

Minutes of a Meeting of the Town Board of the Town of Riverhead held at the Town Hall, Riverhead, New York, on Tuesday, May 21, 1968 at 10:30 A. M.

Present:

Robert B. Vojvoda, Supervisor

Bruno Zaloga

Thomas R. Costello, Town Justices

Vincent B. Grodski

George G. Young, Councilmen

Also present: William C. Haugaard, Town Attorney
Alex E. Horton, Superintendent of Highways.

The meeting was called to order at 10:30 a. m. by Supervisor Vojvoda.

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

RESOLVED, That the Minutes of the Meeting of the Town Board held in the Town Hall on May 14, 1968, be approved as submitted.

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

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined bills submitted on Abstracts No. 9, as follows: General Town \$89,037.98, General Repairs Item 1-\$26,501.91, Machinery Item 3-\$2,294.61 and Miscellaneous Item 4 - \$6,460.39.

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

RESOLVED, That General Town bills submitted in the amount of \$89,037.98, be approved for payment, and

FURTHER RESOLVED, That Highway Item 1 bills in the amount of \$26,501.91, Highway Item 3 in the amount of \$2,294.61 and Highway Item 4 in the amount of \$6460.39, be approved for payment.

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

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

Jacob Harding, Esq., recommended that the Town Board appoint a Superintendent of Parking Districts.

The Town Board agreed to take the recommendation under advisement.

REPORTS-BID OPENING CORRUGATED PIPE

After being duly advertised the following bids were opened by the Town Clerk on Monday, May 20, 1968 at 10:00 a.m., for the purchase of Corrugated Copper Steel Culvert Pipe for use of the Town of Riverhead Highway Department:

	Capitol Highway Materials, Inc. Rte. 6, Baldwin Place, Putnam Co., N. Y. 10505	Metal Products Division, Armco Steel Corp., 405 Lexington Ave. N. Y., N. Y. 10017	Local Steel and Supply Co. Inc., 60 Jericho Tpke, Mineola, N. Y. 11501
Price per foot 36-ft. Pipe, 16 gauge	\$4.54	\$4.00	\$4.29 lin. ft.
Price per 3-ft. band with bolts, 16 gauge	\$4.54	\$4.00	\$4.29 per band
Price per foot 12" pipe, 16 gauge	\$1.72	\$1.50	\$1.64 lin. ft.
Price per 12" band with bolts, 16 gauge	\$1.72	\$1.50	\$1.64 per band
Price per foot-15" pipe, 16 gauge	\$2.04	\$1.80	\$1.93 lin. ft.
Price per 15" band with bolts, 16 gauge	\$2.04	\$1.80	\$1.93 per band

Local Steel and Supply Co., Inc., - ALTERNATE BID

36" Dia. Pipe 14 ga. \$5.25 lin. ft.

36" Dia. Bands 14 ga. \$4.25 per band

As per Specification AASHO - Designation M-36-60 Riveted Pipe

12" Dia. Pipe 16 ga. \$1.44 lin. ft.

12" Dia. Bands 16 ga. \$1.44 per band

15" Dia. Pipe 16 ga. \$1.71 lin. ft.

15" Dia. Bands 16 ga. \$1.71 per band

The Bids were filed for the May 21st, 1968 Town Board Meeting.

Councilman Young informed the Board that he has received complaints from Garbage Collectors stating that there are people who do not comply with the Waste Disposal Ordinance in covering their garbage containers.

The Town Board directed that all violations of Ordinance #15, be referred to the Police Department.

HIGHWAY MATTERS

Alex E. Horton, Supt. of Highways informed the Board that estimates submitted by two fence companies for fence requirements for the Highway Department were in the vicinity of \$791.40.

The Board gave the Supt. of Highways permission to purchase the fence requirements.

INDUSTRIAL COMMISSION

Joseph Lopez asked the Board's opinion on the matter of having a Riverhead Day at Shea Stadium on July 29th, 1968.

The Board advised Mr. Lopez to confer with Asst. Recreation Supervisor Stan Grodski and that this activity be incorporated under the Recreation Program.

COMMUNICATIONS

Riverhead Planning Board, dated 5/17/68, re application for construction of cemetery in Calverton, recommending to the Town Board the consent for the location of cemetery shown on plan accompanying Petition of United Synagogue Hevra Kadisha, Murry Levine and Kate Freeman Miller, provided property adjacent to N. Y. State Route 25 for a depth of approximately 400 feet as shown on map not be developed for cemetery purposes. Filed.

Riverhead Planning Board, dated 5/17/68, re request for review of Memorandum of Understanding between the Town and County Soil and Water Conservation District, recommending to the Town Board that any technical assistance or advice on water and soil conservation, including water disposal, drainage, and/or erosion, would be welcome by this Board for sound future planning for the Town of Riverhead. Filed.

CURB AND GUTTER APPLICATION

Marie Painter, 359 Fishel Avenue, Riverhead, N. Y.
Referred to Highway Committee.

RESOLUTION

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

BEIT RESOLVED, that the Town Board of the Town of Riverhead urges passage of Assembly Intro. 7082 pertaining to the control of civil disturbances, and be it further

RESOLVED, a telegram of this resolution be sent to Honorable Perry B. Duryea.

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

RESOLUTION

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

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 In the Matter of the Petition of :
 UNITED SYNAGOGUE HEVRA KADISHA, :
 MURRY LEVINE, and KATE FREEMAN MILLER, : RESOLUTION
 under Section 72 of the Membership :
 Corporations Law. :

-----X
 WHEREAS, the petitioners above-named have duly applied to this Board on the 23rd day of April, 1968, for consent to the location in the Town of Riverhead, Suffolk County, New York, of a cemetery upon property hereinafter described, to be operated by UNITED SYNAGOGUE HEVRA KADISHA, a religious corporation organized under the laws of New York, and

WHEREAS, said Town Board did on the 23rd day of April, 1968 refer said matter of consent of the Town Board to the Planning Board of the Town of Riverhead for approval by said Board of the location of proposed cemetery on a parcel of land situate on the south of the Main Road at Calverton, and

WHEREAS, it was brought to the attention of the Town Board and the Planning Board that the application was for the same area as that described in a consent of the Town Board dated the 5th day of May, 1964, and

WHEREAS, said Planning Board aforesaid did thereafter investigate the matter and did review said application in the light of the effect of a cemetery in the proposed location, and did review the proceedings in 1964 relating to the application of CALVERTON MEMORIAL PARK, INC., and

WHEREAS, said Planning Board did on the 15th day of May, 1968, resolve that it did recommend to the Town Board of the Town of Riverhead that said Town Board consent to the proposed location, subject to two restrictions, to wit:

1. That the northerly 400 feet of the property adjacent to New York State Route 25 not be developed for cemetery purposes; and
2. Provided that a 55 foot in width strip of land be reserved for a future highway, which 55 foot strip is described as follows:

"Beginning at a point on the westerly line of the parcel distant 1900 feet from the southerly line of the Main Road, and running easterly at right angles to the westerly line to a point in the easterly line of the parcel, thence southerly along the easterly line of

RESOLUTION continued:

the parcel about 55 feet to a point, thence westerly and parallel and distant 55 feet southerly of the northerly line herein described to a point in the westerly line of the parcel, thence northerly along the westerly line of the parcel 55 feet more or less to the point or place of beginning. "

NOW BE IT RESOLVED, that the consent given to CALVERTON MEMORIAL PARK on the 5th day of May, 1964 be and it is hereby vacated, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead does and hereby grants its consent to the aforesaid UNITED SYNAGOGUE HEVRA MADISHA, a religious corporation, that a cemetery may be constructed within the Town of Riverhead upon a parcel of land situate on the South side of the Main Road at Calverton, said parcel consisting of 25.511 acres, being property formerly of the Marcel Pelis Estate, bounded on the North by Main Road, about 255 feet; on the East by land now or formerly of O'Kula and Williams; on the South by John Doroski; and on the West by lands now or formerly of Frank Pelis; and it is further

RESOLVED, that said consent is granted upon the further condition that the said religious corporation shall in all respects conform to all rules and regulations of the Cemetery Board of the State of New York applicable to a religious corporation, and it is further

RESOLVED, that said consent is further conditioned upon the following:

1. That the northerly 400 feet of the property adjacent to New York State Route 25 not be developed for cemetery purposes; and
2. Provided that a 55 foot in width strip of land be reserved for a future highway, which 55 foot strip is described as follows:

"Beginning at a point on the westerly line of the parcel distant 1900 feet from the southerly line of the Main Road, and running easterly at right angles to the westerly line to a point in the easterly line of the parcel, thence southerly along the easterly line of the parcel about 55 feet to a point, thence westerly and parallel and distant 55 feet southerly of the northerly line herein described to a point in the westerly line of the parcel, thence northerly along the westerly line of the parcel 55 feet more or less to the point or place of beginning. "

The aforesaid resolution shall take effect immediately.

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

RESOLUTION

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

RESOLVED, That the bid for galvanized corrugated copper steel culvert pipe and connecting bands with bolts, be and is hereby awarded to Metal Products Division, Armco Steel Corp., 405 Lexington Avenue, New York, N. Y., 10017, for the following items at the following prices, subject to its bid and specification form filed in the Office of the Town Clerk:

Price per foot of 3-foot pipe, 16 guage	\$4.00
Price per 3-foot band with bolts, 16 guage	\$4.00
Price per foot of 12-inch pipe, 16 guage	\$1.50
Price per 12-inch band with bolts, 16 guage	\$1.50
Price per foot of 15-inch pipe, 16 guage	\$1.80
Price per 15-inch band with bolts, 16 guage	\$1.80

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

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

BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute on behalf of the Town of Riverhead, the Memorandum of Understanding between the Suffolk County Soil and Water Conservation District and the Town of Riverhead, Suffolk County, New York, as follows:

MEMORANDUM OF UNDERSTANDING

between the

SUFFOLK COUNTY SOIL AND WATER CONSERVATION DISTRICT

and

The Town of Riverhead, Suffolk County, New York

This memorandum is between the Suffolk County Soil and Water Conservation District, hereinafter called the District and the Town of Riverhead, hereinafter called the Town.

The District and the Town recognize the advantages of close cooperation in carrying out their separate responsibilities in resource conservation. This cooperation will be mutually beneficial. It will combine the talents of both parties to provide the best and most enduring solutions to the planning and resource development problems in the Town. This Memorandum of Understanding has been signed by both parties to implement these joint efforts.

What the District Will Do:

1. The District will make technical assistance available as requested. This assistance may be limited by resources available to the District and the priorities set by the District Board.
2. The District will provide the Town with soil survey interpretations as the soil survey is accomplished.

RESOLUTION continued:

3. The District will review problems of water disposal, drainage, erosion and deposition of sediment as requested.
4. The District will provide design criteria for conservation project measures.
5. The District will review designs for conservation measures.
6. The District will review plans for development and counsel with representatives of the Town on matters concerned with future development and long range plans for resource conservation.
7. Wherever possible, the District will provide the Town with sound alternatives to solve problems referred to the District.

What the Town Will Do:

1. The Town will implement sound principles of soil and water conservation.
2. The Town will consult with the District in developing land use plans and take advantage of District services in preparing these plans.
3. The Town will refer proposed development projects to the District for review and comment on factors related to land use and soil and water conservation.
4. The Town will, to the extent of its available resources, provide the District with manpower and technical services to implement the acquisition of the data needed to develop sound alternative solutions to the Town's land use problems.

It is Further Agreed That:

1. Standards and specifications used in planning or applying conservation measures will be those developed by the USDA Soil Conservation Service or approved by the USDA-SCS State Conservationist.
2. If any part of this agreement is in conflict with State or Federal Law, that law shall have overriding jurisdiction.
3. This memorandum will become effective when signed by the Chairman of the District as authorized by resolution of the District Board of Directors and by the Supervisor of the Town as authorized by resolution of the Town Board.
4. This memorandum may be modified by mutual agreement and may be cancelled by either party giving written notice of such cancellation to the other.

Town of Riverhead
 By: _____
 Supervisor
 Date: _____
 As authorized by Resolution of
 May 21, 1968.

Suffolk County Soil & Water Conservation
 District.
 By: _____
 Chairman
 Date: _____
 As authorized by Resolution of

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

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

RESOLUTION continued:RESOLUTION CONCERNING REMOVAL OF DEBRIS FROM LAND OF ONAMAR CORP. ON JOYCE DRIVE.PREAMBLE

After personal inspection the Town Board of the Town of Riverhead finds that Lot 56, Roanoke Homes Section 2, filed Map 3480, located in the Town of Riverhead, is littered with fallen and decaying trees, rubbish, weeds, brush, decomposed bodies of animals, junk and other debris to the extent that a serious fire and health hazard to the inhabitants of the Town exists as a result thereof. This hazard has continued to exist for at least 60 days. The tax rolls of the Town of Riverhead indicate that the owner of the subject property is Onamar Corp., located at 117 Beach Lane, Westhampton Beach, New York, which address is not within the Town of Riverhead. In view of the foregoing facts, it is hereby

RESOLVED, that pursuant to Section 64, subd. 5-a, of the Town Law of the State of New York, Onamar Corp., the owner of the Lot aforesaid, is hereby required to remove from the said lot all fallen trees, rubbish, weeds, brush, decomposed bodies of animals, junk and other debris on or before the 30th day of June, 1968, and it is further

RESOLVED, that if the aforesaid debris is not removed within the time stated, the Superintendent of Highways is authorized and directed to remove the same, and to advise the Board, in writing, of the cost thereof, which shall thereupon be assessed to and constitute a lien and charge upon the subject premises until paid, satisfied or discharged, and shall be collected in the same manner and at the same time as other town charges; and it is further

RESOLVED, that the Town Clerk is directed to mail a certified copy of this resolution to Onamar Corp., 117 Beach Lane, Westhampton Beach, New York, Registered Mail, Return Receipt Requested, on the date hereof.

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

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

RESOLVED, That Joseph Lopez be and is hereby appointed Industrial Commissioner for the Town of Riverhead, effective May 20, 1968, to be compensated at the rate of \$4000.00 annually, payable bi-weekly, and to serve at the pleasure of the Town Board.

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

RESOLUTION

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

RESOLVED, That the law firm of Smith, Tasker, Finkelstein and Lundberg be authorized to determine the equity, if any, acquired by the Grumman Aircraft Engineering Corporation in the improvements constructed during the last year, located at the Peconic River Aircraft Field, Calverton, Town of Riverhead, New York.

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

Supervisor Vojvoda recessed the meeting to hold a Public Hearing.

PUBLIC HEARING - 10:45 A. M.

Town Clerk submitted affidavits of posting and publishing "Notice of Public Hearing" on proposal to amend Zoning Ordinance No. 26, on application of Wooded Hills Corp., for change of zone from Farm 1 Use District to Industrial 2 Use District on tract of land situated at Manorville.

Also list of names and addresses of persons having an interest in the purchase of premises and in zoning application. Town Clerk announced that said list is filed in her office and is open for inspection by the public.

Affidavits and list ordered placed on file.

Supervisor Vojvoda thereupon declared the Hearing open and asked if anyone wished to be heard in favor of or against the aforesaid proposal.

Kenneth Boklan, Attorney, firm of Grimes and Boklan, Smithtown, N. Y., appeared representing applicant, Wooded Hills Corporation.

Mr. Boklan displayed aerial photo of property taken in 1966 and stated that the parcel of property involved approximately 217 acres situated in the Calverton section at the intersection of River Road and Swan Pond Road.

Mr. Boklan outlined that the use of this property is now restricted and encumbered by a navigation easement but this property can be built upon subject to the rights of the Federal government in their navigation easement. That the navigation easement goes further to say that no building or dwelling should be constructed for habitation by peoples or persons - that while this precludes residential use it would permit manufacturing, or factory or warehouse facilities.

Mr. Boklan further stated that this portion of the land renders the entire parcel of the land unsuitable for development in residential nature or any other nature than industrial. That the level of the ground water as it affects the property would render it not impossible but extremely difficult and very possibly uneconomical to develop for any other use than factory or industrial use by reason of the fact that in order to establish a development for residential use on the remainder of the property you would have to establish grades and cuts for the roads. That the land does not permit it as it is relatively flat and almost under water.

Mr. Boklan further stated that the original use of the property as its use to the west - was a cranberry bog and the land lends itself readily to its flooding which still takes place at various times of the year.

PUBLIC HEARING - 10:45 A.M. - continued:

Mr. Boklan respectfully requested that the application submitted by the Wooded Hills Corporation for a rezoning of a portion of the subject property which is now zoned Farm 1 Use, be granted, and asked if there were any questions.

Councilman Young asked what is being contemplated for the area.

Mr. Boklan stated the property is not ready to accept anything at the present moment until a general plan of development can be worked out.

Mr. Wickham Tyte stated that on this site if it is for light industry that uses a reasonable amount of water it would be a great boom - on the other hand an industry that would be a heavy drain on water, it would be a matter for the Town, therefore, it is pertinent what they intend to bring in.

Mr. Boklan stated the water needs are of great concern to the Island, however, you can't lose sight that if you limit the population you can't have those people paying the taxes 100% - you must have industry to help pay taxes.

Joseph Lopez, Industrial Commissioner, asked the nature of the business Wooded Hills Corporation was in.

Mr. Boklan replied: "It is a corporation which is comprised of three major stockholders which will be part owner of the property. The principals of the corporation have acquired property throughout Suffolk County. Two of the principals are presently engaged in the construction of a major shopping center. The men comprising the corporation are from various sections of our business life and whose talents have been utilized in the development of property. They have a record of construction both in Suffolk County and I believe Upstate New York."

Edward Munson, Building Inspector, asked if the subject property abuts the wetlands.

Supervisor Vojvoda answered, "No, I believe the wetlands are further up."

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

The Town Board deferred action on the above Hearing matter to the May 28th, 1968 Town Board Meeting.

PERSONAL APPEARANCES

Mr. Wickham Tyte referred to the pending Housing Code and asked if part of the intent of this is to anticipate any possible pressure on Open Housing Law or does it have any type of a tie-in with it to prevent -----

Supervisor Vojvoda replied, "No tie-in".

Personal Appearances - continued:

Mr. Tyte referred to the Ethics Code listed under Unfinished Business and wondered to what degree this ties in with the Yacht Club Lease matter which is also under unfinished business.

Mr. Tyte questioned if a public official elected by the people of the Town of Riverhead to look after the interests of all of the people in the Town could conscientiously sit on a Board where a group that they also are a member of came in and asked a special favor of the Town - could they in clear conscience - and this has nothing to do with the legality - but would the Code of Ethics go into any connection of conflict of interest other than where people own land or have business connections.

Supervisor Vojvoda replied: "Being that this is for my benefit - I told Mr. Tooker and Mr. Esseks immediately that I have been a member and have only been to three meetings in my life - and they told me as long as I made it public at the very beginning that I am a member, it would not have anything to do with my judgment as far as voting on it is concerned."

Supervisor Vojvoda further stated that he thought he has done a good enough job and the public realizes it and even though he is a member, if he thought it was wrong, he would have voted against it, and now regardless, whether he is a member or not, he still intends to vote on it and he doesn't think the Code of Ethics has anything to do with it.

Mr. Tyte stated that the Supervisor of the Town is in a very privileged position in that he carries much weight because of the prestige of his office and because of this he gets a lot of publicity whereas other citizens of the Town don't have this advantage.

Mrs. Patricia Tormey stated she was at meetings of the Yacht Club and at no time was either the Supervisor, or Judge Zaloga who has been a member or Councilman Young, present to put any pressure on the meetings.

Town Justice Zaloga stated that in respect to the petition, no one with the exception of one member of the Yacht Club has spoken to him about it. That the Town Board has not been badgered by the Yacht Club members stating this is what you must do - that the Town Board members were elected by all of the people of the Town of Riverhead and everytime it acts - it acts for all of the people of the Town and does not limit its actions to the Yacht Club but for all of the fraternal organizations in the Town.

Mr. Tyte stated that he believes he failed to make the point clear as what he was thinking of was the idea of publicity - any persons on the opposition side were getting shortchanged in the newspaper and radio media and he resents this as the Town Board has a prestige which gives an open door for things which the opposition does not have. Therefore, the Town Board using its prestige of office has a right to its opinions, also to vote any one way it wants to, except the right to use its office to promote any side you want to - and further stated that if this comes up again that the opposition will fight to get equal time as far as publicity is concerned.

Town Justice Zaloga stated that if he is asked for an opinion by the newspaper he will so give it.

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Personal appearances - continued:

Supervisor Vojvoda stated that the radio station invited him to use that media and everytime he is offered its use he will accept.

There being no further business on motion and vote, the meeting was adjourned at 11:25 A.M., to meet on Tuesday, May 28, 1968 at 10:30 A.M.

Helene M. Block

Helene M. Block, Town Clerk

HMB.