

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, March 3, 1970 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.

The Meeting was called to order at 10:30 A. M. by Supervisor Zaloga.

#### BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills submitted on Abstracts dated March 3, 1970.

General Town	\$25,764.26
Highway Item No. 1	\$ 5,065.41
Highway Item No. 3	\$ 2,638.48
Highway Item No. 4	\$ 5,208.83

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

RESOLVED, That General Town bills submitted in the amount of \$25,764.26 be approved for payment, and

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

Highway Item No. 1	\$5,065.41
Highway Item No. 3	\$2,638.48
Highway Item No. 4	\$5,208.83

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.

#### REPORTS

Tax Receiver, dated 2/13/70. Filed.

Tax Receiver, dated 2/24/70. Filed.

Fire Inspector, month of February, 1970. Filed.

Building Inspector, month of February, 1970. Filed.

Recreation Department, month of February, 1970. Filed.

Police Department, month of February, 1970. Filed.

COMMUNICATIONS

Town of Brookhaven, dated 2/24/70, re adoption of amendment relating to Golf Courses. Filed.  
Copies to Town Attorney and Building Inspector.

Suffolk County Department of Planning, dated 2/26/70, re amended Building Zone Ordinance, Chapter 85 relating to Golf Courses, Town of Brookhaven, stating if no reply is made within five days, it will be assumed there are no objections. Filed.

Suffolk County Department of Planning, dated 2/26/70, re Upzoning of School District #10, from Residence B-I to Residence A, stating if no reply is made within five days it will be assumed there are no objections. Filed.

The aforesaid two communications were referred to the Town Attorney.

Dr. L. H. Goldman, dated 3/2/70, calling attention to the need for traffic safety measures at the site of the Riverhead Lumber Company on Ostrander Avenue, stating that the intersection at Corwin Street, Ostrander Avenue, the railroad crossing at Ostrander and Union Avenue are a flagrant abuse of their own property, the railroad property and town property. Outlining other existing conditions and suggesting that parking be prohibited for 75 feet from the corner with a sign so indicating. Also enclosing pictures to verify the specific abuses outlined and requesting that these abuses be corrected. Filed.

Referred to Police Chief, Town Attorney and Town Justices Leonard and Costello.

Mr. Jesse R. Goodale, representing Riverhead Lumber Company appeared before the Board and discussed the complaints as outlined in aforesaid letter.

Supervisor Zaloga informed Mr. Goodale that he had received many telephone calls regarding the existing conditions in the areas as mentioned and suggested that the Lumber Company give much thought and consideration to cleaning up the areas and correcting the situation at the earliest possible time.

Mr. Goodale agreed to cooperate.

At this point of the meeting, Supervisor Zaloga asked if anyone wished to be heard and the following person responded:

Mr. Donald Edgar, summer resident of Northville Sound Shore Road, permanent address, Setauket, N. Y., stated objection to proposed oil refinery.

Supervisor Zaloga announced to Mr. Edgar and the delegation present that there is nothing on the Agenda as to a hearing on this matter today and in all probability won't be for 60 or more days and if anyone has objections or anything to say on the subject that the Board would prefer that they do so by letter.

Mr. Edgar asked if the Town Board would consider holding the hearing in the evening to accommodate taxpayers who are unable to appear in the day time.

Supervisor Zaloga assured Mr. Edgar that the Town Board is considering to schedule evening town board meetings in the near future.

HIGHWAY MATTERS: Supt. of Highways Alex E. Horton informed the Town Board that the Police Department is doing a fine job cleaning up violations at the Town Dump.

#### NEW BUSINESS

Town Justice Costello rendered the following report: That he has obtained a price of \$2300 for a Dog Incinerator for the Town Dog Pound and will meet with a representative of the company to secure further information.

#### RESOLUTION

Councilman Young offered the following resolution and moved its adoption:

WHEREAS, The Corps of Engineers must now by Act of the United States Congress make a determination as to whether a permit for construction of jetties will be issued on an evaluation of all relevant factors including the effect of the proposed work on navigation, natural resources, including fish and wildlife and recreational aspects, water quality, and other factors affecting the interest of the general public, and

WHEREAS, Levon Industries, Inc., is located almost entirely within the Town of Riverhead, and

WHEREAS, The terms "all relevant factors" and "interest of the general public" surely indicate the involvement of the people of Riverhead, and as this town board is elected to represent these people, it becomes the duty of this town board to take a stand on this issue, and

WHEREAS, The Congressman representing this district, the Suffolk County Executive, the Southold Town Board, Southold Planning Board, the Chairmen of the Riverhead Democratic and Conservative Parties, the Riverhead League of Women Voters, the Northville Civic Association, the Preservation Society of the East End, and spokesmen for many conservation and fish and wildlife conservation groups have all very strongly voiced opposition to the granting of this permit, and

WHEREAS, the Suffolk County Health Department is so concerned that a request is now being prepared to the New York State Water Resources Commission for a new hearing on the fresh water use permit for this operation, and

WHEREAS, The jetty construction and dredging at Jamesport continued after the original permit expired on December 31, 1968 and many changes were made from the original permit and work continued without a permit, and

WHEREAS, The jetty construction exceeded the New York State Underwater grant of November 1, 1965. The east line of the grant was 559.18 feet and the jetty was constructed to a distance of 610 feet or 50.82 feet in violation. The west line of the grant was 550.0 feet and the jetty was constructed to a distance of 570.0 feet or 20 feet in violation, and

WHEREAS, Dredging for a channel has caused fresh water loss and salt water intrusion and continued dredging for a harbor will cause permanent loss of millions of gallons of fresh water from the critical fresh water natural resources, and

WHEREAS, The dredging has so contaminated the adjacent waters of Long Island Sound that the residents of the area can not use them for swimming.

THEREFORE BE IT RESOLVED, That the Town Board of Riverhead with due regard to the foregoing and the interest of the general public of the Town of Riverhead, hereby request that the Corps of Engineers deny the application for a permit by Levon Properties, Inc. No. NANOP-E - PUBLIC NOTICE 6501.

The aforesaid Resolution was not seconded and therefore could not be entertained.

RESOLUTIONS

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

RESOLVED, That Highway bills submitted on Abstract dated March 3, 1970, as follows: Machinery Item No 3-Municipal Machinery Co. Inc. , bills dated Feb. 16, and 17th, totalling \$616. 10 and H. O. Penn Machinery Co. Inc. , bills dated Jan. 28th, February 3rd, 4th and 9th, totalling \$669. 55; Miscellaneous Item No. 4-Capitol Highway Materials, bill dated February 16th in the amount of \$705. 60; be and are 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 Town Justice Leonard.

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids on Road Emulsion for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications be prepared by the Superintendent of Highways, and bids to be returnable up to 11:15 A. M. on Monday, March 16, 1970, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, March 16, 1970, at 11:15 A. M. , at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Road Emulsion".

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 Town Justice Leonard.

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids on One (1) New 1970 Tractor with Loader for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications be prepared by the Superintendent of Highways, and bids to be returnable up to 11:30 A. M. on March 16, 1970, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, March 16, 1970, at 11:30 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-Loader".

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.

RESOLUTIONS - 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 for the operation of the Jamesport Marina for the year 1970-1971, and be it

FURTHER RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, March 16, 1970 at 11:00 A. M. , at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all bids bearing the designation "Bid on Operation of the Jamesport Marina".

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.

RESOLVED, That Stanley Jablonski, be and is hereby appointed Police Patrolman, pursuant to Section 156 of the Town Law, effective February 22, 1970, to be compensated at the rate of \$8,410.08 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.

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

RESOLVED, That Sergeant Walter Flanagan and Detective Joseph Grattan, be and are hereby authorized to attend a MOB and RIOT CONTROL POLICE SCHOOL at Camp Smith, New York, March 18th and 19th, 1970, and that all related and necessary expenses be paid.

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.

RESOLVED, That Sergeants W. Flanagan and L. Grattan and Patrolmen A. Doroski, L. Mazzo, R. Quinn, E. Curven, W. Moisa, L. Griffing, J. Kurpetski and J. Dunleavy, be and are hereby authorized to attend a one-day Teletype Training Session in Hauppague, New York, on March 10, 1970, and all related and necessary expenses be paid.

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.

RESOLUTIONS

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

WHEREAS, The Town Board has considered the Petition for Change of Zone of Vera Lee to change zoning use district from Industrial B to Residence C of property located on the west side of Griffing Avenue, Riverhead, New York, and

WHEREAS, The Town Planning Board as set forth in its letter of January 17th, 1970, recommends that such Petition be denied, now, therefore,

BE IT RESOLVED, That the Petition of Vera Lee for the change of zone district from Industrial B to Residence C of property located on the west side of Griffing Avenue, Riverhead, New York, be DENIED.

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

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

WHEREAS, The Town Board has considered the Petition for change of zone of George W. and Audrey M. Speidell, to change zoning use district from Residence B to Business A on property located at s/w corner of Sound Road and Creek Road, Wading River, New York, and

WHEREAS, The Town Planning Board as set forth in its letter of January 17th, 1970, recommends that such Petition be denied, now, therefore,

BE IT RESOLVED, That the Petition of George W. and Audrey M. Speidell, for the change of zone district from Residence B to Business A on property located at s/w corner of Sound Road and Creek Road, Wading River, New York, be DENIED.

A discussion followed:

James Carter, Esq., Attorney representing Petitioners George W. and Audrey M. Speidell, addressed the Board and stated: "The property involved is presently used and has been for 30 years as a snack bar. The owners do not wish to change the nature of the operation. What they seek to do is to improve the facilities and in the event that the zoning was not granted the improving of the facilities would require making application to the Zoning/Board of Appeals. What we are seeking is to have the premises rezoned from B Residence to Business A. The beach which is adjacent to the property is not generally open to the public use until June and is closed in September. However, the beach is used from May to late September and early October. The applicants will be able to install and provide toilet facilities before the opening of the beach season and also after the closing and hours of the beach season."

Mr. Carter continued stating: "Also in conjunction with the snack bar, the petitioners would also like the opportunity to sell fishing tackle; as we feel it would be beneficial to the area. Again, while the Planning Board has recommended that the application be denied, I feel that they were not aware of all the circumstances here. The owners would be completely agreeable to any covenants and restrictions that the Board would care to impose upon the property to assure that it will not be expanded."

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

RESOLVED, That the pending motion relating to George W. and Audrey M. Speidell's application for change of zone be postponed to the April 7th, 1970 Town Board Meeting.

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.

Supervisor Zaloga directed Town Attorney John J. Munzel to confer with the Chairmen of the Planning Board and Zoning/Board of Appeals and James Carter, Esq., to obtain further information on the matter of the Speidell application for change of zone.

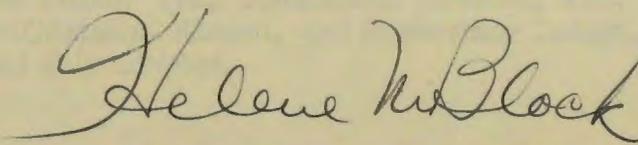
Patricia Tormey, Chairman of Zoning/Board of Appeals stated that the fee for filing an application with the Board of Appeals is \$25.00.

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

BE IT RESOLVED, That Doctor Donald Pevney, representing the medical profession; Willie Edward Patterson, representing the field of education; and Rev. Donald A. Abdon, representing the clergy, be and hereby are appointed to the Town of Riverhead Narcotic Guidance Council, for a term of three years commencing March 3rd, 1970 and ending March 3rd, 1973, without compensation and to serve at the pleasure of the Board.

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.

There being no further business on motion and vote, the meeting adjourned at 11:20 A.M., to meet on Tuesday, March 17th, 1970 at 10:30 A.M.



Helene M. Block, Town Clerk