

Minutes of a Meeting of the Town Board of the Town of Riverhead held at the Town Hall, Riverhead, New York, on Tuesday, October 21, 1969 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: Alex E. Horton, Supt. of Highways  
 William C. Haugaard, Town Attorney.

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

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

BE IT RESOLVED, That the Minutes of a Town Board Meeting held on October 7, 1969, be approved as submitted, and

FURTHER RESOLVED, That the Minutes of a Special Town Board Meeting held on October 3, 1969, be approved as submitted.

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.

Town Justice Costello absent at time of above resolution.

Town Justice Costello assumed his chair at 11:15 A.M.

#### BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills submitted on Abstracts No. 20.

|                    |              |
|--------------------|--------------|
| General Town       | \$ 45,378.32 |
| Highway Item No. 1 | \$ 3,849.69  |
| Highway Item No. 3 | \$ 1,407.42  |
| Highway Item No. 4 | \$ 1,316.24  |

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

RESOLVED, That General Town Bills submitted in the amount of \$45,378.32, be approved for payment, and

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

|                    |             |
|--------------------|-------------|
| Highway Item No. 1 | \$ 3,849.69 |
| Highway Item No. 3 | \$ 1,407.42 |
| Highway Item No. 4 | \$ 1,316.24 |

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.

ROAD DEDICATION

Alice Mary Lopez: Application to lay out Extension to Circle Drive  
in Jamesport, New York.

Deed to Town of Riverhead

Certificate of Map Registration

Order re laying out Extension to Circle Drive-Supt. of Highways. Filed.

PETITIONS

Taxpayers in area of Sunrise through Daley Streets: Requesting police patrol  
to curb speedsters, larger signs and radar traps. Filed.

Referred to Police Chief Grodski.

REPORTS

Supervisor's, month of September, 1969. Filed.

OPEN BID REPORT-Two New 1970 Dump Truck Bodies-Highway Department

After being duly advertised the following bids for the purchase of Two New 1970  
Dump Truck Bodies for use of the Town of Riverhead Highway Department were opened  
by the Town Clerk on Monday, October 20, 1969 at 10:30 A. M:

|  |   |   |  |  |
|--|---|---|--|--|
|  | C. O. D.<br>Truck Mfg.<br>Inc., 209<br>Wading River<br>Rd., Center<br>Moriches,<br>New York | J. C. Truck<br>Equipment Co.<br>Inc., 2107<br>Jericho Tpke,<br>Garden City,<br>New York | Rand-MacMurray<br>Inc., 670 East<br>Jericho Tpke<br>Huntington<br>Station,<br>New York | Jerkens Truck<br>& Equipment<br>Inc., 1231 East<br>Jericho Tpke<br>Huntington,<br>New York |
| Year:  | 1970  | 1970  | 1970   | 1970   |
| Make:  | Galion<br>Hercules  | Daybrook  | Gar Wood   | Heil HH-11   |
| Model:   | 400V  | 803-4 Spec. Body<br>7AG-24-12-1/2<br>Ton  | A-50 Hoist<br>GA-2 Body  | Heil 1821  |
| Delivery<br>Date:                                      | 8 weeks   | 3 weeks   | 3 to 4 weeks   | 30 days  |
| Delivered<br>Bid Price<br>2-1970 Dump<br>Truck Bodies: | \$3,004.00  | \$2,650.80  | \$2,900.00   | \$3,910.00   |

The Bids were filed for the October 21st, 1969 Town Board Meeting.

REPORTS continued:OPEN BID REPORT-Rock Salt-Highway Department

After being duly advertised the following bids for the purchase of Rock Salt and additional treatment for the Riverhead Highway Department, were opened by the Town Clerk on Monday, October 20, 1969 at 11:00 A.M:

|  |   |   |
|--|---|---|
|  | Highway Materials Co.<br>Inc., P. O. Box 70     | Schoenberg Salt Co. Inc.<br>4702 Second Avenue<br>Brooklyn, N. Y. 11232 |
| Price per ton of treated<br>rock salt delivered:   | \$20.70 - CC & #1 Grade<br>Mixed from stockpile | \$20.30   |
| Price per lb. of treatment<br>for outside storage: | \$.21 per pound                                 | \$.27-1/2   |

The Bids were filed for the October 21, 1969 Town Board Meeting.  
Awarding of Bid deferred to the November 5th, 1969 Town Board Meeting.

COMMUNICATIONS

Howard M. Finkelstein, dated 10/8/69, re: Matter of Ambro, et al vs. Board of Supervisors, County of Suffolk, stating firm of Smith, Tasker, Finkelstein and Lundberg has been asked to sign a Stipulation of Discontinuance of the N. Y. State action, which, technically is still open - the initiative for this Stipulation comes from the County Attorney's Office - requesting respective towns to authorize the signing. Filed. Copy to Supervisor and Town Attorney.  
Matter deferred to November 5th, 1969 Meeting of the Board.

Riverhead Chamber of Commerce, dated 10/15/69, requesting permission to place decorations in the communities of Riverhead, Jamesport and Wading River, also that the Chamber is hopeful of receiving the same fine cooperation from the Riverhead Town Highway Department as granted last year, and requesting the Town Board to allow the expenditure of \$1500 for Christmas decorations. Filed.

Town Board grants permission to place decorations and allows the sum of \$1500 to be expended for purchase of decorations.

Suffolk County Department of Planning, dated 10/16/69, stating the Commission has received no adverse response to the adoption of amendment to Building Code Ordinance No. 35, relating to Permit Fees. Filed.

N. Y. Fire Insurance Rating Organization relating to Municipal Fire Protection Survey on Wading River Fire District, dated 10/69. Filed.  
Copies to Fire Inspector and Town Board.

COMMUNICATIONS

Rabbi Joseph Hirsch, dated October 6, 1969, requesting improved street lighting in the vicinity of Newton Avenue, Riverhead. Filed.  
Copy to Lighting Committee.

Mrs. John McGrath, Wading River, N. Y., stating there are two existing Oak Streets in Wading River, which makes for confusion when there are home deliveries. Also stating that the Oak Street, east of Sound Road and Town Beach is the oldest Oak Street on map. Enclosing map showing the two Oak Streets. Also requesting street light on the extreme east end of the street on existing pole - as last year there were six robberies on the block. Filed.

Copies to Town Board and Lighting Committee.

Dept. of Civil Defense, Suffolk County N. Y., dated 10/6/69. enclosing a memorandum from N. Y. State Office for Local Government, a sample Local Law for the continuity of government and a sample Local Law format for the consideration of Town Board. Filed.

Copies to Town Board.

LILCO, dated 10/8/69, submits plan and costs of \$93.60 per annum to install lighting needs on 19th, 20th and 21st Streets within the Wading River Lighting District.

LILCO, dated 10/8/69, submits plan and costs of \$208.80 per annum to install lighting needs at the intersection of Oak Street and Remsen Road and Oak Street and Overlook Drive on poles 1 and 3, Oak Street, within the Wading River Lighting District. Filed. Copies to Lighting Committee.

Town of Southampton

Re: Public Hearing 10/14/69 re Amendment to Building Zone Ordinance No. 26.

Re: Public Hearing 10/28/69 re Amendment to Building Zone Ordinance No. 26. Filed.

Copies to Building Inspector and Town Attorney.

Federal Aviation Administration, dated 10/14/69, advising representative Chet Cherry of Planning Staff will meet with Town Board on October 21, 1969 at 2 P. M. Filed.

Copies to Town Board and Airport Committee.

Stanley A. Jablonski, dated 10/6/69, submitting resignation as Police Patrolman, effective October 20, 1969. Filed.

10/21/69

343.

RESOLUTION

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

-----X

In the Matter of the Laying out of a certain :  
town highway known as extension to Circle  
Drive in Jamesport, Town of Riverhead, : CONSENT  
Suffolk County, New York.

-----X

UPON READING AND FILING the application of ALICE MARY LOPEZ, dated and acknowledged October 7th, 1969, and the consent, dedication and release of said Alice Mary Lopez, dated October 7th, 1969, and duly acknowledged, dedicating and releasing the necessary lands for a proposed Town highway to be known as the extension of Circle Drive,

NOW, THEREFORE, be it

RESOLVED, that consent be and the same hereby is given that the Town Superintendent of Highways of the Town of Riverhead, make an order laying out as a public highway that parcel described in the said consent and release, all in accordance with the provisions of Section 171 of the Highway Law of the State of New York.

Dated: October 21st, 1969.

TOWN BOARD OF THE TOWN OF RIVERHEAD

By: Bruno Zaloga  
Supervisor

Thomas R. Costello  
Town Justice

Robert G. Leonard  
Town Justice

Vincent B. Grodski  
Councilman

George G. Young  
Councilman

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.

10/21/69

344.

RESOLUTIONS

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

RESOLUTION AUTHORIZING SALE OF REAL PROPERTY IN BED OF WELLS CREEK, AQUEBOGUE, TO LEONARD AND GLORIA KANTER, UPLANDS OWNERS, SUBJECT TO PERMISSIVE REFERENDUM.

BE IT RESOLVED, that the Town of Riverhead sell and convey all of its right, title and interest in and to the real property described below to Leonard H. Kanter and Gloria O. Kanter, his wife, for and in consideration of the sum of \$479.85; and be it further

RESOLVED, that upon receipt of such sum the Supervisor of the Town be and is hereby authorized and directed to execute a quit claim deed of said premises to said purchaser, and affix the seal of the Town to said deed; and be it further

RESOLVED, that this resolution is subject to permissive referendum and the Town Clerk is authorized and directed to publish notice hereof as required by law.

A description of the subject property is as follows:

ALL of that certain plot, piece or parcel of land, with the improvements thereon erected, situate, lying and being at Aquebogue, Town of Riverhead, County of Suffolk and State of New York, more fully bounded and described as follows:

BEGINNING at a point on the boundary line between lands of Leonard H. Kanter and Gloria O. Kanter, his wife, and lands of Harold Hutchinson, where the same intersects the eastern shoreline of Wells Creek, as it existed April, 1969; and RUNNING THENCE North 77 degrees 00' 00" West along said boundary line, as extended, a distance of 25.27 feet to a point; RUNNING THENCE South 16 degrees 27' 00" West along a bulkhead 145.84 feet to a point; RUNNING THENCE South 82 degrees 07' East a distance of 19.14 feet to the eastern shoreline of Wells Creek and lands of Kanter; RUNNING THENCE in a northerly direction along lands of Kanter (and along the easterly shoreline of Wells Creek as the same existed April, 1969, said shoreline being marked by a tie-line running North 18 degrees 57' 00" East 144.66 feet) 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.

RESOLUTIONS

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

RESOLUTION AUTHORIZING COSTS OF PROCEEDINGS  
RELATING TO DILAPIDATED STRUCTURES BE ADDED  
TO TAX BILLS FOR 1969-1970

WHEREAS, the Town of Riverhead has caused proceedings to be undertaken pursuant to its Ordinance pertaining to dilapidated structures for the removal of certain such structures within the Town by the owners thereof; and

WHEREAS, in certain cases the owners of such structures have caused the same to be taken down and removed from the premises prior to the completion of legal proceedings in the Supreme Court to order the removal thereof, and for the assessment of the costs of such proceedings against the property; and

WHEREAS, the Town of Riverhead has incurred certain expenses in connection with structures removed during the pendency of legal proceedings; now, therefore

BE IT RESOLVED, that the cost to the Town of Riverhead for the search of title, service of notices and other process, and incidental costs in proceedings to "compel" the removal of dilapidated structures which have been incurred by the Town, and which are applicable to premises from which structures have been removed, be and the same are hereby assessed to the lots involved for the 1969-70 tax year; and be it further

RESOLVED, that the Town Clerk certify to the Supervisor the sums to be assessed to each lot involved; and be it further

RESOLVED, that upon receipt of such assessment from the Town Clerk, the Supervisor shall extend the same onto the tax bill for the 1969-70 year, and certify the same to the Receiver of Taxes to be collected.

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.

RESOLVED, That due to the fact that Election Day falls on the same day as the regularly scheduled Town Board Meeting, that the first November Meeting of the Town Board be held on Wednesday, November 5th, 1969 at 10:30 A. M.

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 for the purposes of drainage pursuant to Section 64, Par. 11-a of the Town Law, the Town Board lease, in behalf of the Town, the parcel of land hereinafter described in the "Lease Agreement", set forth below in accordance with the terms thereof:

FURTHER RESOLVED, That the Supervisor be authorized and directed to enter into said lease in the name of the Town and pay the consideration for the same, and

FURTHER RESOLVED, That the Town Clerk, within 10 days hereafter, shall post and publish a Notice which shall set forth the date of the adoption of this resolution and contain an abstract of such act or resolution concisely stating as herein the purpose thereof, and that the said resolution is subject to permissive referendum.

The "Lease Agreement" is set forth as follows:

LEASE AGREEMENT

This Agreement between I. M. S. F., Inc., a domestic corporation, of Rte 25A, Wading River, New York, as Owner, and

Town of Riverhead, a Municipal Corporation of the State of New York, Town Hall, 220 Roanoke Avenue, Riverhead, New York, as Lessee.

WITNESSETH: The Owner hereby leased to the Lessee the following premises:

ALL the certain piece or parcel of land described as follows:  
Beginning at a point on the westerly line of the Wading River Manorville Road, which point is 505 feet southerly as measured along the westerly line of the Wading River-Manorville Road from a point formed by the intersection of the southerly line of the land of W. Hoffman with the westerly line of the Wading River-Manorville Road, and running thence from said point of beginning S. 6 degrees 00 minutes E. along the westerly line of the Wading River-Manorville Road 250.00 feet; thence S. 84 degrees 00 minutes W. along other land of the Lessor 100.00 feet; thence N. 6 degrees 00 minutes W. still along other land of the Lessor 250.00 feet, thence N. 84 degrees 00 minutes E. still along the land of the Lessor 100.00 feet to the point or place of beginning.

For the term of five (5) years, to commence from the first day of October, 1969, and to end on the 30th day of September, 1974. To be used and occupied for the purpose of draining off water from the Wading River-Manorville Road, a Town Highway, and for no other purposes upon the following terms and covenants:

1. That the Lessee shall pay the annual rent of \$50.00, payable in advance on the first day of October in each year during said term.

RESOLUTION continued:

2. That the Lessee shall have the right to make a proper drain entrance to said premises from Wading River-Manorville Road, and shall have the right to excavate and construct a recharge basin on said premises and to construct a protective fence around said basin.

3. That the Lessee shall hold the Owner harmless from any and all liability arising out of the use of the premises by the Lessee.

4. That the Lessee shall take good care of the premises and shall at the end or other termination of this lease deliver up the demised premises in good condition, damages by the elements excepted.

5. That the Owner shall retain the right to enter upon premises and use the same for any purpose which does not interfere with the use thereof by the Lessee.

The Covenants and agreements contained herein shall be binding upon the parties hereto and upon their respective successors, heirs, executors and assignees. This agreement is subject to permissive referendum.

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 two (2) 1970 Dump Truck Bodies for use of the Town of Riverhead Highway Department, be and is hereby awarded to J. C. Truck Equipment Company, Inc., 2107 Jericho Turnpike, Garden City, New York 11040, at a cost of \$2,650.80, subject to its bid and specification form filed in the office of the Town Clerk, and

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

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 resignation of Stanley Jablonski as Police Patrolman, effective October 20th, 1969, be and is hereby accepted with regrets.

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 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 improved street lighting in the area of 303 Newton Avenue, Riverhead, New York, within the Riverhead Lighting District.

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 the Long Island Lighting Company be and is hereby authorized to make a survey for the installation of a street light in the area of Oak Street East of Sound Road and Wading River Beach on the extreme East end of the Street on existing pole, within the Wading River Lighting District.

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 the Long Island Lighting Company be and is hereby authorized to install street lighting needs on 19th, 20th, and 21st Streets, within the Wading River Lighting District, at a cost of \$93.60 per annum as per plan outlined in letter under date of October 8, 1969.

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 the Long Island Lighting Company be and is hereby authorized to install four (4) 7600 Lumen Mercury Vapor Street Lights at the intersections of Oak Street, Remsen Road and Oak Street and Overlook Drive and on poles 1 and 3, Oak Street, within the Wading River Lighting District, at a cost of \$208.80 per annum as per plan outlined in letter under date of October 8<sup>th</sup>, 1969.

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 which was seconded by Town Justice Costello.

BOND RESOLUTION DATED OCTOBER 21, 1969.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$20,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF DRAINAGE FACILITIES IN SAID TOWN.

BE IT RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the purpose of paying the cost of the construction of a recharge basin and intake facilities as a drainage project on Sound Avenue, at one-quarter of a mile west of Doctor's Path on the Aldrich & Duesselman property, including land and rights-in-land therefor, there are hereby authorized to be issued \$20,000 serial bonds of said Town.

Section 2. The maximum estimated cost of the aforesaid object or purpose is \$20,000, and the plan of financing thereof is by the issuance of \$20,000 serial bonds of said Town, hereinafter authorized. Further details pertaining to said bonds will be prescribed in a further resolution or resolutions of this Town Board.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. It is hereby further determined that no down payment is required in connection with the aforesaid object or purpose since the maturity of the bonds herein authorized will not exceed five years.

Section 6. The faith and credit of said Town of Riverhead, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

RESOLUTION continued:

Section 7. This resolution shall be deemed to supersede the bond resolution dated February 18, 1969, authorizing \$15,000 serial bonds of said Town for the construction of drainage facilities provided, however, that this action shall not affect the validity of any bond anticipation notes of said Town issued pursuant to the aforesaid bond resolution dated February 18, 1969.

Section 8. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                       |        |     |
|-----------------------|--------|-----|
| Councilman Young      | voting | Yes |
| Councilman Grodski    | voting | Yes |
| Town Justice Leonard  | voting | Yes |
| Town Justice Costello | voting | Yes |
| Supervisor Zaloga     | voting | Yes |

The resolution was thereupon declared duly adopted.

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

WHEREAS, The Town Planning Board of Riverhead by a Resolution dated the 10th day of July, 1968, set forth the prerequisites to the approval of the proposed subdivision known as "ROLLING WOODS AT ROANOKE", Section 1, and

WHEREAS, One of the prerequisites to the approval of the proposed subdivision is the filing of a Performance Bond with the Riverhead Town Board guaranteeing the faithful completion of a storm water run-off system from the intersection of Linda Lane East with Roanoke Avenue to the Long Island Sound, in accordance with the conditions set forth in the aforementioned resolution of the Town Planning Board dated the 10th day of July, 1968, the amount of which bond was fixed at \$10,000.00 by resolution of the Town Board of the Town of Riverhead on the 3rd day of September, 1968, and

WHEREAS, EMJAY PROPERTIES, INC. as Principal and JACOB STEIN, MAX STALLER and BENJAMIN KASPER as Co-Principals, and REPUBLIC INSURANCE COMPANY as Surety, have procured and filed with this Town Board a Performance Bond in the amount of \$10,000.00 guaranteeing to the Town of Riverhead faithful performance of the completion of a storm water run-off system from the intersection of Linda Lane East with Roanoke Avenue to the Long Island Sound, in accordance with Plans and Specifications prepared by Alden W. Young and in connection with the proposed subdivision known as "ROLLING WOODS AT ROANOKE", Section 1, and

WHEREAS, The said surety bond on September 10, 1968 was found satisfactory to the Town Board as to form, sufficiency, manner of execution and surety, for the completion of the improvements, and

WHEREAS, The said surety bond was delivered to the Supervisor of the Town of Riverhead, and

WHEREAS, The said work has been faithfully completed in accordance with plans and specifications and to the satisfaction of the Superintendent of Highways,

RESOLUTION continued:

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD, IN THE COUNTY OF SUFFOLK, NEW YORK, as follows:

Section 1: EMJAY PROPERTIES, INC., JACOB STEIN, MAX STALLER, BENJAMIN KASPER and the REPUBLIC INSURANCE COMPANY are hereby released and discharged from the terms of the said Performance Bond in the amount of \$10,000.00 which said Performance Bond was issued to guarantee the performance of EMJAY PROPERTIES, INC.

Section 2: BRUNO ZALOGA, Supervisor of the Town of Riverhead, is directed to promptly advise the REPUBLIC INSURANCE COMPANY and EMJAY PROPERTIES, INC., JACOB STEIN, MAX STALLER and BENJAMIN KASPER are released and discharged in all respects from the terms of the said Performance Bond and the said Supervisor is further directed to return the executed Performance Bond to Tooker, Tooker & Esseks, attorneys for EMJAY PROPERTIES, INC.

Section 3: This Resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by Town Justice Leonard and duly put to a 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.

REPORT by Edward R. Munson, Building Inspector on the Application to Dedicate Baiting Hollow Lane by Franklin Young:

Franklin Young deeded lands to South of Sound Avenue in the area of a proposed realty subdivision served by the proposed public road to be dedicated to the Town, together with an easement over the proposed road for drainage purposes. The resultant Town Drainage Project #11 was established in 1963.

Franklin Young applied for and received a Preliminary Approval for a Realty Subdivision in Baiting Hollow off Sound Avenue, served by the proposed dedicated road, from the Planning Board on October 11, 1968.

On February 2, 1968, a letter to the Planning Board for request of an extension of the Preliminary Approval to June 30, 1968 was granted by the Board.

To date no further action has been taken by Franklin Young toward Final Approval of the Realty Subdivision.

In the interim four (4) Building or Zoning Permits have been issued in this area under Section 280a of Chapter 62 Consolidated Laws, Article 16 on the strength of the Realty Subdivision becoming a reality. (End)

Town Attorney William C. Haugaard advised the Board that this was supposed to be a subdivision, that it has been the policy of the Town that we have subdivisions for reasons that it helps in planning and that there are certain Health Department regulations which must be met and approved and this is considered advantageous. That the Health Department ordinarily is supposed to enforce these things but when you just build individual lots and when no attention is brought to it, apparently it becomes impossible.

Mr. Haugaard further stated that the developer here had applied in 1967 as if he was to file a subdivision, in the meantime, a series of interior lots were sold with 15 ft. rights-of-way out over this road and each builder apparently applied for a lack of access under 288, and now it is to the point where there are a number of interior lots that have no access and the builder now wants to dedicate the street without going ahead and filing a subdivision.

Mr. Haugaard further stated that it is the opinion of the building inspector that this would in effect circumvent the provisions of planning and of health which he had mentioned before.

Mr. Haugaard further stated that the Town legally of course may accept this if it wishes, but he had been told that it has been the policy of the Board not to do it, as in reality it is a subdivision as the developer is selling a series of lots out of an area.

Mrs. Tormey, Chairman of the Board of Appeals stated that the lots were laid out in "L" shape - a lot of them and having been 15 ft. they did not have to come to the Board of Appeals - this is a standard method of circumventing the Board of Appeals in having any control of the roads.

Mrs. Tormey advised the Board that the road is in excellent shape.

J. Wilson Stout, member of Planning Board stated that the roads should be 15 ft.

Town Attorney Haugaard stated that if the building inspector recommends it without having heard the other side of the story, it does appear that this is a circumvention of our regulations and that we should not accept the dedication of this road.

Mr. Anthony Abruzzo, Calverton talked to the Board about the application of Franklin H. Young to dedicate Baiting Hollow Lane, stating, that he has an investment in the laying out of this road. That he was told that the road has been built according to Town specifications and that everything was in order. That there are only six or seven more building lots left - that the road is in excellent shape and there are some beautiful homes within the development.

Mr. Abruzzo reminded the Board that the Town had accepted the Booker road without a preliminary map and in view of the facts the Town should accept this road and further stated that he believed it was not the intention of the developer to circumvent any laws.

Town Attorney Haugaard asked if in the Booker case - if he had at one time undertaken to go the subdivision rule.

Mrs. Tormey replied: "Yes, he had, but it got very involved. That the difference between these two is that the Booker property was a much smaller piece of property - it had only ten houses on each side of the road and it was a different case of circumstances."

Mr. Abruzzo stated that the beauty of this area would only help the Town.

Supervisor Zaloga tabled the matter to the November 5th, 1969 meeting of the Board.

#### DEPARTMENTAL HEADS

Police Chief Grodski asked the Board what is being done about the proposed ordinance on the prevention of outdoor shows and performances.

After discussion the Board decided that the proposed ordinance might be added to the Parade Ordinance.

The matter was referred to the Town Attorney.

#### PERSONAL APPEARANCE

Mr. Wickham Tyte spoke to the Board on the matter of the problem of unrented stores on Main Street and the problem of making them productive.

Mr. Tyte stated that conceivably some sites may not meet with the existing building code requirements and may be way out of proportion to correct.

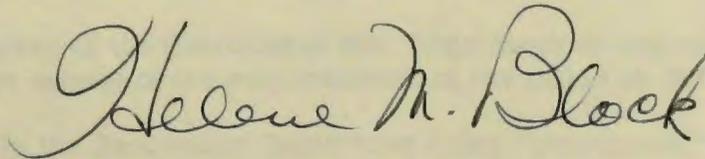
Mr. Tyte asked the Board's attitude towards making these sites operative and productive and making Riverhead a more prosperous looking Town.

Supervisor Zaloga replied to Mr. Tyte, stating that the Town would have to consider the safety of the buildings, such as fire and electrical safety and the Board of Health in certain instances would become involved.

Mr. Tyte further stated that it does not look good for the Town to have vacant and unused buildings and that if the sites were used it would make the Town look more alive and progressive and advised that perhaps the Town use its condemnation rights to make these buildings usable.

Supervisor Zaloga stated that the Board would work toward resolving these matters.

There being no further business on motion and vote, the meeting adjourned at 11:30 A.M., to meet on Wednesday, November 5th, 1969 at 10:30 A.M.



Helene M. Block, Town Clerk