

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, October 19, 1965 at 10:30 A. M.

Present:

Robert B. Vojvoda, Supervisor

Bruno F. Zaloga, Jr.

Thomas R. Costello, Justices of the Peace

Vincent B. Grodski

George G. Young, Councilmen

Also present: Shepard M. Scheinberg, Town Attorney.

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

RESOLVED, That the minutes of the meeting of the Town Board held in the Town Hall on October 5, 1965, be approved as submitted.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, 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:

Robert L. Fioto addressed the Board and submitted a Petition signed by 113 individual citizens making request that the Town Board hold all public Town Board Meetings in the evening when all people may attend.

The Petition was ordered filed.

Wicham C. Tyte addressed the Board on behalf of the Individual Rights Ass'n., and stated that the Association is in favor of the Town Board taking action to hold its meetings in the evening.

Michael O'Shea, Chairman of the Conservative Party addressed the Board and stated that the Conservative Party favors the Petition and requested the Board to give its consideration to this request so that working people will be afforded the opportunity to attend all meetings of the Town Board.

HEADS OF DEPARTMENTS:

Police Chief Grodski appeared before the Board and requested authorization to prepare specifications for the purchase of three new cars for the use of the Police Department.

Supervisor Vojvoda advised Chief Grodski to contact the Suffolk County Purchasing Department for its listing on the proposed purchase.

Police Chief Grodski offered recommendation that the Board set up a centralized garage for minor services and lubrication for all Town Department vehicles.

HEADS OF DEPARTMENTS continued:

Police Chief Grodski made recommendation that the Meter Zone be extended into Railroad Avenue.

The Town Board directed Police Chief Grodski to make survey of the area and render a report at the next meeting of the Board.

REPORTS:

Town Attorney Shepard Scheinberg reported to the Board that the legal aspects of the land trade between Agway Corp. and the Town of Riverhead have been completed and that the Highway Superintendent may proceed with the re-alignment of Pulaski Street.

COMMUNICATIONS:

Irad B. DeFriest-Application for construction of curbs and gutters. Filed.
Referred to Alden W. Young.

Long Island Lighting Company, dated October 6, 1965, enclosing Indemnity Bond to the Town of Riverhead in the amount of \$1,000. covering Company's Operation during two year period beginning October 15, 1965. Filed.

Long Island Lighting Company, dated October 1, 1965, submitting plan and sketch for lighting Roanoke Avenue Parking Field. Filed.
Referred to Lighting Committee.

Long Island Lighting Company, dated October 4, 1965, submitting plan and sketch for street lighting on Oak Street and Central Avenue, Wading River Lighting District. Filed.
Referred to Lighting Committee.

Long Island Lighting Company, dated October 5, 1965, submitting plan and sketch for street lighting on Meeting House Road, Aquebogue Lighting District #2. Filed.
Referred to Lighting Committee.

Petition of Odysseus G. Valsamis and Gloria Valsamis, dated October 6, 1965, requesting Zoning Change in the area of Meeting House Creek, Aquebogue, N. Y. Filed.
The Town Clerk reported receipt of the \$25.00 filing fee.
Referred to Planning Board for report.

Wildwood Acres Ass'n. Inc., dated October 4, 1965, expressing appreciation to Town Board on occasion of conference held September 28, 1965. Filed.

Wildwood Hills Property Owner's Ass'n., dated September 27, 1965, requesting warning signs for area of School District. Filed.

Police Chief Grodski made report to Town Board that the area has been posted.

Two Petitions containing 31 signatures requesting establishment of Extension No. 5 to Riverhead Lighting District. Filed.

Justice Costello made recommendation that Alden W. Young be directed to also include a part of Route 58 in the survey on the proposed establishment of Extension No. 5.

COMMUNICATIONS continued:

Claude Jones, Town Clerk, Town of Southampton, dated October 13, 1965, submitting resolution of Southampton Town Board passed at its meeting on Sept. 15, 1965, reading as follows:

"RESOLVED, that the Town Board of the Town of Southampton hereby authorize the police of the Southampton Town western precinct to use the facilities of the Riverhead Town jail. Said fee to be set by the Riverhead Town Board." (End) Filed.

The Town Clerk was directed to make reply to above communication, stating that due to the inadequacy of its quarters, the Town of Riverhead is unable to provide use of the Riverhead Town Jail facilities to the Town of Southampton.

At this point of the meeting Supervisor Vojvoda called a recess at 11:00 A. M., to hold a public hearing.

PUBLIC HEARING-11:00 A. M.

Supervisor Vojvoda declared the Public Hearing on Bicycle Ordinance No. 36 adjourned from the September 21, 1965 meeting, open, and asked if anyone wished to be heard in favor of or in opposition to the aforesaid matter.

Town Attorney Shepard Scheinberg stated he had no recommendations.

Police Chief Grodski informed the Board that there has been four serious bicycle accidents in the Town of Riverhead and urged the Board to give its serious consideration to the enactment of a Bicycle Ordinance.

Justice Zaloga stated that it is his opinion that a Bicycle Ordinance is needed in the Town of Riverhead but recommended that enactment of the proposed ordinance be postponed pending further study.

No one else wishing to be heard, the Hearing was adjourned to November 16, 1965 at 11:15 A. M.

Supervisor Vojvoda re-opened the meeting.

UNFINISHED BUSINESS:

Police Chief Grodski submitted for filing with the Town Clerk a report on the Jail Facility Agreement with Village of Westhampton Beach and the Town of Riverhead, said Agreement containing the following conditions:

- "1. The charge for lodging and feeding one prisoner shall be \$8.00 per day or part thereof.
2. Sick or injured prisoners are not acceptable.
3. Should any prisoner become ill or injures himself while confined, all necessary medical expenses and doctors services are chargeable to the Village of Westhampton Beach.
4. No female prisoners acceptable.
5. Whenever a cell or cells are needed by local police for local arrestees, the village of Westhampton will be instructed to remove prisoners immediately." (End)

RESOLUTIONS:

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

RESOLVED, That the Long Island Lighting Company be and it is hereby authorized to install lighting in the Roanoke Avenue Parking Field, within the Riverhead Street Lighting District, as per letter and plan dated October 1, 1965, outlining added cost to District of \$68.00.

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

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

RESOLVED, That the Long Island Lighting Company be and it is hereby authorized to install street lighting on Oak Street and Central Avenue within the Wading River Lighting District, as per letter and plan dated October 4, 1965, outlining added cost to said District of \$21.00 per annum.

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

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

RESOLVED, That the Long Island Lighting Company be and it is hereby authorized to install street lighting on Meeting House Road in the Aquebogue Lighting District #2, as per letter and plan dated October 5, 1965, outlining added cost to District of \$84.00 per annum.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, 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 Highway bills submitted on Warrants dated October 19, 1965, as follows: General Repairs Item 1-Alden W. Young, dated September 17, 1965, for \$850.00 and Machinery Item 3-H. O. Penn Machinery Co., Inc., dated September 17, 1965 for \$595.78, be and are hereby approved for payment.

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

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

RESOLVED, That the Supervisor be and is hereby authorized to deposit the following amounts of monies to the Town of Riverhead Trust and Agency Fund.

Bingo 50% Account	\$ 740.00
Roanoke Homes Escrow Account	300.00
Guaranty & Bid Deposits Account	185.00
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	\$1225.00

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

REPORT:

Supervisor Vojvoda rendered the following report on the trip to Washington, D. C., relative to the matter of requesting Federal Assistance for the Desalination Project:

Justice Bruno Zaloga accompanied Supervisor Vojvoda and they attended the following Committee Hearings; Representatives of the Atomic Energy Commission, the House Committee on Interior Affairs, the House Committee on Atomic Energy, the Senate Committee on Interior Affairs and the Senate Committee on Atomic Energy. Congressman Otis G. Pike was in attendance and Senator Robert Kennedy's and Senator Jacob Javitt's Offices were represented as also the New York State Atomic and Space Development Committee. A round table discussion was held. It was brought out that this is a unique program and the proposed Desalination Plant would be the first of its kind anywhere in the world. An Evaluation Board has been set up and the results of its findings will be made known within four weeks.

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

PUBLIC HEARING - 11:15 A.M.

After being duly advertised Notice of Public Hearing (proof of publication) pursuant to Section 205 of the Town Law and Article V Section 501 of the Zoning Ordinance No. 26, Town of Riverhead, in the matter of a proposed change in the Zoning Ordinance, more particularly to the Zoning Map, was submitted to the Board.

The Notice was ordered filed.

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

Town Attorney Shepard Scheinberg stated that he had no recommendations.

Wickham Tyte, Riverhead, N. Y., made inquiry as to the purpose of this change.

Supervisor Vojvoda made reply to Mr. Tyte, stating that the proposed change is one of many changes included in the Master Plan to be acted on from time to time, and this particular change was recommended by the Town Planning Board in conformance with the Master Plan classification.

No one else wishing to be heard, and no communications having been received thereto, Supervisor Vojvoda declared the hearing closed.

Supervisor Vojvoda re-opened the meeting.

RESOLUTIONS:

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

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law in order that an amendment, change and modification of an ordinance may be adopted by the Town,

NOW, THEREFORE, By virtue of the authority vested in it by the Town Law and other statutes made and proved, the Town Board of the Town of Riverhead, hereby or-

RESOLUTIONS continued:

advises and enacts the following changes in the Zoning Ordinance of the Town of Riverhead, more particularly to the Zoning Map incorporated therein, as follows:

1. To increase the Business 1 Use District to a depth of 600 feet on all that certain property situated in Calverton and Manorville, Town of Riverhead, Suffolk County, New York, lying North of Middle Country Road (State Highway Route 58) and Easterly and Westerly of Fresh Pond Avenue which property change is shown on Map entitled, "Proposed Zoning Change Calverton and Manorville, Town of Riverhead, Suffolk County, New York," dated September 21, 1965 on file with the Town Clerk of the Town of Riverhead.

And the Town Clerk is hereby authorized and directed to enter the said changes to Ordinance No. 26 in the minutes of the Town Board, and to publish a copy of the changes once in the News-Review, the official newspaper published in the Town, and to post a copy of the same, on the signboard maintained by the Town Clerk, pursuant to subdivision 6 of Section 30 of the Town Law, and file in her office affidavit of said publication and posting.

The aforementioned changes to Ordinance No. 26, more particularly to the Zoning Map incorporated therein, shall take effect ten (10) days after such publication and posting.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, 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.

RESOLVED, That Justice of the Peace Bruno F. Zaloga, be and is hereby authorized to attend the Judicial Conference Classes at Fordham University and that all necessary expenses incurred in connection therewith be paid.

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

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

RESOLVED, That the Superintendent of Recreation be and he is hereby authorized to attend the Cortland College Annual Field Work Conference in Cortland, New York, from November 5, 1965 to November 6, 1965, and that all necessary expenses be paid from Recreation Department appropriations.

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

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

RESOLVED, That the Supervisor be and is hereby authorized to transfer the sum of \$1,575.00, from the General Town Current Surplus Account to Enterprises/Other/Grumman Lease Account.

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

Justice Costello made the following explanation on the authorized transfer of \$1,575.00 from the General Town Current Surplus Account, stating that said transfer of funds was made for the purpose of making payment to Grumman's Corporation on a 1.5 acre plot of ground leased by the Town of Riverhead for a processing plant.

The Town Board convened as a Board of Audit and examined all Town bills submitted on Warrants dated October 19, 1965, as follows: General Town - \$36,291.20, General Repairs Item No. 1-\$10,650.21, Machinery Item No. 3-\$1,193.35 and Miscellaneous Item No. 4-\$512.87.

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

RESOLVED, That the General Town bills as submitted in the amount of \$36,291.20, be approved for payment, and

FURTHER RESOLVED, That General Repairs Highway Item No. 1 bills in the amount of \$10,650.21, Machinery Highway Item No. 3 bills in the amount of \$1,193.35 and Miscellaneous Item No. 4 bills in the amount of \$512.87, be approved for payment.

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

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

PUBLIC HEARING - 11:30 A. M.

After being duly advertised Proof of Publication of Notice of Public Hearing, pursuant to Section 265 of the Town Law and Section 501 of Zoning Ordinance No. 26 of the Town of Riverhead on proposals to amend said Ordinance was submitted to the Board.

The Notice was ordered filed.

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

Town Attorney Shepard Scheinberg addressed the Board and made recommendation that the proposed changes be taken up for discussion in the order as listed in the Notice and further stated that he has no recommendations as to the change in the proposal pertaining to Camps.

Charles Raffe, Attorney, addressed the Board relative to the proposed change pertaining to trailer camps and stated that said change affects only property located in Business 2 Districts, and the effect of this is to equalize the rights of someone obtaining a Camp Permit, which will be subject to restrictive covenants as the Town Board may deem appropriate, and would in effect bind the person securing the permit or his successor.

Mr. Raffe continued stating that he is appearing on behalf of the Harry Goldman Camp located on private property on Route 58, which Trailer Camp was situated there prior to Zoning, and that the reason the Camp was not extended further northward was that the Riverhead Water District at that time had a policy of not servicing anyone outside of a district.

PUBLIC HEARING - 11:30 A. M., continued:

Mr. Raffe further stated that the Zoning Ordinance was adopted thereafter and the remaining part of Mr. Goldman's property, with the exception of a 60 ft. or 80 ft. space was given a Special Permit by the Zoning/Board of Appeals to allow additional Trailer Camp spaces.

Mr. Raffe added that if this proposed change is enacted that Mr. Goldman would be able to increase his Park by 18 units, which would not be creating a new park, but only adding to an existing one.

Mr. Raffe also added that if this proposed change is adopted that Mr. Goldman has explained that he intends to plant trees and shrubbery along Route 58 at a distance of 150 ft. off the road to give the effect of a natural screening.

Mr. Raffe concluded stating that while the enactment of the proposed change would benefit this particular individual and anyone else in the area, he recognizes that power and control still remains with the Board.

In reply to a question regarding the servicing of water in this area, Mr. Raffe informed the Board that an application can be made directly to the Water Resources Commission for service in this area and that there is every assurance that the application will be granted due to the contemplated erection of the tank in the extension.

Town Attorney Shepard Scheinberg addressed the Board relative to the proposed change in respect to requirements for parking areas, and stated as follows:

"Since the present Zoning Ordinance doesn't seem adequate to cover the parking problems found in the Town for many large businesses having buildings covering large areas are required to have a great number of parking spaces. We find that the Zoning/Board of Appeals did not have power to handle this situation and in order to rectify this, this proposed amendment has been set forth whereby the Town Board could grant a special exception under covenants and restrictions whereby it might reduce the requirements for parking."

Patricia Tormey, Chairman of the Zoning/Board of Appeals addressed the Board and stated as follows:

"I agree wholeheartedly with Mr. Scheinberg that there is something drastically wrong, as in Riverhead the wholesale plumbing firm under the existing ordinance would have to provide 55 parking spaces and wholesale potato firms fall in the same category.

My objection to this particular way of doing this is that it does not provide standards for the Board to act. It puts you in the position for a considerable amount of pressure from various people and since you are elected members of the Board would be open for a great deal of criticism, which the Board of Appeals is not.

I think a better way of doing it would be to put in as the Planning Board has recommended, a statement covering wholesale houses-as one parking space for 600 or 800 feet, or whatever the Board would feel would be an equitable solution.

I would also like to say since the rumor has reached me that the Board of Appeals blocked a re-hearing on this. The objection that came was from only one member of the Board and this is all that it takes to block it, and I was not the member that objected to it. It was a Republican member of the Board if it makes any difference. We were quite willing, four of us to review it but one member was not and a unanimous vote of the Board is required. As a Board we feel this is not the best way to handle it. We do feel something needs to be done and done rapidly."

PUBLIC HEARING-11:30 A. M., continued:

Mrs. Tormey continues:

"There is nothing there now. We tried desperately at the Board of Appeals Hearing to get the gentleman from the Blackman-Riverhead Corp., to say he was in commercial enterprise because this requires less parking than industrial enterprise, but he was very honest and insisted they were an industry. This would have cut him down to 36 which is better than 55, which is still too much. There should be a separate category for anything wholesale. This means that every single soul who is dissatisfied is going to show up in here before the Town Board, and this way of doing it seems to me not necessary."

Justice Zaloga: "I would prefer to have it set up so that it would not be necessary for anyone to come in here."

Councilman Young: "You say we must be more specific, in other words the word wholesale houses should be spelled out?"

Mrs. Tormey: "Yes, there is nothing there now. The Planning Board recommended a great reduction and a separate category and it should come down considerably below that."

Supervisor Vojvoda: "I checked that place every day and the most I had seen was three trucks so we should do something about it."

Mrs. Tormey: "Yes, the man from Blackman told me that six would be a lot, and it would only be in a case of emergency, but it would help. There are other wholesalers coming into town and the same problem will arise."

Councilman Young: "Yes, as one wholesaler may not have as many customers as another."

Mrs. Tormey: "We checked lumber yards in order to get an idea and found two trucks at the most."

Justice Costello: "I think the difficulty would arise in defining the word "wholesaler", as there are many people who hold themselves out to be wholesalers when at times they sell retail. I think you will have to spell out what a "wholesaler" is and if you don't do that you will have much pressure brought on by a retail man. So if you are going to do that for the wholesalers you will have to do it for the retailers."

Mrs. Tormey: "Some of the ordinances in surrounding towns do provide for specific wholesale requirements and they also define in the place for definitions what a wholesale operation is. It might well be referred to the Planning Board to come up with a good definition."

Supervisor Vojvoda: "Yes, we are holding back businesses in the Town of Riverhead because of this requirement."

PUBLIC HEARING - 11:30 A.M., continued:

Mrs. Tormey: "In fairness to Blackman, if they stored these pipes just outside without any effort to cover the thing and make it look nice they would not have to supply extra parking. Because they put a roof over it and try to improve it, they wind up having to provide parking. The Board of Appeals had to find something unique and when it applies to so many people as it did it is no longer unique."

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 proposals to amend Zoning Ordinance No. 26, pursuant to Section 265 of the Town Law and Section 501 of Zoning Ordinance and referred the proposal in respect to requirements for parking areas to the Town Planning Board for further study and report.

There being no further business on motion and vote, the meeting adjourned at 11:55 A. M., to meet on Wednesday, November 3, 1965, at 10:30 A. M.

Helene M. Block

Helene M. Block, Town Clerk

HMB.