

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, April 21, 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.

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

BE IT RESOLVED, That the Minutes of a Town Board Meeting held in the Town Hall on April 7, 1970, 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.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills submitted on abstracts dated April 21, 1970:

General Town	\$23,339.01
Highway Item No. 1	\$ 3,676.51
Highway Item No. 3	\$30,319.05
Highway Item No. 4	\$ 998.27

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

RESOLVED, That General Town Bills submitted in the amount of \$23,339.01 be approved for payment, and

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

Highway Item No. 1	\$ 3,676.51
Highway Item No. 3	\$30,319.05
Highway Item No. 4	\$ 998.27

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 asked if anyone wished to be heard. No one responded.

REPORTS

Supervisor's month of March, 1970. Filed.
Tax Receiver's, dated 4/13/70. Filed.

OPEN BID REPORT-One Used Ford Tractor-Highway Department

After being duly advertised the following bid for One Used 1961 Ford Tractor with Loader-Backhoe Combination for use of the Riverhead Town Highway Department was opened by the Town Clerk on Monday, April 20, 1970 at 11:00 A. M:
ISLAND FORD TRACTOR SALES, INC., RTE. 25, MATTITUCK, N. Y.

One (1) 1961 Ford Model 801 TLB-Immediate Delivery	\$3,700.00
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The Bid was filed for the April 21, 1970 Town Board Meeting.

COMMUNICATIONS

Petition of John Archambault doing business as Quinn's Bus Line, for operation of an Omnibus Line (1) Petition to extend Route in Suffolk County (2) Petition to Transfer to Coram Bus Service, Inc. (Report of Public Service Commission held in Albany 4/7/70) Copies to Town Board and Town Attorney.

Town of Brookhaven, dated 4/14/70 re Public Hearing on Amendment to Chapter 85 of Code.

Town of Brookhaven, dated 4/14/70 re Public Hearing on Amendment relating to Grading Ordinance. Filed.

Copies to Town Attorney and Building Inspector.

Dr. Alfred H. Smith, Northville Beach Civic Ass'n., Chairman of Health, Welfare and Recreation Committee, thanking the Supervisor and members of the Town Board for attending Special Meeting of the Ass'n held on Sunday, April 12th, 1970. Filed.

RESOLUTIONS

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

WHEREAS, On April 20, 1969, John Seaman was appointed probationary Police Patrolman for a period of six months, and

WHEREAS, He has satisfactorily completed his basic training course pursuant to Section 209-q of the General Municipal Law,

NOW, THEREFORE, BE IT RESOLVED, That John Seaman be and is hereby appointed Police Patrolman on a permanent basis, effective April 3, 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.

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

WHEREAS, Calverton Associates has heretofore on the 3rd day of February, 1970, filed with the Town Clerk a petition to rezone from AGRICULTURE A DISTRICT to INDUSTRIAL A DISTRICT, pursuant to ARTICLE V, Section 501 of the Zoning Ordinance of the Town of Riverhead, all of those premises more particularly bounded and described as follows:

All of that piece or parcel of land located in Calverton, Town of Riverhead, Beginning at a point on the division line between the Southerly side of the land of the petitioner and the Northerly line of the land of the petitioner and the Northerly line of the Long Island Lighting Company right of way, which said point is the intersection of the Easterly boundary of the INDUSTRIAL A DISTRICT fronting upon the Easterly side of Fresh Pond Avenue, and the Northerly side of the Long Island Lighting Company right of way; running thence in an Easterly direction along the aforesaid border line between the lands of the petitioner and the Long Island Lighting Company right of way, 285 feet+ to the division line between the lands of the petitioner and those now or formerly of Jacob Krue; running thence North 3,693 feet to the Easterly end of the division line between the lands of the petitioner and those of Richard R. Thurm 423 feet+ to the Easterly side of the INDUSTRIAL A DISTRICT fronting upon Fresh Pond Avenue, which said point is 1,000 feet East of Fresh Pond Avenue; thence Southerly 3,750 feet+ along a line being the Easterly boundary of the INDUSTRIAL A DISTRICT fronting on Fresh Pond Avenue as the same is now depicted upon the Zoning Map of the Town of Riverhead to the point or place of beginning,

and

WHEREAS, said petition was referred to the Planning Board of the Town of Riverhead for review and recommendation, and

WHEREAS, said Planning Board did on March 11, 1960 adopt a resolution recommending the adoption of an amendment to the Zoning Ordinance of the Town of Riverhead as prayed for in the petitioner's petition,

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held upon the petition of Calverton Associates for a change of zone from AGRICULTURE A DISTRICT to INDUSTRIAL A DISTRICT all of those premises hereinbefore described, pursuant to Article 16 of the Town of Riverhead at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, on the 5th day of May, 1970, at 11:00 o'clock in the forenoon of said day at which time and place all persons having an interest in the proposed Zoning Ordinance amendment will be heard, and

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby directed to publish and post notice of this public hearing in accordance with the Town Law of the State of New York.

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

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids for One (1) Used Tractor Truck 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 10:30 A. M., on May 4th, 1970, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, May 4, 1970 at 10:30 A. M., at the Town Clerk's Office, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on Used Tractor-Truck".

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 the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of bidders of five police vehicles, in the News-Review on April 23, 1970, and be it further

RESOLVED, That the Town Clerk be and hereby is authorized and designated to open publicly and read aloud on Monday, May 18, 1970 at 11:15 A. M., at the Town Clerk's Office, Town Hall, Riverhead, New York, each of said bids to designate the vehicle bid for and each, being sealed, to bear the designation, "BID FOR SURPLUS POLICE VEHICLES".

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 bid for One (1) Used 1961 Ford Tractor with Loader-Backhoe Combination for use of the Riverhead Town Highway Department, be and is hereby awarded to Island Ford Tractor Sales, Inc., at a net cost of \$3,700.00, subject to its bid and specification form submitted April 20, 1970 and filed in the Office of the Town Clerk, and be it

FURTHER RESOLVED, That the acceptance of said bid is subject to the approval of the Suffolk County Superintendent of Highways/Commissioner of Public Works of the County of Suffolk.

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.

RESOLUTION CALLING PUBLIC HEARING TO REPEAL ORDINANCE NO. 9 "LICENSING OF JUNK DEALERS AND DEALERS IN SECOND-HAND ARTICLES" AND THE ADOPTION OF THE REVISED ORDINANCE NO. 9 "LICENSING OF JUNK DEALERS AND DEALERS IN SECOND-HAND ARTICLES".

BE IT RESOLVED, That the Town Clerk be and is hereby authorized and directed to publish the following notice of public hearing in the April 23, 1970 issue of the News-Review:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, That pursuant to Section 130 of the Town Law, a Public Hearing will be held by the Town Board of the Town of Riverhead, at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, on the 5th day of May, 1970 at 11:15 A.M., on the following proposals to repeal the existing Ordinance No. 9 entitled "Licensing of Junk Dealers and Dealers in Second-hand Articles", and to adopt a revised Ordinance No. 9, entitled "Licensing of Junk Dealers and Dealers in Second-hand Articles", which provides as follows:

REVISED ORDINANCE NO. 9 - LICENSING OF JUNK DEALERS AND DEALERS IN SECOND-HAND ARTICLES".

BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AS FOLLOWS:

SECTION 1. LEGISLATIVE INTENT. By the adoption of this Ordinance the Town Board of the Town of Riverhead declares its intent in so doing to be to regulate, control and license the activities or businesses known as auto "graveyard", junk cars, second-hand collection areas, the processing of used metals for resale and the materials of whatever composition. Said Town Board hereby declares that such activities or businesses can constitute a hazard to property and persons and a public nuisance. Such materials may be highly inflammable and sometimes explosive - - gasoline tanks on old autos often contain in some quantity combustible gasoline; the grease and oil is also inflammable. Batteries and other elements of such autos can contain acids and other matter potentially harmful to humans. These autos frequently contain sharp metal or glass edges or points upon which a human could receive serious cuts and abrasions. These autos can constitute attractive nuisances to children and certain adults. The presence of such junk yards even in areas zoned for business or industry can be unsightly and tend to detract from value of surrounding land and property unless such areas are properly maintained and operated.

SECTION 2. DEFINITIONS.

a) The term "person as used in this Ordinance shall include an individual, society, club, firm, partnership, private corporation, officer's of said corporation or associations of persons, the singular number shall include the plural number.

RESOLUTION continued:

b) The term "junk motor vehicles" as used in this Ordinance shall include every vehicle or part or section of a vehicle manufactured, made, altered, or designed, to be operated by any power other than muscular power, whether in running condition or not or without a motor that is not properly and currently registered as a motor vehicle or does not display a proper and current registration plate.

c) The term "motor vehicle junkyard" as used in this Ordinance shall include any premises or real property, or part thereof, upon which there shall be kept, stored or parked three or more junk motor vehicles, whether for sale or not or otherwise.

d) The term "month" as used in this Ordinance shall mean any period of thirty successive days.

SECTION 3. RESTRICTION. No person shall own, lease, rent, use, control or be in possession of any premises upon which there is carried on the activity of or business either for profit or otherwise, or incidental to another business which accumulates junk or junk vehicles, at wholesale or retail, which involves the collection, storage, burning, dumping, disassembling, dismantling, salvaging, sorting or otherwise handling or arranging for sale, resale, storage, or disposal or otherwise of second-hand auto wrecks, bodies, engines, or parts of such autos, or of any other second-hand or used property of whatever material it is composed or any waste material whether composed of wood, paper, cloth, cardboard, plastic, metals, stone, cement, or otherwise without obtaining a license therefore is hereinafter provided.

SECTION 4. REQUIREMENTS. To be eligible for such a license, the premises upon which the business is to be conducted, or upon which junk is stored, shall:

1. be so graded and maintained that no surface waters will collect upon them.
2. be so maintained as to be kept reasonably free of rodents and any other disease carrying animal.
3. be either completely within an enclosed building, or shall be enclosed with a board fence, at least (6) six feet high on all sides, so constructed as to reasonably obstruct the ingress and egress of children and small animals. The entrances to such premises, unless in an enclosed building, shall be closed by gates or doors of the same construction as the fence enclosing the premises; which gates or doors shall be kept closed except when actually in use.

SECTION 5. PREMISES. The building of fences about such premises shall be kept in good repair.

a) Except in an enclosed building, no junk may be piled closer than (5) five feet to the fence hereinbefore required, nor shall junk be piled higher than such fence at any time.

SECTION 6. LICENSES. In the issuance of the junk dealer's license, the provisions of Article 6 of the General Business Law shall be adhered to. The Town Clerk is the person authorized to issue the license herein. Every junk dealer's license shall expire on June 30th of each year. Junk dealers now operating within the Town of Riverhead shall apply for a license to begin in July, 1970.

SECTION 7. GROUNDS FOR DENYING LICENSE. A license may be refused or revoked if the applicant or holder shall have been or is convicted of a misdemeanor or felony which, in the judgment of the Town Clerk, renders the applicant unfit or undesirable to carry on the business of a junk dealer.

SECTION 8. NOTICE OF APPLICATION. Prior to the issuance of a junk dealer's license, the applicant must furnish the Town Clerk with the names and addresses of the adjoining owners of record of the premises to be used as a junk yard. The Town Clerk shall cause to be mailed to the adjoining owners notice that the applicant has applied for a

RESOLUTION continued:

junk dealer's license, and return date, not less than ten (10) days from the date of mailing said notice, shall be fixed for such adjoining owners to show cause why such license shall not be issued.

SECTION 9. APPLICATION. The applicant must submit to the Town Clerk an application in affidavit form, and the application must include the following information:

a) The application must contain the location of all premises where junk is to be stored, permanently or temporarily. If additional premises are used for junk storage, and if the premises were not included in the previous application, the applicant must file a supplementary application, including all of the information and in the same form and subject to the same conditions as the original application. If such supplementary application is duly approved, a supplementary license will be issued without further cost.

b) Whether the applicant has been convicted of a felony or a misdemeanor and, if so, full details as to the nature of the crime, the court in which the conviction was obtained, and the sentence imposed.

SECTION 10. INSPECTION. The Supervisor of the Town Board, or such person as the Town Board may designate, shall be permitted reasonable access to premises upon which buying, selling, handling or dealing in junk is conducted for the purpose of ascertaining whether the provisions of the Ordinance are being observed.

SECTION 11. FEE. The license fee for junk dealers shall be in the amount of \$30.00 annually which is to include the \$5.00 license fee charged by Article 6 of the General Business Law.

SECTION 12. REVOCAION. Any violation of the provisions of this Ordinance may be grounds for revocation of the license.

SECTION 13. PENALTY. Any person found guilty of engaging in the business of junk dealer without a license, or who owns or operates premises in violation of any section of this Ordinance shall be deemed to have committed an offense against this Ordinance, and also shall be liable for any such violation or penalty therefore. Each day such violation shall continue or be permitted to exist shall constitute a separate violation.

a) For every violation of any provision of this Ordinance the person violating the same shall be subject to a fine of not more than one hundred dollars (\$100.00) or imprisonment not exceeding fifteen (15) days or by both fine and imprisonment.

b) Conviction for any above mentioned violation shall constitute and effect an immediate forfeiture of the license.

c) Any person violating the Ordinance shall be subject to a civil penalty enforceable and collectable by the Town in the amount of one hundred dollars (\$100.00) for each such offense. Such penalty shall be collectable by and in the name of the Town for each day that such violation shall continue.

RESOLUTION continued:

d) In addition to the above provided penalties and punishment, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of such Ordinance.

ORDINANCE NO. 9 ENTITLED "LICENSING OF JUNK DEALERS AND DEALERS IN SECOND-HAND ARTICLES ADOPTED APRIL 3rd, 1956, IS HEREBY REPEALED AS OF THE DATE THIS ORDINANCE SHALL GO INTO EFFECT.

EFFECTIVE DATE: This Ordinance shall take effect upon its publication and posting as required by Section 133 of the Town Law after its adoption or upon its personal service as provided therein.

ANY PERSON DESIRING TO BE HEARD ON THE PROPOSED ORDINANCE SHALL 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.

At this point of the Meeting Supervisor Zaloga called a recess to hold a Public Hearing.

PUBLIC HEARING - 10:45 A.M.

Town Clerk submitted affidavits of publishing and posting Public Notice Calling Public Hearing on the matter of establishing Extension 3 to Aquebogue Lighting District No. 2. The affidavits were ordered filed.

Communication was read from Douglas J. Scott, dated April 16, 1970, stating that he wished to be deleted from the Lighting District #2, Aquebogue, N. Y. Filed.

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

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

RESOLUTION

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

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids on One (1) Four Wheel Drive 3/4 Town Pick Up Truck for use of the Riverhead Recreation Department, and be it

RESOLVED, That specifications be prepared by the Recreation Supervisor and bids shall be returnable up to 10:15 A.M., on May 4, 1970, and be it

FURTHER RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, May 4, 1970 at 10:15 A.M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, N. Y., all sealed bids bearing the designation "Bid on Four Wheel Drive 3/4 Ton - Pick Up Truck."

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.

-----X
 In the Matter of
 Extension No. 3 of the Aquebogue Light
 District No. 2, in the Town of Riverhead, :
 Suffolk County, New York.

ORDER
 Establishing Extension of
 Lighting District.

-----X
 The petition in this matter, together with the necessary map attached thereto, having been filed with the Town Board and an Order having been duly adopted by said Board on April 7, 1970, calling for a hearing of all persons interested in the matter on the 21st day of April, 1970, at 10:45 A. M. o'clock, at the Town Hall, 220 Roanoke Avenue, Riverhead, New York, and a hearing having been duly held at such time and place and it having been duly resolved and determined at such hearing that the petition was duly signed and acknowledged as required by law and was otherwise sufficient and the Town Board having determined that it is in the public interest to grant the relief sought, and the Town Board having further determined in the affirmative:

- a) That the petition complies with the requirements of Section 191 of the Town Law as to sufficiency of signers according to the boundaries of the proposed extension:
- b) That the petition is signed and acknowledged as required by law and is otherwise sufficient;
- c) That all the property and property owners within the proposed extension are benefited thereby:
- d) That all the property and property owners benefited are included within the limits of the proposed extension;
- e) That it is in the public interest to grant the relief sought; and

The permission of the State Comptroller not being required for the extension of said District, as provided by Town Law, Section 194, Subdivision 6; it is hereby

RESOLVED AND ORDERED that an Extension of the Aquebogue Lighting District No. 2, to be known as Extension No. 3 of the Aquebogue Lighting District No. 2, as described below, be and the same is hereby established, to wit:

In the territory hereinafter described which is located in the Town of Riverhead, Suffolk County, New York State, outside of any incorporated village and wholly within the said Town of Riverhead:

BEGINNING at the northeast corner of the land of E. & A. Rinde, which point is also the point of intersection of the northerly boundary line of the Aquebogue Lighting District No. 2 with the westerly line of Church Lane, and running thence westerly along the northerly boundary line of said Aquebogue Lighting District No. 2 to the southwest corner of the land of R. Park; thence northerly and easterly along the westerly and northerly line of the land of R. Park to the southwest corner of the land of C. Stroup; thence northerly along the westerly line of C. Stroup to the northwest corner of the land of C. Stroup; thence northerly across the land of F. Zoltowski to the southeast corner of the land of H. & J. Breitenbach; thence northerly along the easterly line of the land of H. & J. Breitenbach to the northeast corner of the land of H. & J. Breitenbach; thence across the land of M. Caplan to the southeast corner of the land of Raymond L'Hommedieu; thence northerly along the easterly line of the land of Raymond L'Hommedieu to a point in the southerly line of the land of Emil Breitenbach; thence easterly along the southerly line of the land of Emil Breitenbach to the southwest corner of the land of E. Harrison; thence northerly along the westerly line of E. Harrison to the northwest corner of the land of E. Harrison; thence northerly across the land of Emil Breitenbach to the southwest corner of the land of Rose Gatz; thence northerly along the westerly line of the lands of Rose Gatz and of F. & E. Slavonik to the northwest corner of the land of F. & E. Slavonik; thence northerly across other land of Emil Breitenbach to the southwest corner of the land of E. & L. Breitenbach; thence northerly and easterly along the westerly and northerly lines of the land of E. & L. Breitenbach to a point in the northerly line of land of E. & L. Breitenbach which is distant 300 feet westerly as measured at right angles from the westerly line of Phillips Lane; thence northerly across the land of J. H. & T. McDonald on a line parallel to and distant 300 feet westerly from the westerly line of Phillips Lane to a point which is in a prolongation westerly of the northerly line of land of J. Cain; thence easterly across the land of J. H. & T. McDonald and across Phillips Lane on a line being a prolongation westerly of the northerly line of the land of J. Cain to the northwest corner of the land of J. Cain; thence easterly along the northerly lines of the land of J. Cain and of D. Scott to a point in the westerly line of Church Lane; thence easterly across Church Lane to the northwest corner of the land of J. & B. Schoning; thence easterly, southerly and westerly along the northerly, easterly and southerly lines of the land of J. & B. Schoning to a point in the southerly line of land of J. & B. Schoning, which point is 400 feet westerly from the easterly line of

Church Lane as measured along the southerly line of the land of J. & B. Schoning, thence southerly across the land of William Polak to the southeast corner of the land of W. Rolle; thence in a general direction westerly along the land of W. Rolle to the northeast corner of the land of J. & G. Danowski; thence southerly along the easterly lines of the lands of J. & G. Danowski, of C. Hafford, of M. & A. Ferreira, of J. & A. Blados and of J. & H. Cronin to the southeast corner of the land of J. & H. Cronin; thence westerly along the southerly line of J. & H. Cronin to the northeast corner of the land of George Stapon; thence southerly along the easterly lines of the lands of George Stapon, of Helen Polak, of Phillip Stapon, and of Julius Stapon to the southeast corner of the land of Julius Stapon; thence westerly along the southerly line of the land of Julius Stapon to the northeast corner of the land of W. L. Fleischman, Jr.; thence southerly along the easterly lines of the lands of W. L. Fleischman, Jr., and of Carl Janulewicz to the southeast corner of the land of Carl Janulewicz; thence westerly along the southerly line of the land of Carl Janulewicz to a point in a prolongation northerly of the easterly line of the land of Nick Forcella; thence southerly across the land of Herbert L. Young on a line being a prolongation northerly of the easterly line of the land of Nick Forcella to the northeast corner of the land of Nick Forcella; thence southerly along the easterly line of the land of Nick Forcella and of R. Beiser to the southeast corner of the land of R. Beiser, which point is also a point in the northerly boundary line of the Aquebogue Lighting District No. 2; thence westerly along the boundary line of the Aquebogue Lighting District No. 2 to the point or place of beginning.

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 Long Island Lighting Company, be and is hereby authorized to make a survey for street lighting in Extension No. 3 of Aquebogue Lighting District No. 2, established pursuant to resolution of the Town Board on April 21st, 1970.

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.

At this point, Supervisor Zaloga recessed the meeting to hold a Public Hearing.

PUBLIC HEARING - 11:00 A.M.

Town Clerk submitted affidavits of publishing and posting Order Calling Meeting to Consider Petition for Road Improvement District - Summit Drive and Meadow Drive off Edwards Avenue, in the Town of Riverhead. The affidavits were ordered filed.

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

Robert L. Tooker, Esq., representing owners on Summit and Meadow Drives, appeared before the Board and stated that the filed petition complies with the necessary requirements as to residence and property owners and requested that the Town Board either retain a special counsel or have the Town Attorney proceed, also employ an engineer and have him proceed to draw up definite plans and specifications for the work.

Mr. Tooker further stated that the estimated cost of the improvement district is \$16,000, that the road is substantially built but it needs curbs, surfacing and regrading and added that it would be of considerable help to the owners if the work would be done this summer, which requires that the Town Board act promptly.

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

SPECIAL PERMIT-AIRPORT

Messrs. J. Leon Fanning and Joseph W. Brush, Jr., submitted Amendment to Application for Special Permit for an Airport Facility and Accessory Uses. Filed.

HIGHWAY MATTERS

Supt. of Highways Alex E. Horton reported that work on the Hubbard Avenue Drainage Project has been started.

Supervisor Zaloga announced that the Town Board is giving permission for the transportation of top soil over Town Roads, said top soil being donated by Levon Properties to the Nassau County Council Boy Scout Camp, and one or two days will be designated, namely April 24th and/or April 30th for the carting.

Supervisor Zaloga also announced that the Town Board has held many discussions on the matter of acquiring old or new Town Hall quarters which are obviously needed and stated for the benefit of the news media that the Board is hereby inviting anyone who is interested in resolving this problem to meet with the Board.

Supervisor Zaloga further outlined that the Board has deemed that a project of this nature can be financed over a 30 year period.

RESOLUTIONS

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

BE IT RESOLVED, That the Superintendent of Highways be and is hereby authorized to transfer the sum of \$13,690 from Machinery Item 3 Current Surplus Account to 5130.2 Machinery Equipment Account for the purpose of meeting costs of

RESOLUTION continued:

two dump trucks without bodies.

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 the sum of \$187.00 be transferred from the Contingent Account to the Herbd Point Road Improvement Account, and

FURTHER RESOLVED, That the sum of \$187.00 be repaid to the Contingent Account upon collection of the 1971 Tax Levy.

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.

At this point, Supervisor Zaloga recessed the meeting to hold a Public Hearing.

PUBLIC HEARING - 11:15 A.M.

Town Clerk submitted affidavits of posting and publishing Notice of Public Hearing on proposed Ordinance No. 41, regulating "Loitering".

The affidavits were ordered filed.

Interested spectators filled the Town Board room quarters to over-flowing capacity.

Town Attorney John J. Munzel read the proposed Ordinance No. 41.

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

Kathy Dobkin: Giving addresses as 137 Railroad Avenue and 222 Court St., Riverhead, N. Y., made objection stating that the ordinance is so written that amendments can be added without anyone knowing.

Town Attorney John J. Munzel replied stating that legal phraseology is extremely difficult to delineate and assured Miss Dobkin that it has not been put there as a trap for anyone.

Keith Selby: James College, Stony Brook, made objection stating that the Board is being inhuman about this ordinance and its passing will oppress the poor people.

Robert Walker: James College, Stony Brook, made objection stating that the Board does not have the people's interest at heart.

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

Mitch Mitchell: Gershwin College, Stony Brook, asked who proposed this law.

Supervisor Zaloga replied, "The Town Board of the Town of Riverhead."

Keith Selby: Stated that giving the poor people jobs would solve this problem.

Louise Hill, Rte. 25, Calverton, asked if her husband would be picked up for loitering if he waited outside of a store while she shopped.

Supervisor Zaloga replied, "No."

William Linehan, East Main Street, Riverhead, made objection stating that if you touch a person or spit on a person or go into Woolworth's to browse around the Manager can say you are loitering.

Allison Leo, 56 Evergreen Road, Flanders, made objection asking that the law be rewritten and asked who was present at the rewriting.

Supervisor Zaloga replied, "Reverends Martin and Tolbert and others".

Allison Leo asked why the people weren't included during the rewriting if it is being written for the people.

Thomas A. Johnson, Griffing's Path, Riverhead, asked if he would be picked up if he met a bunch of relatives down in the parking field or places.

Lillian Hardy asked if this law means people can't go to public parks.

Supervisor Zaloga replied, "No".

Frank George, 96 Sound Avenue, Riverhead, asked who wrote up the law and suggested the Board build a place for poor people and let them live.

Louise Hill stated she is concerned.

David Kepner, representing the Riverhead Chamber of Commerce stated that the Chamber heartily approves the passage of this ordinance as it will serve to protect all of the people.

Rev. Wilson H. Tolbert, Pastor of First Baptist Church, Raynor Avenue, Riverhead, stated he has read the ordinance and doesn't see anything wrong with it and added that he is in favor of this proposed law for the Town of Riverhead.

Rev. George Martin, Pastor of Friendship Baptist Church, Flanders, stated he has used the media of the radio and via word of parishioners to announce the meeting for the purpose of discussing the proposed law, that an open door meeting for the public was held which included the black ministers as well as the other denominations in the Town of Riverhead, and further added that during the discussions it was brought out that everyone was in favor of the proposed law as it would serve as a protection for all of the people.

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

Archie Campbell, President, Eastern L. I. Chapter of NAACP, Montauk Highway, Amagansett, stated that he did not favor the ordinance in its first drawing and has examined the revised one and questioned the wording under Section 2 - "but shall not necessary be limited to" - and added that otherwise it has been worked out so it has some meaning.

Town Attorney John J. Munzel replied to Mr. Campbell stating, "That any draftsman can not predict all possibilities that may happen. I have attempted to in the phraseology - "obstructing, molesting or interfering", and to my best knowledge and belief there isn't anything else, however, there may possibly be some other act or action that would violate the intents and purposes of this ordinance but is not included in those three words."

Mr. Campbell: "I have intended to speak in favor of this ordinance, but I state this exception, that if that phraseology is left in it then I am supporting something that is a cloud to me."

Supervisor Zaloga: "Then this is the only objection you have, Mr. Campbell".

Mr. Campbell: "Exactly."

William Beakhurst, Hampton Bays, employed in Riverhead and representing himself stated that at his place of business last Fall, he has been molested by a group of people that shouted obscenities, interfered with the normal operation of his business and when he asked them to leave they refused to do so and further that he was intimidated, threatened, molested and assaulted.

Mr. Beakhurst added that he is in favor of the proposed law which will protect his individual rights.

Irene Miller, Christian Avenue, Stony Brook, stated that there are already laws on the books against obstructing, molesting and interference and if this proposed law is passed it would be double jeopardy and stated objection to the passing of the proposed law.

Mr. Linehan stated there are also "poor white" in the community.

Louise Trent, 37 Doris Avenue, Riverhead, stated opposition to the law.

Rev. Martin stated that the religious heads of the community have tried to get the people to come to meetings to discuss the proposed law and offered a suggestion that for those who can only see it from the angle that they are being deprived, that perhaps another hearing be held to further discuss the matter.

Mr. Johnson, 308 Elton Avenue, Riverhead, stated that while he does not classify himself as being poor, he is not rich and made objection to the group of people that got together on this law and asked why the people here weren't to the meeting.

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

Van Dyke Johnson, representative of CORE, Huntington, N. Y., stated he agreed with the former speaker Mr. Johnson, that these people haven't been honest with the people and that at best all you can exercise here is confusion and frustration and directing his remarks to Rev. Martin stated that as long as Old Tom represents you, you got a problem.

Thereupon Supervisor Zaloga declared the Hearing closed at 12:15 P.M., and re-opened the meeting.

RESOLUTION

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

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law and other statutes made and provided in connection with the adoption of Ordinance No. 41, entitled "Loitering", of the Town of Riverhead, Suffolk County, New York,

NOW, THEREFORE, BE IT RESOLVED and this Town Board hereby ordains and enacts the following Ordinance No. 41, entitled "Loitering", of the Town of Riverhead:

ORDINANCE NO. 41 - "LOITERING".

SECTION 1. Loitering prohibited: No person shall loiter in any way upon any street or in any public place in the Town of Riverhead.

SECTION 2. "Loitering" defined: For the purposes of this ordinance the term "loiter" shall encompass one or more of the following acts:

a) Obstructing, molesting or interfering with any person lawfully upon the street, sidewalk, park or other public place.

b) Remaining in a public place for the purpose of annoying, or harassing any person lawfully upon any street, sidewalk, park or other public place.

SECTION 3. "Public Place" defined: For the purpose of this ordinance, the term "public place" shall mean any place to which the public is invited, including the quasi public area in front of or adjacent to or within any store, shop, restaurant, bar, luncheonette or other place of business, and shall also include any parking lots or other private or public property not owned by or under the dominion of the person charged with a violation of this ordinance.

SECTION 4. Penalty: Any person who shall violate any of the provisions of this ordinance shall be guilty of a violation and be subject to a fine of not more than \$50.00 or imprisonment for not more than fifteen (15) days, or to both such fine and imprisonment.

SECTION 5. Severability: If any section or portion of this ordinance be declared invalid, such declaration shall not affect the remaining sections or portions.

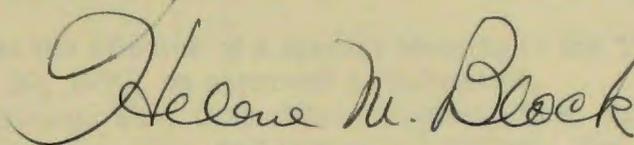
RESOLUTION continued:

SECTION 6. This ordinance shall take effect ten days after publication and posting as required by law.

AND the Town Clerk is hereby authorized and directed to enter the said Ordinance No. 41, entitled "Loitering," in the Minutes of the Town Board, and to publish a copy once in the News-Review, the official newspaper published in the Town, and to post a copy of the same on the signboard maintained by the Town Clerk, pursuant to Subdivision 6 of Section 30 of the Town Law and file in her office affidavits of said publication and posting.

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 12:25 P. M., to meet on Tuesday, May 5th, 1970 at 10:30 A. M.



Helene M. Block, Town Clerk

HMB.