

Minutes of a Meeting of the Town Board of the Town of Riverhead held at the Town Hall, Riverhead, N. Y., on Wednesday, November 6, 1968 at 10:30 A. M.

Present:

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

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

Supervisor Vojvoda called the meeting to order at 10:30 A. M.

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

RESOLVED, That the Minutes of the Town Board Meeting held in the Town Hall on October 15, 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.

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

RESOLVED, That the Minutes of the Public Hearing to review the preliminary budget of the Town of Riverhead for the year 1969, held in the Town Hall on October 29th, 1968 at 7:30 P. M., 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.

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

RESOLVED, That the Minutes of a Special Meeting for the purpose of voting on the matter of the adoption of the Annual Budget for the Town of Riverhead, for the year 1969, held in the Town Hall on October 30th, 1968 at 12:30 P. M., 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.

REPORTS

Fire Inspector, month of October, 1968. Filed.
Building Inspector, month of October, 1968. Filed.
Police Department, month of October, 1968. Filed.
Recreation Department, month of October, 1968. Filed.

COMMUNICATIONS

State of N. Y., Department of Mental Hygiene, dated October 14, 1968, requesting Town to withhold action on matter of dilapidated structure owned by patient, pending formation of Committee to protect assets of patient. Filed.

State of New York, Election and Law Bureau, dated 10/18/68, acknowledging receipt of Local Law No. 3-1968. Filed.

State Comptroller, Dept. of Audit and Control, dated 10/28/68, acknowledging receipt of Local Law No. 3-1968. Filed.

Central Suffolk Hospital Association, dated 10/30/68, requesting use of Stotsky Park to hold Hospital Auxiliary Auction Sale on Saturday, August 9th, 1969 - rain date Saturday, August 16th, 1969. Filed.

Referred to Recreation Supervisor Stanley Grodski for reply.

Town of Brookhaven, dated 10/25/68, relating to public hearing on Disclosure Code. Filed.

Copies to Building Inspector, Planning and Board of Appeals Boards and Town Attorney.

Eric L. Kempel, dated 10/17/68, relating to public hearing held October 15th, 1968 on amendment to Ordinance No. 37, Beach Buggies, offering to meet with Town Board to work out a solution to the existing problem. Filed.

Referred to Town Attorney for reply.

State of N. Y., Dept. of Transportation, dated 10/16/68, relating to 30 MPH speed regulation within the Riverhead Area, stating action amends existing 30 MPH speed restriction to include a 600 ft. section of Pulaski Road, making request that the Department be advised if the Town does not agree with the action taken. Filed.

Copies to Town Board, Supt. of Highways and Police Chief Grodski.

State of N. Y., Dept. of Transportation, dated 10/21/68 relating to requests for school speed limits and stating that completed studies determine a 20 MPH school speed limit is warranted on Harrison Avenue adjacent to Riverhead Junior High School, on Marcy Avenue adjacent to St. Isidore's Parochial School, on Roanoke Avenue adjacent to Roanoke Elementary School, on Roanoke Avenue-St. David's Parochial School, 30 MPH school speed limits on Rte 25 and Edgar Avenue adjacent to Aquebogue Elementary School. Remaining locations previously requested have been denied for following reasons:

1. Riverhead High School on Pulaski Road - traffic signals located within 450 feet of school zone.
2. Mercy High School on Middle Road - no adult crossing guard or marked crosswalk.
3. Riley Avenue School on Riley Avenue - no adult crossing guard or marked crosswalk.

COMMUNICATIONS continued:

(State of N. Y., Dept. of Transportation, dated 10/21/68)

4. Wading River School on Wading River-Manorville Road (CR25) no adult crossing guard or marked crosswalk.
5. Jamesport Elementary School on South Jamesport Avenue-traffic signal located within 450 feet of school zone.
6. St. John's Parochial School on St. John's Place - the use of the portable STOP sign on St. John's Place does not conform to the standards found in the N. Y. S. Manual of Uniform Traffic Control Device. A 20 MPH school speed limit may be established at this location if the use of the portable STOP sign is discontinued.

Since the length of the restriction on Roanoke Avenue is over 1000 feet, to properly post this area, an intermediate speed limit sign will be necessary. Filed. Copies to Town Board, Police Chief and Supt. of Highways.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined bills submitted on Abstracts No. 20, as follows:

General Town	\$21,800.06
Highway Item No. 1	\$ 4,216.74
Highway Item No. 3	\$ 1,985.71
Highway Item No. 4	\$ 3,386.88

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

RESOLVED, That General Town bills submitted in the amount of \$21,800.06, be approved for payment, and

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

Highway Item No. 1	\$4,216.74
Highway Item No. 3	\$1,985.71
Highway Item No. 4	\$3,386.88

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.

HIGHWAY MATTERS

Alex E. Horton, Supt. of Highways informed the Town Board that an amount of \$10,000 is needed to meet costs of snow removal bills and requested the Board to authorize the borrowing for such amount on a Budget Note.

The Town Clerk was directed to prepare a budget note for snow removal in the amount of \$10,000 for the November 19th, 1968 Town Board Meeting.

POLICE DEPARTMENT

Police Chief Grodski informed the Board that a study of the record of accidents occurring at the traffic circle located at the intersection of Roanoke Avenue and Route 58 discloses a total of three fatalities and fifty motor vehicle accidents.

Police Chief Grodski stated that this particular intersection is especially hazardous to people unfamiliar with the area and recommended that the Town Board petition the Suffolk County Department of Public Works to remove the traffic circle and replace it with a traffic control signal light.

RESOLUTIONS

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

RESOLVED, That Anne Ribeiro, be and is hereby appointed from the Suffolk County Civil Service Certification of Eligibles List #CR-2-Clerk Typist, dated Oct. 31, 1968, to the position of Clerk Typist in the Recreation Department, effective November 4, 1968.

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.

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

BE IT RESOLVED, That for lack of pressing business, the Town Board Meetings scheduled for November 12th, 1968 and November 26th, 1968, be and the same are hereby cancelled.

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.

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

WHEREAS, The Police Chief of the Town of Riverhead has made a review of the record of accidents occurring at the traffic circle situated at the intersection of Roanoke Avenue and Route 58, and

WHEREAS, Such review discloses findings of three fatal accidents and fifty motor vehicle accidents having occurred at the aforementioned traffic circle situated at the intersection of Roanoke Avenue and Route 58, and

WHEREAS, The volume of traffic at this hazardous intersection has been increasing each year, be it

RESOLVED, That the Town Board of the Town of Riverhead hereby respectfully petitions the Suffolk County Department of Public Works to remove the aforementioned traffic circle situated at the intersection of Roanoke Avenue and Route 58 and replace it with a traffic control signal light.

RESOLUTIONS continued:

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 Town Justice Costello.

RESOLVED, That the services of Shirley Fields as a School Crossing Guard be terminated, effective November 1, 1968.

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 Town Justice Costello.

RESOLVED, That Betty Harris be and is hereby appointed School Crossing Guard, effective November 4, 1968, at the rate of \$2.25 per hour, 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.

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

RESOLVED, That the Town of Riverhead enter into an agreement with the Town of Southampton, as per a renewal endorsement permitting dumping privileges to the Town of Southampton as set forth therein, for the sum of \$3000.00, for the period from January 1, 1969 to December 31, 1969, and

FURTHER RESOLVED, That the Supervisor be and he is hereby authorized to sign said agreement on behalf of the Town of Riverhead.

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 Town Justice Costello.

RESOLVED, That the services of James Anderson as a Special Policeman, pursuant to Section 158 of the Town Law, be and are hereby terminated, effective November 1, 1968.

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.

RESOLUTIONS

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

RESOLVED, That Receiver of Taxes Irene J. Pendzick and Deputy Receiver of Taxes Dorothy Jermusyk, be and are hereby authorized to attend the Suffolk County Tax Receivers Association Meeting and Luncheon to be held at Babylon, N. Y., on November 13th, 1968, and that all necessary expenses be reimbursed and the same charged to the Receiver of Taxes Expense Account.

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.

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

BE IT RESOLVED, That the Superintendent of Highways be and is hereby authorized to transfer the sum of \$17,168.27 from Highway Item No. 1 Current Surplus Account to 1/5 Road Oil Account for the purpose of meeting payments for road oil.

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.

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

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay overtime compensation for the month of October, 1968 for a total of 17 hours in the sum of \$51.00.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Zaloga, Yes, Town Justice Costello, No, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

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

RESOLVED, That the Town Clerk be and hereby is directed and authorized to advertise in the November 14, 1968 issue of the News-Review, the official newspaper of the Town of Riverhead, for bids for the installation of storm sewers for Highway Drainage Projects No. 43 and No. 44 at Sound Shore Road, Sound Avenue, Town of Riverhead, New York, and be it

FURTHER RESOLVED, That the Town Clerk be and is hereby designated to open publicly and read aloud on Monday, November 25, 1968 at 11:00 A.M., in the Town Clerk's Office, 220 Roanoke Avenue, Riverhead, New York, all bids which have been received, and be it

FURTHER RESOLVED, That the Town Clerk shall make a record of such bids and present the same at the Town Board Meeting to be held on December 3, 1968.

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 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 a proposed Code of Ethics Ordinance No. 39 for the Town of Riverhead.

The affidavits were ordered filed.

Supervisor Vojvoda thereupon declared the Hearing open and asked if any one wished to be heard in favor of or against the proposed Code of Ethics.

Jacob Harding, Esq., addressed the Board and stated that he does not see anything in the proposed code in reference to federal or state agency reports. That the recommendation of the committee was that whenever a resolution was passed in regard to a matter in which executive sessions have previously been held that such executive sessions be revealed and it was also recommended that whenever a report of the state or federal agency is rendered to the Supervisor or Town Board that this report be included in the minutes of the next town board meeting.

Mr. Harding further stated that such report should be filed with the Town Clerk and is to be published in the official newspaper of the town - this being in reference to reports of Dept. of Audit and Control Auditors.

Helene M. Block, Town Clerk stated that a notice is always published by the Town Clerk stating the comptroller's report of examination of accounts and fiscal affairs of the Town has been received and is filed in her office and is a public record, available for inspection by all interested persons.

Mr. Harding asked why the prejudice against zoning - why take zoning prima facie - and suggested it would be proper to include "zoning ordinance or other laws of the town" which would eliminate putting a real onus on zoning.

Town Justice Costello stated he would suggest "ordinance and local laws".

Mr. Harding advised the Board to take its time about the appointment of a Board of Ethics - as it will be a no compensation board and will be different from the planning board and board of appeals board and illustrated by reading the paragraph of the code pertaining to the composition of a Board and asked if this Board would actually have Democrats and Republicans as designated by the political committees.

Mr. Harding cautioned the Board to be careful and urged that the Board of Ethics be bi-partisan.

Mr. Harding recommended that the Board follow the same plan of proceedings similar to the plan of the Board of Elections where you go to the Republican Executive Committee of the town and the Democratic Executive Committee and get them to recommend and designate names.

William C. Haugaard, Town Attorney stated that the intent was to keep this Board non-partisan and not bi-partisan and Mr. Harding's suggestion injects a political consideration.

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

Mr. Maurie Semel stated he can't see how the plan as submitted by Jack Harding is going to work as a great majority of people in Riverhead are unenrolled and who is going to make a recommendation for them.

Mr. Harding stated they don't have to designate an enrolled Democrat only a Democratic representative.

Mr. Semel stated that we will have to rely on the good judgment of the Town Board to select people who are of high caliber .

Town Attorney Haugaard asked Mr. Semel if he prefers the provision as it is written.

Mr. Semel said "Yes, as far as the selection, however I do not feel any municipal officer or employee should be on the Board for the reason that they also may have a problem where they may need an advisory opinion and if they turn to this advisory board they would have to eliminate themselves."

Town Attorney Haugaard stated "Of course you realize the Town Attorney must serve ex-officio."

Mr. Semel said: "I would go all the way and say no municipal officer or employee can be a member of the Board - and in the next paragraph where it calls for the election of a Chairman of the Board, I think there should be a statement saying as to when this Chairman should be elected. However, I do not see where future employment is concerned, in other words - - a member of the Board who leaves the Board or an employee or other officer who leaves the employment of the Town - there should be a period of about two years during which this particular employee or officer would not be able to come before the Board to plead for any particular business or other profession as to a matter in which at one time while he was on the Board was in discussion before the Board."

Mr. Semel continued "If it was concerning down zoning a plot for the construction of an apartment house and that member sat on the Board during that time and it was a proceeding before the Board - no action was taken. However, this member of the Board goes off the Board and then acts as an individual representing some one else before the Board. I think there should be a lapse of approximately two years during which this member would not be able to appear before the Board to present any proceedings or any action concerning proceedings in which he was involved while a former member of the Board."

Supervisor Vojvoda stated he believes the County Code has such a provision.

Mrs. Patricia Tormey stated that the reason the Committee rejected this provision was for the reason that Shep Scheinberg was the one we were thinking of - it would mean he could not take all cases.

Mr. Harding: "The sort of provision he is suggesting is illegal."

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

Mr. Semel stated that it is not illegal as he has already checked this.

Town Justice Costello: "In my case, you can't tell me what to represent - I can represent anybody as long as it wasn't a conflict of interest."

Supervisor Vojvoda stated this will be looked into.

Mrs. Tormey stated that she disagrees with Mr. Harding about having appointments or nominations for the Board of Ethics made by political parties, that there are a great many people who may be enrolled but are not particularly active or affiliated with a particular party and she thinks the Town Board would know who the interested non-partisan people are.

Mrs. Tormey further stated that she would be very unhappy to see politics involved or associated with the Board of Ethics and continued stating that the County Board went deliberately out of their way to get people who were never associated in politics in any fashion and the two towns she checked - Islip and Huntington have done the same thing and they have no one on their Board of Ethics in anyway connected with political parties - and while they may be enrolled they are not active.

Mrs. Tormey further stated that she thinks the Board of Ethics should be formed as soon as possible and it should not include people who are currently serving as officials of the Town.

Town Justice Costello asked if Mrs. Tormey is suggesting that the words "political" and "political faith" be obliterated from the Code.

Mrs. Tormey stated that being all government is basically a political function it should be made by the Town Board and the appointments not come from political leaders and further stated that offhand she can think of half a dozen or more citizens who would be excellent on the Board of Ethics.

Town Justice Costello asked if we should include in there that these people appointed to the Board be residents of Riverhead.

Mr. Harding: "I have had discussions with people in other communities where this word "political" is used - it's all ready in there. I'm not creating it and let's not be ostriches and hide our heads in the sand. Who determines the degree of activity of anybody in any political party - whether they are enrolled or not enrolled."

Town Justice Costello: "Jack, do you think the word "party" should be changed to "persuasion", as whether or not he is a Democrat, Conservative, Liberal - or what - I think he is persuaded one way to lean towards that."

Mr. Harding: "I know it has been used and they found a true answer in the system that the Board of Elections use and you know it and I know it - that's one of the places in the law where they have found a true answer, so I say be careful with it."

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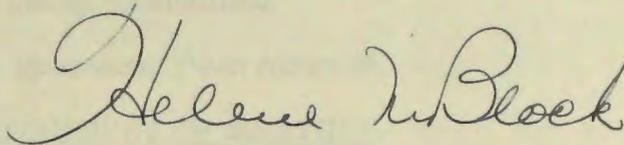
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PUBLIC HEARING - 11:00 A.M. - continued:

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 matter of the adoption of Ordinance No. 39-Code of Ethics.

There being no further business on motion and vote, the meeting was adjourned at 11:30 A.M. to meet on Tuesday, November 19, 1968 at 10:30 A.M.



Helene M. Block, Town Clerk

HMB.