 18, 1973 - 16 hours @ \$6.23 per hour in amount of \$99.68;

Raymond Ruskowski - February 16, 1973 - 1 hour @ \$6.23;

Thomas Sendlewski - February 16, 1973 - 2 hours @ \$6.60 per hour in amount of \$13.20;

Carl Haupt - February 10, 1973 - 2 hours @ \$6.60 per hour in the amount of \$13.20.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That Highway bills submitted on abstracts dated March 20, 1973 as follows:

Miscellaneous-Item 4: Barczak Nursery, bill dated March 7, 1973 in the amount of \$676.20 and Capitol Highway Materials, Inc., bill dated February 28, 1973 in the amount of \$742.20; be and the same are hereby approved for payment.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That the Superintendent of Highways hire John Miller, Laborer, for a probationary period of six months, effective March 2, 1973, to be paid \$3.00 per hour, payable bi-weekly.

The vote, Councilman Grodski, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That the resignation of Gladys Huggins, Clerk-typist in the office of the Town Clerk, effective March 30, 1973, be and is hereby accepted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS

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

WHEREAS, It is the intention of the Town Board of the Town of Riverhead to renew the State Aid Program for Operation of Senior Citizen Clubs, and

WHEREAS, The Town of Riverhead is about to submit a program application for such renewal to the New York State Executive Department Office of the Aging for approval, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds expended on said program,

NOW, THEREFORE, BE IT RESOLVED, That such application renewal is in all respects approved, and John Leonard, Supervisor, is hereby directed and authorized to duly execute and present said program application to the New York State Executive Department Office for the Aging for approval.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

WHEREAS, It is the intention of the Town Board of the Town of Riverhead to renew a Recreation Project, and

WHEREAS, The Town of Riverhead is about to submit an application for such renewal to the New York Division for Youth for its approval, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds expended on said project, as provided by Chapter 556 of the Laws of 1945, as Amended.

NOW, THEREFORE, BE IT RESOLVED, That such application renewal is in all respects approved, and John Leonard, Supervisor, is hereby directed and authorized to duly execute and to present said application renewal to the New York Division for Youth for its approval.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

BE IT RESOLVED, That the Bid for construction of a Comfort Station at the Wading River Community Park, be and is hereby awarded to Gerleen Contracting Corp., 326 Third Avenue, Bayport, New York 11705, in the amount of \$10,400.00, and

FURTHER RESOLVED, That the acceptance of this Bid is subject to the bid specifications filed in the Office of the Town Clerk.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS

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

RESOLVED, That the Supervisor be and is hereby authorized to transfer the sum of \$592.40 from A1990.4 Contingent Account to A1220.4 Printing of Supervisor's Annual Report Account to defray the costs of printing the Annual Report of the Supervisor.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That Muriel Reeve be and is hereby appointed clerk-typist to serve in the Police Department for a period of one week, effective February 19, 1973 and to be compensated at the rate of \$2.75 per hour.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That Susan Keeney be and is hereby permitted to return to her duties of Clerk-Typist in the Assessors Office prior to scheduled leave of absence, effective April 2, 1973.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That the Town Clerk is authorized and directed to advertise in the News-Review, the official newspaper of the Town of Riverhead, for bids on the installation of softball field lights at Stotzky Park located at Pulaski Street in Riverhead.

FURTHER RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Tuesday, April 3, 1973 at 10:45 a. m. , at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all bids bearing the designation "Bid On The Installation Of Softball Field Lights At Stotzky Park".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTION

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

WHEREAS, Sam Gershowitz of Gershow's Auto Wreckers has appeared before the Town Board requesting permission for a special permit to locate a salvage operation to crush vehicles and various items of metal and conduct a general business of buying, selling and dealing in all kinds, combinations, forms of steel and other metals and products of steel, iron and other metals and to conduct a general metal salvage operation at premises located at the Town landfill operation, and

WHEREAS, He has also petitioned the Town of the possible purchase of six (6) acres of landfill, most of which is presently unsuitable for any construction, on the north side of Youngs Avenue for the purpose of operating such a salvage operation, and

WHEREAS, It would be in the best interest of the Town to investigate the feasibility of such an operation in private hands so as to provide a meaningful outlet for scrap metals of all kinds and to prevent such metals from being strewn about the town or filling the Town landfill operation,

NOW, THEREFORE, BE IT RESOLVED, That Lyndon H. Hallock and Josh Stout are hereby appointed appraisors to report to the Town Board the value of the property proposed to be sold, as shown by a certain survey to be prepared by Alden Young, and

BE IT FURTHER RESOLVED, That Alden Young, Professional Engineer with offices located at 400 Ostrander Avenue, Riverhead, New York is hereby appointed to survey a parcel of land of six (6) acres located on the north side of Youngs Avenue, said premises running the approximate following courses and distances:

BEGINNING at a point of intersection of the easterly side of lands now or formerly of Dejomar Properties, where said lands intersect the lands now or formerly of the Town of Riverhead and Youngs Avenue; thence in a generally northerly direction along said lands of Dejomar Properties to the point of intersection of the lands of Dejomar Properties and the Town of Riverhead, thence in a general westerly direction along the northerly side of lands of Dejomar Properties to the point of intersection of the lands of Dejomar Properties, the Town of Riverhead and lands now or formerly of Linnen; thence in a general northerly direction along the lands now or formerly of Linnen to the point of intersection of lands now or formerly of Marycz and the most northwesterly point of the lands now or formerly of the Town of Riverhead, thence in a general easterly direction along lands now or formerly of Marycz to a point, thence in a general southerly direction parallel to a point 100.00 feet north of Youngs Avenue; thence in a general westerly direction parallel to said Youngs Avenue to a point; thence in a general southerly direction parallel to lands now or formerly of Dejomar Properties to the northerly side of Youngs Avenue; thence along the northerly side of Youngs Avenue to the point or place of beginning, said lands on Youngs Avenue having a width of no less than 75 feet.

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

## RESOLUTIONS

Town Justice Costello offered the following resolution which was seconded by the entire Board and unanimously adopted.

RESOLVED, That Lieutenant Commander CHARLES P. ZUHOSKI of the United States Navy, is hereby named Number One Citizen of the Year 1973, for the Town of Riverhead, New York, for his outstanding bravery, courage and sacrifice as a Prisoner of War during the Viet Nam War, above and beyond the call of duty, and

BE IT FURTHER RESOLVED, That a copy of this Resolution be spread upon the Minutes of this Meeting and forwarded to Lieutenant Commander CHARLES P. ZUHOSKI, in deep appreciation of the gratitude of the people of the Town of Riverhead, for his efforts in our behalf.

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

RESOLVED, That the Long Island Lighting Company survey the area known as Cavanaro's Passageway on East Main Street, Riverhead, as to the lighting needs of that area.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That the Long Island Lighting Company install six (6) 240 Volt 400 Watt mercury vapor lamps on Poles Nos. 48S, 48 1/2, 49, 50 and 51 (2 lamps) on Pulaski Street, Riverhead, New York, on the perimeter of Stotsky Park, at an annual operating cost of \$102.48 each or a total cost of \$614.88 per year, as per survey dated March 16, 1973, of W. Salle, Engineer, Long Island Lighting Company.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That the Long Island Lighting Company install three (3) 240 Volt 400 Watt mercury vapor lamps on Poles Nos. 20, 18 and 19 on the perimeter of the Parking Area of Stotsky Park, at an annual operating cost of \$102.48 each or a total cost of \$307.44 per year as per survey dated March 16, 1973, of W. Salle, Engineer, Long Island Lighting Company.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

NEW BUSINESS

Judge Costello called the Board's attention to an article in Newsday that said a new road was being contemplated from Center Moriches (East Landing) and is supposed to go north and south along the Manor Road.

Judge Costello asked the Supervisor to ask Mr. Klein to give the Board a map of this undertaking, for if they are going to take some of our property, we should know about it.

RESOLUTIONS

Councilman Young prefaced the following resolution with this explanation: "Under the present system I don't feel we are giving the citizens the legal protection they desire due to the fact that we have justices who both make the law and administer the law. This is a big step and I don't want to do anything without the support of the people. I am asking for a Public Hearing to consider this matter."

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

RESOLVED, That the Town Board of the Town of Riverhead, Suffolk County, New York, will hold and conduct a public hearing on the 17th day of April, 1973, at 8:00 P. M., prevailing time, at 220 Roanoke Avenue, Riverhead, New York, for the purpose of considering the following:

BE IT RESOLVED, That the Town Board of the Town of Riverhead, Suffolk County, New York, acting pursuant to the provisions of Section 60-a of the Town Law of the State of New York, hereby determines that from and after January 1st, 1974, Town Justices in, of and for such Town shall no longer be members of the Town Board thereof, and that from and after January 1st, 1974, the membership of the Town Board of the Town of Riverhead, Suffolk County, New York, shall consist of the Town Supervisor and four Town Councilmen, and

BE IT FURTHER RESOLVED, That in order to achieve a Town Board consisting of the Supervisor and four Town Councilmen, there shall be elected at the biennial Town Election to be held in such Town on November 6, 1973, two additional town councilmen, in the following manner:

One Town Councilman for a term of office of two years, such term to begin on January 1st, 1974, and to expire on December 31, 1975;

One Town Councilman for a term of office of four years, such term to begin on January 1st, 1974, and to expire on December 31, 1977;

and,

BE IT FURTHER RESOLVED, That from and after the biennial town election to be held on November 6th, 1973, the term of office of all Town Councilmen of the Town of Riverhead, Suffolk County, New York, shall be four years, and

BE IT FURTHER RESOLVED, That in accordance with the aforesaid Section 60-a of the Town Law of the State of New York, from and after January 1st, 1974, Town Justices in the Town of Riverhead, Suffolk County, New York, shall exercise only such powers and be subject to only such duties, responsibilities and liabilities as are and shall be prescribed by law with respect to town justices of a town of the first class and shall not be or constitute members of the Town Board of such town.

The foregoing resolution is subject to permissive referendum as provided in Article 7 of the Town Law of the State of New York.

3/20/73

RESOLUTIONS - continued

FURTHER RESOLVED, That the Town Board of the Town of Riverhead, Suffolk County, New York, authorizes the Town Clerk to publish Notice of Public Hearing in the April 5th, 1973 issue of the News-Review, the official newspaper of the Town of Riverhead, and a copy of such Notice be posted on the sign board maintained by the Town Clerk.

Any person desiring to be heard on the aforesaid proposal should appear at the time and place specified.

Judge Costello: "Councilman Young, I think your resolution is very premature. I am neither for or against it at this point. It was never discussed with the other members of the Town Board. I think that the additional cost of \$7700 per year for two additional Councilmen to replace two judges when you yourself said they do a good job. You want to offer it on the basis of a conflict of interest. I would like to remind the people that there are 287 towns in New York State, and I believe that one township - Easthampton - have four Councilmen on it as a result of an amendment to Section 60-a of the Town Law permitting it. This Board, as presently constituted, has been your legislative Board since the inception of the Town.

I think that wearing two hats, if there was such conflict of interest which the Court of Appeals has held time and time again - there is no such conflict of interest. What the Councilman has said is a conflict of interest that we might pass on Town Rule or Regulation and then somebody might come up and be brought to justice because of a violation of that rule and regulation.

I would say that many hours of research must be looked into before we make such drastic change or even before we present it to the public and I suggest to the Councilman that a Committee be appointed to research this matter as to its advantage or disadvantage which ever it may be."

Councilman Young: "I still think we are not hurrying anything by having a Public Hearing - we are getting the people involved in the government which is a good thing in my opinion, and I still go along in offering this resolution."

Supervisor Leonard: "This has been talked about for quite awhile and I think it is about time it's brought before the public and a hearing be held on."

Paul Meyer: "I am not much up on these matters but I can see merit in what Councilman Young says. There are businessmen in this Town that would be more than willing to serve on the Board."

The vote on the resolution, Councilman Young, Yes, Councilman Grodski, No., Town Justice Leonard, No, Town Justice Costello, No, and Supervisor Leonard, Yes.  
The motion was lost.

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

RESOLVED, That the Long Island Lighting Company survey Lincoln Street from Sweezy Avenue to Roanoke Avenue, as to the lighting needs of that area.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

## RESOLUTIONS

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

RESOLVED, That all resolutions presented to the Riverhead Town Board, be given to the members of the Town Board by Tuesday, preceding any Town Board Meeting, and

FURTHER RESOLVED, That all resolutions to be presented to the Town Board on the Tuesday preceding the Town Board Meeting, be presented to the Town Attorney, for legal sufficiency, and

FURTHER RESOLVED, That all members of the Riverhead Town Board and Town Attorney be furnished a copy of all resolutions on the Tuesday preceding any Riverhead Town Board Meeting, and

FURTHER RESOLVED, That the Town Attorney report to the Riverhead Town Board, as to the legal sufficiency, of all Town Board resolutions, at least one day prior to the Riverhead Town Board Meeting, and

FURTHER RESOLVED, That the Supervisor, together with two members of the Board appointed by him, approve any emergency matters that may arise.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That FRANK YAKABOSKI, DENNIS HURLEY AND EUGENE ALPERT be and they are hereby appointed a Committee by the Riverhead Town Board at no compensation, to investigate and report to the said Town Board, the advantages and/or disadvantages of appointing two additional councilmen to the Town Board of the Town of Riverhead, in place of the two Town Justices now serving.

Councilman Young said he did not hear the resolution and asked Judge Costello to repeat it. Judge Costello passed the copy of resolution to Councilman Young and asked him to read it.

Councilman Young read the resolution aloud and said, "I think this is political - these are three Republicans. This should be a bi-partisan committee."

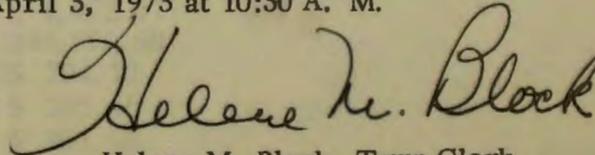
Judge Costello: "You want to add two?"

Councilman Young: "Yes, four Democrats."

The vote, Councilman Young, No, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Leonard, No.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 9:10 P. M., to meet on Tuesday, April 3, 1973 at 10:30 A. M.



Helene M. Block, Town Clerk