

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, April 20, 1971 at 10:30 A. M.

Present:

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

Also present: John J. Munzel, Town Attorney.

Alex E. Horton, Supt. of Highways was absent due to illness. All good wishes from everyone for a speedy recovery.

The members of the Town Board extended a warm welcome to Councilman Grodski on his recovery from a recent operation and return from the hospital on Sunday.

The Town Clerk commended Councilman Grodski for making a supreme effort to attend this meeting.

The Town Board welcomed students from the Riverhead and Mercy High Schools who were accompanied by Helmut Ellrich, Youth Chairman of the B. P. O. Elks Riverhead Lodge No. 2044.

The students temporarily assumed positions as town officials and department heads as follows: (after which they retired to the spectator area of the Board room and listened to the Meeting Agenda:

Supervisor	-	Richard Giovaneli
Town Justice	-	Joan Storey
Town Justice	-	Robert Pike
Councilman	-	Jim Wilson
Councilman	-	Wayne Stakey
Town Clerk	-	Rita Kobylenski
Receiver of Taxes	-	Chris Metropolis
Town Attorney	-	George Jazombek
Police Chief	-	Joseph Mareno
Building Inspector	-	Ernest Langhorne

Supervisor Zaloga called the meeting to Order at 10:35 A. M.

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

BE IT RESOLVED, That the Minutes of a Meeting of the Town Board held on April 6, 1971, be approved as submitted.

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

The resolution was thereupon declared duly adopted.

OPEN BID REPORT-FENCING-DRAINAGE PROJECTS NOS. 34 and 38.

After being duly advertised the following bids for the construction of 850 feet of fence for Project #34 at Sound Avenue, Wildwood and 720 feet of fence for Project #38 at Sound Avenue, Roanoke, were opened by the Town Clerk on Monday, April 19, 1971 at 11:15 A. M., as follows:

	<u>RIVERHEAD FENCE CO.</u> 970 West Main Street Riverhead, N. Y.	<u>ART FENCE CO.</u> 1400 West Main Riverhead, N. Y.
1. Installation of 850 feet of fence set in concrete curb, including gate, around a recharge basin in Drainage Project #34, Sound Ave., Wildwood, Town of Riverhead, New York: LUMP SUM	\$ 3,928.00	\$ 5,275.00
2. Installation of 720 feet of fence set in concrete curb, including gate, around a recharge basin in Drainage Project #38, Sound Avenue, Roanoke, Town of Riverhead, New York: LUMP SUM	\$ 3,488.00	\$ 4,495.00
TOTAL	\$ 7,416.00	\$ 9,770.00
We propose that, should the length of fence in either project be increased or decreased due to special conditions found at the site, the additional compensation for increased work or reduced compensation for reduction in work for that required in the Contract documents, by using the following unit price:	\$ 4.40 per ft.	\$ 6.00 per ft.
We propose to complete the work, ready for final acceptance within calendar days after notice of award.	<u>30 days</u>	<u>120 days</u>

The bids were filed for the April 20, 1971 Town Board Meeting.

REPORT OF SPECIAL ELECTIONS

Held on April 8, 1971 from 9:00 A. M. to 8:00 P. M. - In the Matter of the Proposition:

"SHALL THE OFFICES OF THE ASSESSORS FOR THE TOWN OF RIVERHEAD CONTINUE TO BE ELECTIVE AS PROVIDED BY LAW IN EFFECT IMMEDIATELY PRIOR TO THE EFFECTIVE DATE OF SECTION 1556 OF THE REAL PROPERTY TAX LAW?"

TOTAL VOTES CAST	<u>326</u>	
TOTAL VOTES - YES	<u>300</u>	
TOTAL VOTES- NO	<u>26</u>	
PROPOSITION CARRIED BY	274	Filed.

REPORTS

Recreation, month of March, 1971. Filed.

Tax Receiver's, dated April 12, 1971. Filed.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined bills submitted on Abstracts dated April 20, 1971 as follows:

General Town	\$14,366.05
Highway Item No. 1	\$ 6,570.64
Highway Item No. 3	\$ 2,807.07
Highway Item No. 4	\$ 526.16

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

BE IT RESOLVED, That General Town bills in the amount of \$14,366.05, be approved as submitted, and

FURTHER RESOLVED, That the following Highway bills be approved for payment:

Highway Item No. 1	\$6,570.64
Highway Item No. 3	\$ 2,807.07
Highway Item No. 4	\$ 526.16

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

The resolution was thereupon declared duly adopted.

PETITIONS

Application (Sam Lerner) to amend Zoning Ordinance No. 26-Aquebogue Special Permit Use for Construction of Multiple Family Dwellings. Filed.

COMMUNICATIONS

Harold D. Mezick, dated 4/6/71, relating to terminus of Meeting House Creek Blvd at the Bay. Stating the area is an eyesore, the beach is eroded, the fences are falling down and the road is hazardous, requesting the Town do something to improve the ecology of the area. Further stating that the local neighbors are busy raising children so it is up to an old fisherman and nature lover like himself to do the pleading for help. Filed.

Referred to Supt. of Highways.

Wading River Tercentenary Committee dated 4/8/71, submitting proposed improvements and recommendations for parking area and ponds at Wading River. Filed.

N. Y. State Public Employment Relations Board, dated 4/7/71, stating they have not received the new CSEA Contract. Filed.

N. Y. State Dept. of Transportation dated 4/9/71, stating study has been made on request to lower speed limit in area of Peconic Bay Blvd. Aquebogue and South Jamesport, and found that warrants for a reduction are not met and therefore request is denied. Also that State Police concur with this recommendation. Filed.

Town Clerk to prepare resolution to renew request at May Meeting.

Michael Whiteman, Counsel to the Governor, dated 4/16/71, acknowledging receipt of letter from Town Attorney concerning proposed legislation on the establishing of a Town Magistrate's Court for the disposition of traffic infractions. (Ass. Bill No. 3287) Filed.

COMMUNICATIONS continued:

N. Y. State Department, dated 4/13/71, advising that Local Law No. 1 of 1971-pertaining to retention of Elected Assessors has been filed on April 13, 1971. Filed.

Supervisor Zaloga recessed the meeting to hold a Public Hearing.

PUBLIC HEARING - 11:00 A. M.

Town Clerk submitted affidavits of publishing and posting Public Notice Calling Public Hearing on the adoption of proposed Ordinance No. 42, entitled "Alterations or Excavations of Public Ways".

The affidavits were ordered filed.

Supervisor Zaloga thereupon declared the Hearing open and asked if anyone wished to be heard on the matter.

No one wishing to be heard and no communications having been received thereto, Supervisor Zaloga declared the Hearing closed and re-opened the meeting.

PERSONAL APPEARANCES:

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

Mrs. Colleen Tooker, Chairman of the Riverhead Narcotics Committee advised the Board that a sum of \$1000 is sorely needed to help carry out the Narcotics Program. The request will be taken under advisement by the Town Board.

Mrs. Patricia Tormey, Chairman, Zoning/Board of Appeals advised the Board that the Merkel Case was heard on April 15, 1971 before Justice Thom who reserved decision and continued the stay.

BUILDING DEPARTMENT

Edward R. Munson, Building Inspector, reported the following:
Complaint received on private planes operating from the Brush Airport.
Referred to Councilman Young.

Complaint received on Riverhead Raceway operating on other days in addition to use permitted only on Saturday.

Referred to Police Chief Grodski.

Mr. Leonidas Papson of the Riverhead Shopping Plaza discussed the matters of Sewer Extension in the Plaza, request for traffic light and line markings within the fire zone in the parking area.

Supervisor Zaloga informed Mr. Papson that the drawing up of the petition on the Sewer Extension has been referred to Alden W. Young, Engineer.

The matter of the request for traffic light was tabled for further consideration and report.

The matter of the line markings within the fire zone in the parking area was referred to Police Chief Grodski.

ROBERT L. TOOKER re Saul Lerner Petition:

Robert L. Tooker, Esq., representing Saul Lerner on Petition for Zone Change from Agriculture A Use to Business B Use, and for a Special Permit Use for the Construction of Multiple Family Dwellings addressed the Board and stated:

That Saul Lerner is owner of a parcel of land consisting of 228 acres, fronting on Route 25 in Aquebogue, bounded by Doctors Path on the west and the proposed Cross River Drive, and is applying for a zone change from Agriculture A Use District to Business B Use District to develop a shopping center on 138 acres and a Special Permit Use to construct Quad type home-16 structures to contain four apartments.

Mr. Tooker outlined that the nearest regional shopping center is 30 miles away at Smithhaven Mall. That presently there is under consideration a site for a center in Center Moriches, Flanders and Ridge.

Mr. Tooker pointed out that there is room for only one regional shopping center in this area and stressed that this application be given consideration promptly for if anyone of these other sites are constructed then this project cannot proceed ahead.

Mr. Tooker estimated the shopping center when completed would pay \$500,000 in taxes to the Town, that farmers would get tax relief and it would provide employment for many people.

Mr. Tooker further outlined that the present business area in the village pays \$375,000 in taxes and there is essentially no vacant land left here to expand and it would require the destruction of most of Main Street to rebuild a modern shopping area, that it can be modestly expanded but not completely revamped.

Mr. Tooker stated that the construction of the proposed shopping center probably would bolster business in downtown Riverhead.

Mr. Tooker also spoke on the construction of Quad homes and assured the Board that if Mr. Lerner is unable to begin construction within 18 months on both the Quad homes and regional shopping center he would agree to let the land revert to the original status of the property.

Councilman Young spoke on the proposition of a planned unit development proposed by a group last Fall, which the County Planning Board and the Chamber of Commerce were against and asked why PUD cannot be reactivated.

Mr. Tooker replied saying, "The concept of PUD is being understudied by the Town and is undergoing changes and renovations and is not ready for presentation to the public and that what is proposed to be done with this piece of property is not unlike what happens in PUD.

Supervisor Zaloga added that the PUD plan is a good one but we are six or ten months away from finalizing it.

ROBERT L. TOOKER continued:

Mr. Tooker suggested that we all work together to create the kind of facility that the Town of Riverhead wants. That the reason for this presentation today is that there is some urgency because of a possibility of this type of facility being constructed nearby and this piece of property is an ideal place in the Town for this type of center.

Councilman Young stated that he realizes this is the most valuable intersection on the east end of Long Island and is an asset that we have and we should be careful how we develop it.

Town Justice Costello stated that it is his understanding that this same piece of land was turned down by Mr. Koppelman's report as it would interfere with the traffic flow at the intersection and it was not in conformity with the by-county plan.

Mr. Tooker stated that Mr. Koppelman in his proposal says that Riverhead should have an activity center and referred to the downtown area in Riverhead, however, there is not enough area in downtown Riverhead to provide the acreage you need to house a regional shopping center. If you put the center on Route 58, you would have to do some rezoning and there is not enough depth. Mr. Tooker wondered if Mr. Koppelman suggests we tear down the downtown Riverhead area or build 8 or 10 story buildings.

Mr. Tooker urged the Town Board to give the petition consideration at the earliest possible time, as there can only be one regional shopping center in this area and this proposed project will have to be abandoned if another site is selected.

Mr. Gabriel Avalone, Architect for Saul Lerner, produced and displayed the following renderings:

1. Master Plan Development of Shopping Center.
2. Phase of Construction.
3. Aerial Projection of what shopping center would look like.
4. Piece of land to be developed for Quad Type Homes (4 small residences where utilities will be grouped for economy). Filed.

The Town Board directed the Town Clerk to submit copy of the Petition of Saul Lerner for "Amendment to Zoning Ordinance and For the Granting of a Special Permit Use", to Mr. Lee Koppelman, Director of Planning of the Suffolk County Department of Planning.

Supervisor Zaloga recessed the meeting to hold a Public Hearing.

PUBLIC HEARING-11:15 A.M.

Town Clerk submitted affidavits of publishing and posting Public Notice Calling Public Hearing on proposed amendment to Zoning Ordinance No. 26, on petition of Jeanne and Joseph Merkel to amend Article II, Section 208-A by adding "Day Care Centers" to the permitted uses in Business D. District.

The affidavits were ordered filed.

COMMUNICATION

Town of Riverhead Planning Board, dated 4/17/71, submitting the following resolution adopted by its Board on April 17, 1971:

"WHEREAS, the Town Board of the Town of Riverhead referred to this Board for recommendation and report the petition for amendment to the Zoning Ordinance of the Town of Riverhead to permit the use of "day care centers" in Business D Use District, and the application was made by Jeanne and Joseph Merkel for a particular parcel of land on Osborne Avenue, and

WHEREAS, this Board did consider the advisability of the use of "day care center" in the Business D Districts as a proper use to be allowed, and could not in any way consider the applicant's request for a certain parcel of land, when this use must be related to zoning in general,

NOW, THEREFORE, BE IT RESOLVED that this Board recommends the use of "day care center" be allowed in both Business D District and Industrial A District, because the need for this type of service is where there is a concentration of employment and would be utilized by working men and women who cannot find the time or be required to travel to other areas where this use might be permitted, and

BE IT FURTHER RESOLVED that this use in these districts be by Special Permit of the Town Board for there are many factors which should govern the site location, and

BE IT FURTHER RESOLVED that this Board, if the application for a Special Permit were referred to the Board, would evaluate the granting of the Special Permit after considering the following:

1. The relationship of the number of attendants to the size of the building and to the area of the lot;
2. The lot and/or size of lot with relation to present uses and/or allowable uses of adjacent properties in this district;
3. The plan of traffic flow on the property for discharging and receiving of attendants;
4. The plan for off-street parking for the employees to ascertain that the required amount of off-street parking has been provided;
5. The traffic congestion in the street on which the lot is located;
6. The plan of playground area to ascertain that it is adequate, fenced, and property located to be compatible with the uses allowable in the district;
7. That a permit required by any law, ordinance or regulation of the State of New York, County of Suffolk or Town of Riverhead had been applied for and granted or temporary approval had been granted; and

PUBLIC HEARING - 11:15 A.M. -continued:

Communication continued:

8. A condition that if any permit by state, county or town was revoked, the use by Special Permit would be null and void; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Town Board of the Town of Riverhead." (End).

Supervisor Zaloga thereupon declared the Hearing open and asked if anyone wished to be heard on the matter.

William Esseks, Esq., representing Jeanne Merkel and Joseph Merkel, appeared before the Board and stated:

(At the outset Mr. Esseks asked the Board to permit Mr. and Mrs. Merkel and himself to meet with the members of the Board to go over some of the problems and misunderstandings that have existed during the past few months).

Mr. Esseks spoke on the matter of the Petition and said that Day Care Center is a new Use. That in 1968 the State Legislature caused amendments to the Welfare Law, mandating Day Care Centers in the State of New York. That the State can go into municipalities that don't have Day Care Centers and set up, either Town or State operated Day Care Centers and lend money to private persons or to non-profit operations to conduct Day Care Centers.

Mr. Esseks continued to state that the Day Care Center is a necessary use and a use that a town must allow.

Mr. Esseks further stated that in this particular area-Business D-the Town already has certain permitted uses, community centers, funeral homes, arenas, motor vehicle sales, professional offices, personal service shops, restaurants, retail stores and theaters, also parks and playgrounds.

Mr. Esseks outlined that right now in Business D uses - adults can perform all of the uses that we would like children to do in Business D District - a Day Care Center is a supervised Baby Center.

Mr. Esseks further outlined that the Petitioner wishes permission for 15 children to come there from 7:30 A. M. to 5:30 P. M., to play with supervision in prescribed areas with toys and slides and they would have snacks and a hot lunch - there is no other use permitted under Day Care.

Mr. Esseks urged the Board to consider granting the amendment to the Ordinance to allow Day Care Center Use.

Town Justice Costello asked Mr. Esseks if he is telling the Town Board that the State of New York mandates that in this particular zone we must allow it.

PUBLIC HEARING - 11:15 A. M. continued:

Mr. Esseks replied, "The State has ruled by legislation that there shall be Day Care Centers. It was found that you can not prohibit Day Care Centers in residential areas. There are other cases involving similar uses for retarded children or for children that have been abandoned. Here we have the use that the State says is mandatory - if that is so - the Town should adjust itself to see where is the logical place to put it."

Mr. Esseks further stated that the Merkels have located a Day Care Center on Roanoke Avenue and after the zoning was changed they located one on business property in a naive way and thought it was a permitted use.

Town Justice Costello stated he thought that inasmuch as it was mandated in the State of New York that anyone could pick any place in any zone and operate there.

Mr. Esseks replied saying, "The application is stated solely for Business D".

Town Justice Leonard stated that Osborne Avenue is one of the worst streets to park on in the Town of Riverhead and asked Mr. Esseks if he is familiar with the area and added saying there is no place in the yard to pull a car in and come out and when you back out you do so into traffic.

Mr. Esseks: "I am not trying to spot zone the Merkel property on Osborne Avenue. I want the Board to allow Day Care Center in Business D Use District.

Supervisor Zaloga stated that Main Street, Riverhead is zoned Business and he cannot visualize a Day Care Center there.

No one else wishing to be heard, and no communications having been received thereto, Supervisor Zaloga declared the Hearing closed and re-opened the meeting.

The Town Board reserved its decision on the matter of the Petition.

RESOLUTIONS

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

RESOLVED, That highway bill submitted on abstract dated April 20, 1971, as follows: Machinery Item No. 3-Riverhead Auto Parts, Inc., (bills dated March 23, 1971,) totaling \$1,990.85, be and is hereby approved for payment.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Leonard, Yes, Town Justice Costello, Yes, and Supervisor Zaloga, 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 be and is hereby authorized to hire Frank Block as Temporary Laborer in the Highway Department at the hourly rate of \$2.35 payable bi-weekly, effective April 6, 1971.

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

The resolution was thereupon declared duly adopted.

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

BE IT RESOLVED, That the Supervisor be and is hereby authorized to redeem the following Time Certificates of Deposits and deposit the principal and interest to the respective accounts:

4/26/71	Highway Department Item 1 Account	\$50,000.
4/27/71	General Town Budgetary Account	100,000.
4/27/71	Highway Department Item 1 Account	40,000.
4/29/71	Ambulance Account	7,500.

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

The resolution was thereupon declared duly adopted.

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

BE IT RESOLVED, That this Town Board ratifies the action of the Supervisor in placing the following Time Certificates of Deposit on April 9, 1971:

\$40,000 Highway Item 1 Budgetary Account for a period of 90 days

\$100,000 General Town Budgetary Account for a period of 60 days.

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

The resolution was thereupon declared duly adopted.

RESOLUTION

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

WHEREAS, the following applications for the construction of sidewalks have been received by the Town Board and reviewed by the Highway Committee, which recommends that sidewalks be constructed at a cost to the applicant for materials and an expense not exceeding a sum to the Town as listed hereinafter:

<u>Applicant</u>	<u>Cost to Applicant</u>	<u>Expense to Town</u>
Bertha Zembko 401 Elton Street Riverhead, N. Y.	\$61.00	\$185.00
Bruce W. Edwards 405 Elton Street Riverhead, N. Y.	\$62.00	\$185.00
Mary R. Dangelmeier 409 Elton Street Riverhead, N. Y.	\$61.00	\$185.00
J. Russell McGoey 483 Elton Street Riverhead, N. Y.	\$61.00	\$185.00
Thomas A. Severdia 489 Elton Street Riverhead, N. Y.	\$60.00	\$180.00

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

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

BE IT FURTHER RESOLVED, that upon the execution of the contract the Superintendent of Highways be directed to perform the work.

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

The resolution was thereupon declared duly adopted.

RESOLUTION

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

WHEREAS, the following applications for the construction of curbs and gutters have been received by the Town Board and reviewed by the Highway Committee, which recommends that curbs and gutters be constructed at a cost to the applicant for materials and an expense not exceeding a sum to the Town as listed hereinafter:

<u>Applicant</u>	<u>Cost to Applicant</u>	<u>Expense to Town</u>
F. R. Kennell 151 Northern Parkway Riverhead, N. Y.	\$100.00	\$250.00
T. Ignasiak 162 Hubbard Avenue Riverhead, N. Y.	\$100.00	\$250.00
W. G. Hubbard 137 Hubbard Avenue Riverhead, N. Y.	\$100.00	\$250.00
Jos. P. Celic 119 Hubbard Avenue Riverhead, N. Y.	\$124.00	\$310.00
H. T. Hubbard 127 Hubbard Avenue Riverhead, N. Y.	\$100.00	\$250.00
J. J. Hubbard 132 Hubbard Avenue Riverhead, N. Y.	\$415.00	\$1,030.00
J. Hubbard, Jr. 166 Hubbard Avenue Riverhead, N. Y.	\$100.00	\$250.00
S. A. Hubbard 178 Hubbard Avenue Riverhead, N. Y.	\$496.00	\$1,240.00
P. Berezny 66 Brook Street Riverhead, N. Y.	\$ 70.00	\$175.00
I. Blasl 332 Fishel Avenue Riverhead, N. Y.	\$ 80.00	\$200.00

RESOLUTION continued:

<u>Applicant</u>	<u>Cost to Applicant</u>	<u>Expense to Town</u>
J. Zoltowski 430 Hamilton Avenue Riverhead, N. Y.	\$100.00	\$250.00
Ulick Bell, Jr. 120 Merritts Pond Road Riverhead, N. Y.	\$ 60.00	\$150.00
E. Szczepanik 125 Merritts Pond Road Riverhead, N. Y.	\$ 70.00	\$175.00
J. F. Sobocinski 126 Merritts Pond Road Riverhead, N. Y.	\$ 60.00	\$150.00
E. K. Carey 133 Merritts Pond Road Riverhead, N. Y.	\$ 74.00	\$185.00
R. C. Reeve 131 Merritts Pond Road Riverhead, N. Y.	\$ 60.00	\$150.00
H. Hovey 1024 Roanoke Avenue Riverhead, N. Y.	\$150.00	\$375.00
G. Conklin 1106 Roanoke Avenue Riverhead, N. Y.	\$150.00	\$375.00
J. Grattan 427 Ostrander Avenue Riverhead, N. Y.	\$ 50.00	\$125.00
L. W. Elliston 421 Ostrander Avenue Riverhead, N. Y.	\$ 50.00	\$125.00
J. B. Mercurio 415 Ostrander Avenue Riverhead, N. Y.	\$ 50.00	\$125.00
R. Griffin 603 Northville Turnpike Riverhead, N. Y.	\$150.00	\$375.00

RESOLUTION continued:

<u>Applicant</u>	<u>Cost to Applicant</u>	<u>Cost to Town</u>
H. McKay 966 Harrison Avenue Riverhead, N. Y.	\$150.00	\$375.00
W. Kelly 950 Harrison Avenue Riverhead, N. Y.	\$150.00	\$375.00

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

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

BE IT FURTHER RESOLVED, that upon the execution of the contract the Superintendent of Highways be directed to perform the work.

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

The resolution was thereupon declared duly adopted.

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

WHEREAS, Ann Sirrine was previously appointed as probationary Clerk Typist effective November 2, 1970, and

WHEREAS, She has satisfactorily completed her six month's probationary period, now

THEREFORE BE IT RESOLVED, That Ann Sirrine be and is hereby appointed Clerk Typist in the Town Clerk's Office on a permanent basis, effective May 3, 1971, to be compensated at the rate of \$6500.00 per annum, payable bi-weekly.

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

The resolution was thereupon declared duly adopted.

RESOLUTION

Town Justice Leonard offered the following resolution and moved its adoption:

-----X
 In the Matter of the
 Amendment of Riverhead Town Ordinance :
 No. 26 of the Town of Riverhead, known
 as the Zoning Ordinance of the Town of
 Riverhead, Suffolk County, New York. :
 -----X

RESOLUTION

WHEREAS, Saul Lerner has applied to this Town Board to amend Zoning Ordinance No. 26 of the Town of Riverhead and for a Special Permit Use in connection with the development of a parcel of vacant land lying in the Agriculture A District as and for a Regional Shopping Center, said parcel being described as follows:

Commencing at the intersection of the easterly line of Doctors Path and the northerly line of the present Business B District; running thence northerly along the easterly line of Doctors Path to the southerly line of land of John Cichanowicz; running thence easterly along said southerly line of land of John Cichanowicz to land of Saul Lerner; running thence in a generally southeasterly direction across land of Saul Lerner to the point of intersection of the northwesterly line of Cross River Drive, County Road No. 105, and the westerly line of land of Edward W. Krupski; running thence southerly along the northwesterly line of Cross River Drive, County Road No. 105, to the northerly line of Main Road, New York State Route 25; running thence westerly along the northerly line of Main Road, New York State Route 25, to land of O'Keefe Chevrolet Olds, Inc.; running thence northerly, westerly and southerly along the easterly, northerly and westerly lines of said land of O'Keefe Chevrolet Olds Inc. to land of Camelia G. Stivers; running thence westerly along the northerly line of land of Camelia G. Stivers to land of Ernest Draper; running thence northerly and then westerly along the easterly and northerly lines of land of Ernest Draper to the easterly line of the present Business B District; running thence northerly and westerly along the easterly and northerly lines of the present Business B Use District to the easterly line of Doctors Path and the point or place of beginning.

and

WHEREAS, the application is to change the aforesaid premises from Agriculture A District to Business B District and further to decrease the square footage requirement for retail floor selling area in relation to offstreet automobile parking spaces and to construct various multiple dwelling units north of the hereinabove described premises; and

RESOLUTION continued:

WHEREAS, this Town Board requires additional information and further examination of this application and desires the recommendations and suggestions of the Planning Board of the Town of Riverhead before making a decision on such application,

NOW, THEREFORE, be it resolved that the application of Saul Lerner for permission to construct a Regional Shopping Center on the aforesaid parcel be and it hereby is referred to the Planning Board of the Town of Riverhead to consider, and to make appropriate recommendations and to report thereon to this Town Board not later than the 18th day of May, 1971.

The adoption of the foregoing resolution was seconded by Town Justice Costello and duly put to vote on roll call which resulted as follows:

AYES: Councilman Young, Councilman Grodski, Town Justice Leonard, Town Justice Costello and Supervisor Zaloga.

NAYS: None.

The resolution was thereupon declared duly adopted.

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

WHEREAS, in honor of the Secretary, the week of April 18-24, 1971, has been designated as Secretaries Week; and

WHEREAS, in keeping with the best traditions of their profession, secretaries are accepting vital responsibilities and are performing important roles in commerce, industry, and government; and

WHEREAS, the efforts of these skilled office workers are usually taken for granted and their many contributions to the nation's progress are unrecognized; and

WHEREAS, to honor the secretaries now doing their jobs diligently and to encourage others to enter this worthy career, it is essential that rightful recognition be given them,

NOW, THEREFORE, I, Bruno Zaloga, Supervisor of the Town of Riverhead, do hereby declare the week of April 18-24, 1971 "Secretaries Week" and ask that all business and industry join in giving due recognition to this group, paying special attention to Secretaries Day on April 21, 1971.

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

The resolution was thereupon declared duly adopted.

Town Justice Costello, the sentimentalist on the Board, opined that the foregoing resolution was "beautiful".

To commemorate Secretaries Week, Supervisor Zaloga presented colorful floral corsages decked with gay ribbons to all the ladies employed in the Town Hall. The Tax Receiver, Town Clerk and all the girls say "Thank you, Mr. Supervisor", for your thoughtfulness.

RESOLUTION

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

BE IT RESOLVED, That the Town Clerk of the Town of Riverhead, New York, be and is hereby authorized and directed to publish in the April 22, 1971 issue of the News-Review, the official newspaper of the Town, the following public notice:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that at a regular meeting of the Town Board of the Town of Riverhead held at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, on the 20th day of April, 1971, the following resolution was duly adopted:

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 in order that an ordinance may be adopted by the Town,

NOW, THEREFORE, By virtue of the authority vested in it by the Town Law and other statutes made and proved, the Town Board of the Town of Riverhead hereby ordains and enacts the following Ordinance No. 42, entitled "ALTERATIONS OR EXCAVATIONS OF PUBLIC WAYS":

ORDINANCE NO. 42ALTERATIONS OR EXCAVATIONS OF PUBLIC WAYS

1. WRITTEN CONSENT OF THE TOWN BOARD, TOWN SUPERINTENDENT OF HIGHWAYS, SUPERINTENDENT OF SEWER DISTRICT, SUPERINTENDENT OF WATER DISTRICT.

No person, firm or corporation shall change or alter the grade of any public highway or any sidewalk or disturb, break, mar, injure, remove or deface or cause to be disturbed, broken, marred, injured, removed or defaced the surface of any part of any public highway, street, road, sidewalk, sidepath, passway or easement or any other public way of the Town of Riverhead, or maintained by it, in any manner whatsoever, without having first obtained the written consent of the Town Board. The Town Board shall refer all applications to the Superintendent of Highways, the Superintendent of the Sewer District and the Superintendent of the Water District and if the proposed alteration is in a Sewer and/or Water District, the written consent of the Superintendent of said Sewer and/or Water District shall be obtained by the Town Board before granting approval.

2. SUFFICIENT INDEMNITY REQUIRED.

The Town Board shall not give written consent that any act or acts be performed as set forth in Section 1 unless there shall have been furnished by the applicant a sufficient liability insurance policy as determined by the Town Board; and said liability insurance policy shall be for a reasonable amount and may cover one or more than one of the acts specified in Section 1 of this Article and personal injury and/or wrongful death to any person resulting directly or indirectly from the acts set forth in Section 1; and said liability insurance policy may cover any period of time necessary to include the accomplishment of one or more of the aforesaid acts, as shall be determined by the Town Board. The approval of the Town Board as to amount, form, manner of execution and sufficiency of said liability insurance policy shall be endorsed on said liability insurance policy before it shall be filed in the Town Clerk's Office and said liability insurance policy shall be filed before said consent shall be effective.

RESOLUTION continued:

3. EACH DAY A SEPARATE VIOLATION.

Each period of twenty-four (24) hours, that is, each calendar day during which, or any part of which, any violation of this ordinance continues, shall constitute a separate violation hereof.

4. DEFINITION.

PERSON: - the term "person" shall include any individual, firm, partnership or corporation.

5. ACTION FOR DAMAGES.

The enactment hereof or any prosecution hereunder shall not be deemed to prevent or prohibit any action for the collection of damages or penalties by or on behalf of the Town of Riverhead, or the Superintendent of Highways and/or Sewer Districts and/or Water Districts.

6. VIOLATIONS AND PENALTIES.

A violation of the foregoing shall be an offense punishable by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding (30) thirty days, or by both.

7. SEPARABILITY.

The respective provisions hereof shall be considered separable, and if any portion hereof is declared invalid, such declaration of invalidity shall not affect any other portion.

The adoption of Ordinance No. 42, entitled "ALTERATIONS OR EXCAVATIONS OF PUBLIC WAYS", of the Town of Riverhead shall take effect ten (10) days after publication and posting.

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

The resolution was thereupon declared duly adopted.

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

BE IT RESOLVED, That a Home Rule Request entitled "AN ACT to erect the county of Peconic from the territory now comprised of the towns of East Hampton, Riverhead, Shelter Island, Southampton and Southold, in the county of Suffolk, be forwarded to the New York State Senate.

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

The resolution was thereupon declared duly adopted.

RESOLUTION

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

WHEREAS, proposals for the fencing around recharge basins in Drainage Project #34 and in Drainage Project #38 of the Town of Riverhead, New York, were duly requested pursuant to advertisement for bids dated April 6, 1971, and

WHEREAS, in response to such advertisement, bids were duly received by the Town Clerk for the Town Board of the Town of Riverhead, at 11:15 A.M., on Monday, April 19, 1971 as follows:

Art Fence Co.	Project #34	\$5,275.00
1400 West Main Street	Project #38	<u>4,495.00</u>
Riverhead, New York 11901	TOTAL	\$9,770.00
Riverhead Fence Co.	Project #34	\$3,928.00
970 West Main Street	Project #38	<u>3,488.00</u>
Riverhead, N. Y. 11901	TOTAL	\$7,416.00

AND WHEREAS, the Town Board of the Town of Riverhead has deemed it appropriate and proper to accept the lowest bid, to wit: that of Riverhead Fence Co. for \$7,416.00 for the performance of the work as outlined in the specifications and shown on the plan referred to in said advertisement for bids,

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk of the Town of Riverhead be authorized to forthwith forward a Notice of Award to said successful bidder, advising him to execute the Contract and submit performance bond and certification of insurance, in accordance with the General Conditions of the Contract Documents within ten (10) days of the receipt of said Notice of Award, and

BE IT FURTHER RESOLVED that Bruno Zaloga, Supervisor of the Town of Riverhead, be authorized and empowered to execute said Contract on behalf of the Town Board of the Town of Riverhead, and

BE IT FURTHER RESOLVED that the cost for this construction be charged in accordance with the aforesaid bid of Riverhead Fence Co. to the appropriate Drainage Project Account.

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

The resolution was thereupon declared duly adopted.

RESOLUTION

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

RESOLVED, That the Town Clerk be and is hereby authorized and directed to publish in the April 22, 1971 issue of the News-Review, the official newspaper of the Town of Riverhead, the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to the applicable provisions of the Town Law, public hearing will be held by the Riverhead Town Board at 11:00 A. M. o'clock in the forenoon on the 4th day of May, 1971 in the Town Board Room, Town Hall, 220 Roanoke Avenue, Riverhead, New York in the matter of the adoption of the proposed amendment to zoning ordinance No. 26 for the entire town of Riverhead.

The text of the new proposed amendment to zoning ordinance No. 26 is as follows:

Section 210A subdivision 2 b A non-nuisance industry by special permit of the Town Board.

Section 210A subdivision 2e wholesale business (non-nuisance) by special permit of the Town Board.

ANY PERSON DESIRING TO BE HEARD ON THE PROPOSED AMENDMENT SHOULD APPEAR AT THE TIME AND PLACE SPECIFIED.

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

The resolution was thereupon declared duly adopted.

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

RESOLVED, That Sergeant Donald Robinson be and is hereby authorized to attend the FBI FIREARMS INSTRUCTORS SCHOOL at Camp Smith, Peekskill, N. Y., from May 10th to 21st, 1971, and that all related expenses be paid by the Town.

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

The resolution was thereupon declared duly adopted.

The Town Board granted the Student Body a period of time to participate in a "question and answer period."

Mr. Helmutt Ellrich thanked the members of the Board for having received the Student Body at this meeting.

Supervisor Zaloga thanked the students for coming and also expressed the appreciation of the Town Board to Mr. Ellrich for arranging this meeting of the Student Body with the Board.

There being no further business on motion and vote, the meeting adjourned at 12:30 P. M. to meet on May 4, 1971 at 10:30 A. M.

Helene M. Block

Helene M. Block, Town Clerk