

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

Present:

Robert B. Vojvoda, Supervisor  
Bruno Zaloga, Town Justice  
Thomas R. Costello, Town Justice  
Vincent B. Grodski, Councilman

Absent: 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 Vojvoda.

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

RESOLVED, That the Minutes of the Meeting of the Town Board held in the Town Hall on September 3rd, 1968, be approved as submitted.

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

APPLICATION FOR CURBS AND GUTTERS

Florence Butcher, 352 Marcy Avenue, Riverhead, N. Y. Filed.

PETITION

Adolph Breitenbach, Jr., et al - for Change of Zone in Aquebogue from Farm 1 Use District to Business 1 Use District. Filed.

Referred to Planning Board for recommendation and report.

COMMUNICATIONS

Suffolk County Department of Public Works-Copy of Notice of Contract Award No. 1877, Contract Period from Sept. 1, 1968 to August 31, 1969 re Gasoline at \$.1218 per gallon State Contract Price, submitted to Town Highway Department. Filed.

District Engineer, State Department of Transportation, Babylon, N. Y., dated 8/29/68, submitting copies of Traffic Control Report to assure proper operation of L. I. Expressway following completion of its construction and outlining actions that will be necessary to effectuate the plan as outlined in said Traffic Control Report. Filed.

Copies to Town Board Town Attorney and Police Chief Grodski.

LILCO, dated 8/26/68, submits plan and costs of \$52.20 per annum for the installation of a street light on Marcy Avenue on Pole #42X. Filed.

Copy to Lighting Committee.

COMMUNICATIONS continued:

Walter C. Baer, dated 9/4/68, stating arrangements have been made to resolve the matter of the dilapidated building on the north side of Route 25, Wading River, N. Y. Filed.

Wading River Boating Ass'n., dated 9/9/68, favoring increasing the budget for the Town Police Force and stating that the Police have done a wonderful job in Wading River and throughout the Town of Riverhead, further stating that Wading River is in dire need of additional protection and urging the Board to increase the Force. Filed.

REPORTS

Supervisor's, month of August, 1968. Filed.

Recreation Department, month of August, 1968. Filed.

BID OPENING - GASOLINE FOR HIGHWAY DEPARTMENT

After being duly advertised the following bid for purchase of Regular Gasoline for use of the Town Highway Department was opened by the Town Clerk on Friday the 8th of September, 1968 at 10:00 A. M:

Agway Petroleum Corp., Pulaski Street, P. O. Box 705, Riverhead, N. Y. 11901

Price per gallon regular gasoline delivered \$ .176 per gal.

The Bid was filed for the September 10th, 1968 Town Board Meeting.

BID OPENING - ONE USED CRAWLER TRACTOR-SANITATION

After being duly advertised the following bids for purchase of one (1) Used Crawler Type Tractor for use of the Sanitation Department were opened by the Town Clerk on Friday, September 6, 1968 at 11:00 A. M:

H. O. Penn Machinery Co., Inc., 1561 Stewart Avenue, Westbury, N. Y. 11590

Delivered Bid Price for one used crawler type Tractor \$18,000.00

Less trade-in-one Used D4C Crawler Tractor Serial No. 39A487 \$ 4,000.00

Cost of one Used Crawler Type Tractor less trade-in \$14,000.00

Hubbard & Floyd Equipment Corporation, 46 Charlotte Ave., Hicksville, N. Y. 11801

Delivered Bid Price for one used crawler type Tractor A \$19,800.00

B \$24,060.00

C \$26,060.00

Less trade-in-one Used D4C Crawler Tractor Serial No. 39A487 \$ 5,000.00

Cost of one Used Crawler Type Tractor less trade-in A \$14,800.00

B \$19,060.00

C \$21,060.00

The Bids were filed for the September 10th, 1968 Town Board Meeting

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

Martin Isaacs, representing the Riverhead Committee for Community Progress cited cases of persons discriminated against in the Town of Riverhead from list obtained from the Suffolk County Human Relations Committee, and stated that several other persons are willing to submit sworn affidavits of their complaints on discrimination and desire they be heard in private session with the Town Board.

Mr. Isaacs then stated that he is convinced there is discrimination in the Town of Riverhead and urged the Board to adopt the Open Housing Code and consider the Model Code as proposed by the Suffolk County Human Relations Committee.

Supervisor Vojvoda replied to Mr. Isaacs stating that the Town of Brookhaven's Code which was adopted to expedite matters is not working out too well as it is known that the first case won't be heard until October or November and further added that our Board has asked the Town Attorney to study and examine the Model Code and that the Town Attorney found many holes in it and many attorneys have said it would not stand up in a court of law.

Mr. Isaacs stated that if expediting means from six weeks as against six months it would be worthwhile and added saying there are on the average forty such complaints daily in Nassau and Suffolk reported to the N. Y. State Human Relations Board and there are only two State investigators to handle such complaints on Long Island and due to the heavy load there is no way for them to expedite cases and further added that the situation would be the same if the Town Attorney handled such complaints.

Town Attorney William C. Haugaard stated that the State law does provide for a temporary restraining order on the sale of property and what they are doing in Huntington is going immediately to a Supreme Court Judge and getting such an order.

Mr. Haugaard further stated that the Huntington plan in essence is that the Town Attorney or who ever is appointed by the Board helps the person get one of these restraining orders immediately and the State Law provides for restraining orders to be issued.

Mr. Isaacs asked why the hesitancy on the part of the Board to adopt such laws.

Mr. Haugaard said, "We are looking into what is the best one. I am presently considering drafting for the Board's consideration a plan which would be the most effective in combating discrimination in the Town of Riverhead."

Mr. Isaacs asked if a copy is available and also asked the Town Board to consider holding an evening meeting for the convenience of many people who work during the day and desire this opportunity to voice their views.

Supervisor Vojvoda stated that upon completion of the draft a copy will be made available to Mr. Isaacs and an evening meeting will be scheduled for the convenience of those who are unable to attend day sessions.

At this point of the meeting, Supervisor Vojvoda called a recess to hold a Public Hearing.

PUBLIC HEARING - 11:00 A. M.

Town Clerk submitted affidavits of publishing and posting Public Notice Calling Public Hearing in the matter of the adoption of proposed Local Law No. 2-1968, relating to the Storage of Abandoned, Junked or Unlicensed Motor Vehicles. The Affidavits were ordered filed.

Town Attorney William C. Haugaard explained the purpose of Local Law No. 2-1968 as follows:

"This proposed Local Law No. 2 would in essence prohibit the outdoor storage on private properties of abandoned, junked, discarded or unlicensed motor vehicles, with certain exceptions - in the case of abandoned, junked or discarded vehicles the exceptions are; if they are in a junkyard or in a completely closed building - it would be lawful.

In respect to automobiles which are merely unlicensed the exceptions are as follows; if the vehicle is part of the inventory of a used car dealer who is otherwise in compliance with the law or if it has been converted into a temporary or permanent structure for carrying on purposes of business or as a residence-if it is otherwise in compliance with the law - or if it is a camping house or trailer stored in compliance with the law or if it is also within a completely closed building.

Under the proposed local law the building inspector of the Town would enforce the law and in the event that his orders to remove were not complied with a person who is served with a notice could apply to the Town Board for a hearing on the question as to whether or not the vehicle was in fact abandoned and unlicensed.

The penalty for violation as set forth in the law introduced would constitute a misdemeanor- the person so convicted could be fined up to \$250 or a jail sentence up to six months.

Mr. Supervisor, that is the essence of the law as introduced, but I believe this was adopted from a local law of another town and possibly our local conditions are somewhat different and I would suggest that the Town Board at some future time consider amendments which would make the enforcing officer the police department rather than the building department and also that the penalty for violation would be reduced from misdemeanor to the violation level that would involve reducing the maximum penalty from six months imprisonment to 15 days - the fine remaining a maximum of \$250."

COMMUNICATION

Michael J. Peretta, Wading River, N. Y. dated 9/2/68, stating four reasons for favoring the adoption of Local Law No. 2. Filed.

Supervisor Vojvoda thereupon declared the Hearing open and asked if anyone desired to be heard in favor of or against the proposed Local Law No. 2.

Michael J. Peretta, 16th Street and Hulse, Wading River, N. Y. spoke in favor of the adoption of Local Law No. 2.

PUBLIC HEARING - 11:00 A. M. continued

Police Chief Grodski stated that the Building Inspector has more authority to encroach upon private property than the Police Department.

Town Justice Zaloga replied to Chief Grodski stating it is the Board's choice to have the Police Department enforce the law.

Henry Fioto, Jr., Riverhead, N. Y., spoke against the proposed law.

Henry Fioto, Sr., Riverhead, N. Y., objected against the proposed law, stressing vigorously that no one can remove anything from his property and it would be illegal search and seizure to come on his private property.

Wickham Tyte, Town Leader of the Riverhead Conservative Party read a Position Paper on Local Law No. 2 as compiled by the Riverhead Conservative Party as follows:

"A careful study of this proposed law leads to the following conclusions: This proposed law is based on a concept that all property is essentially community owned and in fact there is no such thing as genuine private ownership of property. Section 1 of this proposed law claims that it is for the health, safety and general welfare of the COMMUNITY.

The alleged danger of exploding gas tanks and depreciating property values have very little basis in fact; it is doubtful if a single case of a child being injured by an exploding gas tank on an unused motor vehicle can be found in all the history of Riverhead! Any appreciable depreciation in property values because of unused cars would also be hard to prove.

By the adoption of such a law the Town of Riverhead assumes financial liability on any injuries arising from violations of the proposed laws. (The alleged reason for enforcing the notorious "TREE-HOUSE ORDINANCE"). Without the law the individual property owner is the responsible party.

This proposed law intentionally or unintentionally is highly discriminatory- the wealthy man with auxiliary buildings can own any of the described motor vehicles and work on them at his leisure but the youth, the low income man, the stock car racer, the gas station operator and garageman who is not licensed to run a junk yard or new or used car lot are all forbidden to have any such vehicle on their premises. In effect this sets the "white collar man" against the "blue collar man"!

The fine of \$250.00 is excessive, the 6 months imprisonment is a cruel and unusual punishment, especially when each day of violation constitutes a separate offense. This is a civil right guaranteed by Article 8 of our bill of rights.

With the above in mind, the Riverhead Conservative Party strongly urge this law BE NOT PASSED." (End) Position Paper filed.

PUBLIC HEARING - 11:00 A.M. continued

Harry Rambo, Riverhead, N. Y. stated he cannot interpret the proposed law as would be applied to his situation where he has unlicensed vehicles in the operation of a boat yard business which are seasonally used - the remainder of the year they are not used but are necessary for the operation of his business.

Mr. Rambo also asked if he as a landlord would be responsible for his tenant's violation.

Mr. Rambo suggested that a cheaper and easier method to rid the Town of derelicts would be for the Town to provide a wrecker to tow such vehicles to the Town Dump.

To eliminate the discussion somewhat, Town Attorney Haugaard explained some of the provisions as follows:

"I do agree with Mr. Tyte that the penalties as written are too severe and I intend to propose amendments to those sections.

I disagree with Mr. Tyte's assertion that the Town is assuming any financial responsibility simply because it passes a criminal statute.

As far as Mr. Rambo's objections are concerned - pertaining to landlord and tenant - we do have a Housing Code which applies to landlord and tenant and also applies to keeping a junked car on the yard as not keeping up the property in which case you may file a complaint against your tenant.

Under the Housing Code if there was a derelict car you would be able to force the tenant to remove it. Under this law there is no question that the landlord is responsible and when notice is placed on the premises after a hearing and it has been determined it is an abandoned vehicle and the Town Board orders the removal and the person does not comply, then the Town will make the removal and the expense is borne by the landlord.

The philosophy behind this - the question of discarded and abandoned derelicts is a problem towns have wrestled with for years - there is no question about it - it is a harsh law - but the philosophy is that we prohibit everything so that there is none of this business about - "well, I can start it up, all I have to put in is a battery, or a tank of gas, or a spark plug", but here we say - you can't do it and then provide for a hearing before the Town Board - but it is in the course of the hearing that the exceptions are carved out - so that if there is a legitimate reason for having a car on the premises - it will be dealt with on an individual basis.

You can't enforce this kind of thing unless you have a definite prohibition, and then you make your exception later.

The term "motor vehicle" is defined in the law as 'any vehicle originally designed and intended to be operated, drawn or driven or capable of being operated drawn or driven upon a public highway by any power other than muscular power'. Shall include automobiles, trucks, buses, motorcycles and trailers. "

Harold Moore, Ostrander Avenue, Riverhead, N. Y., stated he has two unlicensed vehicles, one an antique 1931 Nash housed in a garage and the other being an antique Lincoln which is left outdoors, both of which cars he is rebuilding, and asked if he would be compelled to also house the Lincoln.

Supervisor Vojvoda replied to Mr. Moore stating, "No, as long as you are able to show intent - that you are rebuilding - you are within the law. "

PUBLIC HEARING - 11:00 A.M. continued

Philip Peluso, garage owner, Northville Tpke, Riverhead, N. Y., stated the proposed law is too stiff and suggested it be rewritten.

Supervisor Vojvoda stated it is not the intention of the Town Board to hurt any individual or business in particular.

James Beebe, gas station owner, Pulaski St., Riverhead, N. Y., commended the Town Board for grappling with this grave problem, but stated he was concerned with the contents of the law in general as applied to businesses and the penalties involved being excessive and suggested the law be rewritten.

Mrs. Mary C. Stone 509 Hallett Street, Riverhead, N. Y., spoke on the proposed law affecting men or women in armed forces - that the law should have exclusion clauses for them also for students who are away to school for nine months or one year, also men who are working in air craft industry and are transferred to the coast plants for two years.

Mr. Peretta stated that an incident of a gas tank exploding happened within his family and also another family in Wading River suffered a like ordeal.

Henry Fioto, Jr., stated that throwing a match in a gas tank can be done to any car parked on any street in Riverhead.

Mr. Fioto further stated that the proposed law as written is not clear as to "intent" and suggested it be rewritten as it was drafted too hastily.

Supervisor Vojvoda stated that he and the Building Inspector read three books of copies of such laws and selected this particular one as being the best suitable for our town. He added that to make the exceptions to this law as suggested at this hearing would entail many more pages to be added.

Mr. Rambo stated that the Town of Islip has such a law and they can't enforce it and he doesn't want our town to pass such a law as there are people who will find loopholes.

Mr. Rambo further stated that he feels a man has a right to own what he wants and where does one stop - because we don't like the looks of a car without tires in our neighbor's yard - he added he doesn't like the looks of an old rusty plow and that you can't make a man paint his house the color you like and while one snail looks beautiful to another snail - he finds them disgusting.

Mr. Peluso proposed the Town Board adopt an ordinance against "eyesores".

Mr. Tyte stated that the people against this law are not opposed to all of its contents and that usually all of the ordinances that have been passed in Riverhead have had provisions added when needed, but he has never known an ordinance to be passed with the idea of pulling it's teeth at a later time.

Mr. Tyte further added that this law doesn't differentiate whether an item isn't in operation in what is either a business, commercial or residential district - it is all put into one thing and is a blanket law.

PUBLIC HEARING - 11:00 A. M. continued:

Mr. Tyte further stated that this law as written makes no provision for hardship cases, and that if this law passes and the Police are to enforce it - they cannot discriminate between the rich and the poor. The law has to be applied to everyone - either it is the law or it isn't the law - it doesn't matter what the intent is - you can't have an elastic law that you apply to one guy because you don't like his looks.

Robert Stivers, Riverhead, N. Y., stated that due to illness he has not been able to license three vehicles in his yard which will be violations if this law is passed and further added that if the law does not differentiate between business and residential property and if he is found to be in violation he will have to swallow his pride and become a new member of Riverhead's leisure class.

Mr. Stivers further stated that he doesn't believe the building department would allow him to build structures around the vehicles and hoped the Board will just table the proposed law.

Town Justice Costello stated that it is not the intent of this Town Board to put anybody out of business. He stressed that good housekeeping is a must for any business, and said that anyone who has pride in their property would apply good housekeeping.

Justice Costello further stated that if Mr. Stivers decides he wants to use a mobile neon sign repair - nobody wants to see him out of business - all he has to do is get a registration and put it on the vehicle and put it on the road, and if he is storing a car with a motor and transmission which he knows he will put into his own car why take up all that space - he can put it inside a building so the elements won't get at it.

Justice Costello continued saying, "Your business place should be clean and presentable and you ought to be able to find out where you can put your hand on a part when you need it. This is like an old attic and have you taken a look at your attic lately? It is a question of good housekeeping - this is removal of old pieces of junk. If one life can be saved by this law, it will make it worthwhile."

Mr. Stivers stated that insurance and registration costs are considerable and prohibitive at this time.

Justice Costello replied that Mr. Stivers would have more business if he put the portable neon bus on the road.

Justice Zaloga stated that he wished it was as easy as Mr. Moore had suggested - that a person be asked to remove the junk - people have been asked to clean up their yards and that there is presently a court case eight months old and no cooperation has been shown to resolve the matter. It is upsetting to the courts and to the Town Board. We have an obligation - we take an oath for this job.

Mr. Stivers asked that someday he would like spelled out to the voters just what the Town Board's responsibility is besides maintaining a minimum business of the Town of Riverhead.

Supervisor Vojvoda offered Mr. Stivers a set of law books to study.

PUBLIC HEARING - 11:00 A.M. continued:

Councilman Grodski stated he concurs with the sentiments of the two Town Justices.

Supervisor Vojvoda commented that in his five and one-half years as Supervisor he has had the opportunity to observe that there is a lack of cooperation on the part of people in certain areas within the Town of Riverhead to clean up their places of business and added saying they could garner greater business gains if they applied good housekeeping.

Mr. Stivers asked if the neighbor on the left or right makes the initial complaint before this law is enforced.

Supervisor Vojvoda replied, "Not necessarily".

Mr. Peluso asked that the law be rewritten.

Supervisor Vojvoda stated that this law is badly needed in the Town of Riverhead much more so than the regulation we now have on Dilapidated Structures.

Mr. Peluso stated that if he were asked by the court to clean up, he would certainly comply.

Justice Zaloga stated that he cannot remember fining anyone in his 13 years as Justice, be it violation of a junk ordinance or whatever - that he has always given the violator ample time to clean up and extended such time when it was necessary.

Justice Costello stated that he has never fined anyone and has always given the violator time to clean up and usually after two, three or four months they would comply.

Mr. Peretta stated that he cannot understand why the question arose as to "what are the responsibilities of the Town Board", that the members of the Board are elected by the people and are familiar with their duties and in his opinion he feels they have worked pretty hard.

Mr. Fioto, Jr. stated that he is working to get rid of the cars on his yard but he does not have the building space to store them and doesn't know where he will put the stuff, and now if this law passes the bus will be in violation.

Justice Zaloga replied that at one time Mr. Fioto had informed him he was repairing the bus for somebody and this has been going on since February or March.

Mr. Fioto, Jr. replied that the bus was given to him now, and while it has a motor it does not have a transmission.

No one else wishing to be heard and no further communications having been received thereto, Supervisor Vojvoda announced that since it is now 12:30 in the afternoon, the Board will recess its meeting at this time to meet at 2:30 P.M. at which time the matter of the adoption of the Local Law No. 2-1968 will be taken under consideration.

RESOLUTIONS

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

BE IT RESOLVED, That pursuant to Section 108 of the Agriculture and Markets Law, the following be and are hereby appointed Dog Enumerators, for the purpose of preparing (effective October 1, 1968,) a list for the year 1969, of persons owning or harboring dogs in the Town of Riverhead, and to be compensated on a fee basis pursuant to Section 123 of aforesaid Law:

Paul J. Rumpel, Tessie Munson, Nora Kreiger, Leland E. Fanning and Rita Hodun.

The vote, Councilman Young, Absent, Councilman Grodski, Yes, Town Justice Zaloga, 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 Town Justice Costello.

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

Name	Cost to Applicant	Expense to Town
Florence Butcher 352 Marcy Avenue, Riverhead, N. Y. 11901	\$50.00	\$125.00

NOW, THEREFORE BE IT RESOLVED, that the above stated application be approved and that curbs and gutters be constructed pursuant to a contract with the aforementioned applicant, and be it

FURTHER RESOLVED, that the Supervisor be authorized to sign the said contract in behalf of the Town when the moneys to be paid by above said applicant are turned over and the contract has been signed by her, and

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

The vote, Councilman Young, Absent, 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.

RESOLVED, That the Long Island Lighting Company be and is hereby authorized to install a street light on Pole #42X, Marcy Avenue, within the Riverhead Lighting District, as per plan submitted under date of August 26, 1968, outlining added costs of \$52.20 per annum.

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

RESOLUTIONS

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

WHEREAS, Proper advertisement for the purchase of regular gasoline for use of the Town of Riverhead Highway Department has been made, and

WHEREAS, In response to such advertisement, the following bid was duly received by the Town Clerk on Friday, September 6, 1968:

Agway Petroleum Corp.

P. O. Box 705, Riverhead, N. Y. 11901

\$.176 per gal.

AND WHEREAS, The Town Board of the Town of Riverhead does not deem it in the best interests of the Town to accept the aforesaid bid,

BE IT RESOLVED, That the bid of Agway Petroleum Corp. for regular gasoline for use of the Riverhead Highway Department submitted to the Town Clerk on September 6, 1968, be and is hereby rejected, and

FURTHER RESOLVED, That the Superintendent of Highways be and is hereby authorized to purchase regular gasoline for the use of the Town Highway Department from the Mobil Oil Corporation at the State Contract Price of \$.1218 per gallon, as per Notice of Contract Award No. 1877, Contract Period from September 1, 1968 to August 31, 1969, submitted by the Suffolk County Department of Public Works.

The vote, Councilman Young, Absent, Councilman Grodski, Yes, Town Justice Zaloga, 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 Town Justice Costello.

BE IT RESOLVED, That the position of Senior Clerk is hereby established in the Office of the Receiver of Taxes, Town of Riverhead, effective September 10, 1968.

The vote, Councilman Young, Absent, Councilman Grodski, Yes, Town Justice Zaloga, 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 Town Justice Costello.

BE IT RESOLVED, That Dorothy Jermusyk, be and is hereby appointed from the Suffolk County Civil Service Certification of Eligibles #8-169 Senior Clerk, O. C. dated August 23, 1968, to the position of Senior Clerk in the Office of the Receiver of Taxes, Town of Riverhead, effective September 10, 1968.

The vote, Councilman Young, Absent, 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:

RESOLVED, That Sophie V. Waski be authorized to attend the four day School for Fiscal Officers and Clerks sponsored by the Comptroller and the Conference of Mayors, to be held at Niagara Falls, New York, on September 24th through 27th, 1968, and that all necessary expenses incidental thereto be paid.

The vote, Councilman Young, Absent, 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 Town Justice Costello.

RESOLVED, That members of the Zoning Board of Appeals be and are hereby authorized to attend the Annual Institute of the New York State Federation of Official Planning Organizations to be held October 20th through 22nd, 1968, at South Fallsburg, New York, and that all necessary expenditures incurred thereto be reimbursed.

The vote, Councilman Young, Absent, 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 Town Justice Costello.

WHEREAS, the Long Island Expressway is to be constructed between Toppings Path and Old Country Road in the Towns of Brookhaven and Riverhead in Suffolk County.

WHEREAS, the Bureau of Public Roads, U. S. Department of Transportation has approved the allocation of Federal funds for use in connection with the above project; and

WHEREAS, the expenditure of State and Federal funds can only be justified if this facility provides for the safe and efficient movement of traffic; and

WHEREAS, the State Department of Transportation has prepared a Traffic Control Report dated August 15, 1968 which outlines the traffic control measures deemed necessary for the safe and efficient operation of this facility;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead, Suffolk County, does hereby approve the Traffic Control Report dated August 15, 1968 for the above described highway project, and does hereby agree to adopt the ordinances, rules or regulations necessary to effectuate the plan as indicated in said Traffic Control Report; and

BE IT FURTHER RESOLVED, that no changes or modifications in the traffic control measures set forth in the Traffic Control Report insofar as they affect traffic on the State highways or within 100 feet of the State highways will be made at a later date without written approval of the State Department of Transportation.

The vote, Councilman Young, Absent, 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 Town Justice Costello.

RESOLUTION continued:

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 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, which storm water run-off system shall be completed within two years from the date hereof.

now, therefore, be it resolved, That the Surety Bond in the amount of \$10,000, naming EMJAY PROPERTIES, INC., as Principal, JACOB STEIN, MAX STALLER and BENJAMIN KASPER as Co-Principals, REPUBLIC INSURANCE COMPANY as Surety, and the RIVERHEAD TOWN BOARD as Obligee, for the faithful performance of all conditions set forth in the Resolution of the Town Board of the Town of Riverhead, dated the 3rd day of September, 1968, with reference to storm water run-off in the proposed subdivision to be known as "ROLLING WOODS AT ROANOKE", Section 1, in Riverhead, New York, is satisfactory to the Town Board as to form, sufficiency manner of execution and surety, for the completion of such improvements as are not now constructed.

This resolution shall take effect upon delivery of the said \$10,000.00 Performance Bond complying herewith issued by the REPUBLIC INSURANCE COMPANY, to the Supervisor of the Town of Riverhead.

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

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

NAYS: None.

ABSENT: Councilman Young.

The resolution was thereupon declared duly adopted.

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

RESOLVED, That the bid for one Used Crawler Tractor for use of the Sanitation Department, be and it is hereby awarded to H. O. Penn Machinery Co. Inc., 1561 Stewart Avenue, Westbury, N. Y. 11590, at the cost of \$14,000.00, and

RESOLUTION continued:

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by H. O. Penn Machinery Co. Inc., and filed in the Office of the Town Clerk on September 6, 1968.

The vote, Councilman Young, Absent, 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.

RESOLVED, That the Town of Riverhead enter into the following agreement relating to a proposed Peconic County:

THIS is an agreement between Irving W. Miller, Municipal Consultant, and the Town of Riverhead, relating to research to be performed pertinent to a proposed Peconic County.

Irving W. Miller will formulate a budget for the proposed Peconic County, as if he were the Budget Officer of such County. He will retain persons he considers as experts to assist him. The resultant budget will be prepared in the format prescribed by the New York State Department of Audit and Control. Explanation of the projected budget will be provided.

For such research the Town of Riverhead agrees to pay the sum of ELEVEN HUNDRED (\$1100.00) DOLLARS.

AND BE IT FURTHER RESOLVED, That Robert B. Vojvoda, Supervisor of the Town of Riverhead, be authorized and empowered to execute said agreement on behalf of the Town Board.

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

The Town Board reconvened at 2:30 P. M. , with all members present.

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

RESOLVED, That Local Law No. 2-1968, Town of Riverhead, Suffolk County, New York, pertaining to and regulating the outdoor storage of abandoned, junked, discarded or unlicensed motor vehicles, be and is hereby adopted, and

FURTHER RESOLVED, That the Town Clerk publish in the September 19th, 1968 issue of the News-Review, the official newspaper of the Town of Riverhead a synopsis of Local Law No. 2-1968, as prepared by the Town Clerk and Town Attorney; and

BE IT FURTHER RESOLVED, That the Town Clerk of the Town of Riverhead, file said Local Law No. 2-1968 with the required agencies pursuant to law.

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

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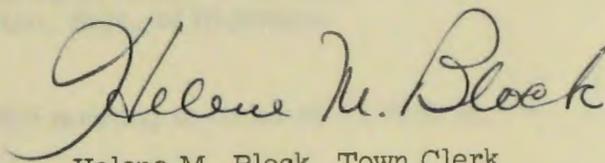
DESIGNATION

Supervisor Vojvoda designated the following members of the Town Board to serve on the Housing Code Board of Appeals beginning September 10th, 1968 to December 31, 1968:

Vincent B. Grodski, Chairman  
George Young  
Bruno Zaloga.

The aforementioned members of the Town Board accepted the designation.

There being no further business on motion and vote, the meeting adjourned at 3:00 P. M., to meet on Tuesday, September 24th, 1968 at 10:30 P. M.



Helene M. Block, Town Clerk

HMB.