

Minutes of a meeting of the Town Board of the Town of Riverhead held in the Town Hall on September 15, 1964 at 10:30 A. M.

Present:

Robert B. Vojvoda, Supervisor

Thomas R. Costello, Justice of the Peace

Vincent B. Grodski

George G. Young, Councilmen

Absent: Bruno F. Zaloga, Jr., Justice of the Peace.

Also present: Shepard M. Scheinberg, Town Attorney.

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

RESOLVED, That the minutes of the meeting of the Town Board held in the Town Hall on September 1, 1964 be approved as submitted.

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

A representative number from the Aquebogue Civic Association appeared before the Board and expressed appreciation to Supervisor Vojvoda for contacting the Suffolk County Mosquito Commission in their behalf and stated that the mosquito spray has alleviated conditions in the Meeting House Creek area.

Police Chief Grodski appeared before the Board and rendered the following progress report on the Jail Cells:

That the final installations will be completed in one or two days and the finishing miscellany by the general contractor will be completed within ten days after which time Mr. Woodwill be notified to advise the Department of Corrections to make a final inspection.

Chief Grodski informed the Board that the Sheriff's Office has advised him by letter that due to lack of room that there will be no acceptance of commitments of prisoners on Saturdays and Sundays until after 4 P. M.

Chief Grodski requested a meeting of the Town Board and the Town Attorney be held for the purpose of reviewing the 1965 Police Budget Estimates.

John Riesdorff, Water Plant Superintendent appeared before the Board and stated that four years ago curbs and gutters were installed at 605 and 615 East Main Street but the Highway Department has not thoroughly completed the projects.

The matter was referred to Councilman Young and Alex E. Horton, Supt. of Highways.

The Supervisor's Report for the month of August, 1964 was submitted to the Board and ordered placed on file.

The Recreation Department report for the month of August, 1964 was submitted to the Board and ordered placed on file.

Kenneth G. Rowland, Recreation Director submitted a Beach Report for 1964, showing a number of 2,349 Beach Permits Sold, an attendance of 53,930 at Town Beaches and a registration of 704 for swimming instructions.

The Report was ordered filed.

After being duly advertised Sealed Bids for one (1) 1965 Police Car for the use of the Riverhead Town Police Department were opened on September 14, 1965 at 11:00 A. M. by Helene M. Block, Town Clerk, as follows:

Byon Ford, Inc., Route 58, Riverhead, N. Y.

Make of Car: FORD CUSTOM

Weight: 3527 Lbs.

Delivery date: 60 days

Cost of Vehicle

\$2,849.10

LESS Allowance on '64 Chevrolet 1D#3E53Z 109826

1,255.00

LESS Excise Tax

201.80

NET COST on delivery

\$1,392.30

O'Keefe Chevrolet-Olds, Inc., East Main Street on Route 25, Riverhead, N. Y.

Make of Car: CHEVROLET

Weight: 3365 Lbs.

Delivery Date: 60 days

Cost of Vehicle

\$2,556.81

LESS Allowance on '64 Chevrolet 1D#3E53Z 109826

1,153.81

LESS Excise Tax

153.00

NET COST on delivery

\$1,250.00

The bids were filed for the September 15, 1964 meeting of the Board.

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

RESOLVED, That the bid for one car for use of the Riverhead Town Police Department be and it is hereby awarded to O'Keefe Chevrolet-Olds, Inc., East Main Street, Route 25, Riverhead, N. Y., for one 1965 Chevrolet at a net cost of \$1,250.00, as per its bid and specification form submitted and dated September 14, 1964 and filed with the Town Clerk.

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

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

RESOLVED, That the services of Adam J. Kowalski, Bay Constable, be and hereby are terminated as of September 15, 1964.

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

A communication under date of Sept. 2, 1964 from Samuel D. Kall making request for a street light on 21st Street and Hulz Landing Road in the Wading River Lighting District was submitted to the Board.

The communication was ordered filed.

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

RESOLVED, That the Long Island Lighting Company be and they are hereby authorized to make a survey for the installation of a street light on 21st Street and Hulz Landing Road, Wading River, New York.

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

A communication from the Department of State under date of September 3, 1964 acknowledging receipt of certified copy of Local Law No. 1-1964, Town of Riverhead, was submitted to the Board.

The communication was ordered filed.

A communication from the Department of Audit and Control under date of September 9, 1964 acknowledging receipt of certified copy of Local Law No. 1-1964, Town of Riverhead, was submitted to the Board.

The communication was ordered filed.

A communication from W. E. Sexton, Inc., dated August 28, 1964, enclosing Bond #S1004680 (1964) for the period August 4, 1964 to August 4, 1965 for road excavations was submitted to the Board.

The communication and Bond was ordered placed on file.

A communication under date of September 3, 1964 from Robert H. Levy, tendering his resignation as a member of the Riverhead Town Planning Board as of October 1, 1964 was submitted to the Board.

The communication was ordered placed on file.

The following applications for construction of curbs and gutters were submitted to the Board:

William and Marion Palmer, 22 Further Lane, Riverhead, New York.

James and Winifred Turner, 21 Further Lane, Riverhead, New York.

The applications were ordered filed and referred to Alden W. Young and Alex E. Horton, Supt. of Highways.

Two communications from the Town of Brookhaven relative to Upzoning of School District #10 and Upzoning certain areas in Wading River were submitted to the Board.

The communications were ordered filed and referred to the Town Attorney.

A communication under date of September 1, 1964 from the Jamesport-South Jamesport Civic Association, Inc., making request for a street light on Second and Green Streets, South Jamesport and a Stop Sign on Second Street was submitted to the Board.

The communication was ordered filed and referred to Justice Costello for report at the next meeting of the Board.

Contracts for use of the Armory as Drill Hall for Rifle Range and two classrooms for the period beginning on Sept. 22, 1964 and ending on December 1, 1964 and for Rifle Range for the period beginning on Sept. 24, 1964 and ending on December 30th, 1964 were submitted to the Board for approval.

The contracts were ordered filed and the Supervisor was directed to execute same in behalf of the Town of Riverhead.

A communication under date of September 10, 1964 from Alexander Aldrich, Executive Assistant to Governor Rockefeller was submitted to the Board reading as follows:

Dear Mr. Vojvoda:

Governor Rockefeller has asked me to reply to your letter of August twenty-first with which you enclosed copies of two letters from the Aquebogue Civic Association.

The State Health Department advised that the disposal of wastes from duck farms in the Town of Riverhead has been a controversial problem for many years. Many meetings have been held and legal action against the violators has been instituted.

The Department reports that its Counsel's office has been preparing a stipulated order of the State Commissioner of Health directing all of the duck growers to clarify and disinfect effectively their waste effluents on and after April 1, 1965. The Department notes that this stipulation is now being negotiated with the attorney for the duck growers, who advised the Department Counsel's office on August thirty-first that he was in substantial accord with the terms of the proposed stipulated order.

Governor Rockefeller appreciates your thought in writing.

Sincerely,

Signed: Alexander Aldrich

The communication was ordered filed.

A communication from Mr. and Mrs. L. H. Grant, 636 Northville Turnpike, Riverhead, New York was submitted to the Board referring at length to the out-of-hand "Halloween Trick and Treat" activities which local residents are confronted with and requesting the Town Board to take immediate action to curb such activities.

The communication was ordered filed.

Kenneth G. Rowland, Recreation Director informed the Board that the Recreation Commission discussed the matter as outlined in the Grant communication at its meeting and stated that it was the feeling of the Commission that the complaint was justifiable, further that the Commission suggested that perhaps newspaper articles inserted in the local newspapers by the Town Board requesting or suggesting a parental curfew of 8:00 or 8:30 o'clock P. M., may help to curb these activities.

Supervisor Vojvoda scheduled a meeting with Recreation Director Kenneth G. Rowland and Police Chief Grodski to resolve this matter.

A Petition in the matter of the application of Arthur W. Becker to amend or change the zoning ordinance of the Town of Riverhead, Suffolk County, New York was submitted to the Board.

The Petition was ordered filed.

The Town Board tabled the Petition to be taken under advisement along with other contemplated zoning changes at a later date.

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

RESOLVED, That the Town Board lease, in behalf of the Town, from the Roanoke Lodge No. 462, Independent Order of Odd Fellows the following parts of the building of landlord at the corner of Roanoke Avenue and Second Street, Riverhead, Town of Riverhead, Suffolk County, New York:

(a) The ground floor as presently occupied by tenant (landlord reserves the right to use the halls and elevator for access to other parts of the building).

(b) That part of the basement presently used by tenant, (landlord reserves the right to use the halls for access to its other premises).

For the term of three years to commence from the 1st day of January, 1965 and to end on the 31st day of December, 1967, upon the following conditions:-

That the annual rent shall be the sum of \$6,200.00, payable \$516.66 monthly.

That the Tenant shall make all repairs desired by it to the inside of the premises.

That the Tenant shall pay as additional rent an amount equal to 60% of any increase in taxes over \$2400.00 per year on the entire property of landlord on corner of Roanoke Avenue and Second Street, Riverhead, N. Y., during the term of this lease; said amount to be payable on January 1st of the year for which said taxes are levied.

In the event such taxes are less than \$2400.00 per year, then 60% of such decrease may be deducted from the rental payment due January 1st of such year.

That the Tenant shall have the option of renewing this lease for an additional period of 1, 2, 3, 4, or 5 years, upon the same terms and conditions as herein, except that the annual rental shall be \$6800.00 payable \$566.66 monthly, plus 60% of any increase in taxes over \$2400.00 per year. Notice of intention to exercise option must be given before January 1, 1967.

Landlord shall furnish without charge proper heat and water, unless prevented from so doing by acts and circumstances reasonably beyond their control.

Tenant shall furnish janitorial services desired by it in the premises leased to it, and shall also furnish janitorial services in the washrooms on the main floor of the building.

Tenant may do its own painting.

Tenant shall pay for its own electric.

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

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

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

NOTICE

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has ceased all matters and things to be done which are required by the Town Law in order than 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 provided, the Town Board of the Town of Riverhead hereby ordains and enacts the following amendment, change and modification of Ordinance No. 2 of the Town of Riverhead:

1. By amending SECTION 8 INSPECTORS, to read as follows:

"The Town Board shall appoint one or more fire inspectors and deputies as permitted under the Town Law, their compensation shall be fixed by the Town Board and their term of service shall be at the pleasure of the Town Board."

2. By amending SECTION 9b to read as follows: "Whenever the word 'Fire Inspector' or the word 'Inspector' or the plural of these is used herein the words shall mean the fire inspector as defined under Town Law, Section 138."

3. By Amending ARTICLE I, GENERAL PROVISIONS, SECTION 103, APPLICATION, by deleting from the second sentence of SECTION 103a the words: "of the fire district".

By amending SECTION 106 ORDERS TO ELIMINATE DANGEROUS OR HAZARDOUS CONDITIONS, by deleting from the first sentence the words: "of the fire district".

By amending SECTION 108 PERMITS, by adding to SECTION 108a the following: "A permit shall not remain in force for more than one year from issuance"; and by amending SECTION 108c by deleting from the first sentence the words: "The Town Clerk, upon the approval of."

By amending SECTION 110 DEFINITIONS, by deleting from the second sentence the words: "of the district".

4. By amending ARTICLE 3,

BOWLING ALLEYS, SECTION 303 ALLEY RESURFACING OPERATIONS, by deleting from the second sentence the words: "of the district".

5. By amending ARTICLE 5, DRY CLEANING PLANTS, SECTION 506, CLASS III SYSTEMS, by deleting the words: "of the district".

6. By amending ARTICLE 6, EXPLOSIVES, SECTION 603, PERMIT REQUIRED, by deleting from the second sentence the words: "of the district".

7. By amending ARTICLE 6, FIRE PROTECTION EQUIPMENT, SECTION 802, MAINTENANCE OF EQUIPMENT, by adding after the words: "at all times", the following: "and

all sprinkler systems shall have some type of audible or automatic alarm outside of the building to call attention to the fact that the system is in operation"; and

by deleting from the second sentence the words: "of the district"; and

by adding the following sentence: "Sprinkler systems, standpipe systems, fire alarm systems, and other fire protective or extinguishing systems or appliances shall be tested each year and a written report of such test shall be filed with the fire inspector within ten (10) days of such test."

8. By amending ARTICLE 9, FLAMMABLE LIQUIDS, SECTION 904c BULK STORAGE ABOVE - GROUND (OUTSIDE OF BUILDINGS), to read as follows: "A survey of the topography of the land upon which tanks are proposed to be placed for storage of flammable liquids, shall be made by a licensed Land Surveyor, to ascertain the grade of the land with respect to adjoining property. All installations of bulk storage tanks above ground for flammable liquids shall be diked to not less than 50% of the capacity of each installation. Regular inspections, by reputable inspectors, shall be made and a record kept at the installation readily available to the Fire Inspector, of the condition of all tanks above ground with respect to possible rupture or leaking.

Proper fire control equipment or devices shall be available as prescribed in Section 16.58 of Fire Prevention Code recommended by the National Fire Underwriters"; and

by amending SECTION 904d by deleting from the first sentence the words: "of the district"; and

by adding SECTION 904f to read as follows: "All fire protection equipment required in Article 8 shall be kept in working condition. Extinguishers and hose and similar appliances shall be visible and convenient at all times. It shall be the duty of the tenant and the owner of this type operation to properly train the personnel in the correct use of fire appliances so that they can be quickly put in operation. This type operation shall have on the premises at least one (1) 15 gallon type CO2 Extinguisher, or equivalent, and shall be inspected at least annually."; and

9. By amending ARTICLE 10, GARAGES, by adding SECTION 1005 to read as follows: "All fire protection equipment required in Article 8 shall be kept in working condition. Extinguishers and hose and similar appliances shall be visible and convenient at all times. It shall be the duty of the tenant and owner of this type operation to properly train the personnel in the correct use of fire appliances so that they can be quickly put in operation. This type operation shall have on the premises at least one (1) 15 gallon type CO2 Extinguisher, or equivalent, and shall be inspected at least annually."

10. By amending ARTICLE 11, LIQUEFIED PETROLEUM GASES, SECTION 1102a, PERMITS AND REPORTS OF INSTALLATIONS, by deleting from the third sentence the words: "of the district".

by amending SECTION 1103, INSPECTION OF INSTALLATIONS, by deleting from the first sentence the words: "of the district".

by amending SECTION 1104, LOCATION OF CONTAINERS, by identifying the first paragraph as "a." and by deleting from the first sentence the words: "of the district"; and by adding paragraph "b." to read as follows: "Multiple container installations with a total storage water capacity of more than 180,000 gallons (150,000 gallons LP-Gas capacity) shall be subdivided into groups containing not more than 180,000 gallons in each group. Such groups shall be separated by a distance of not less than 50 feet, unless the tanks are (1) buried or mounded in an approved manner, or (2) protected with approved insulation on such areas that may be subject to impingement of ignited gas from pipelines or other leakage or (3) protected by fire walls of approved construction, or (4) protected by an approved system for application of water, or (5) protected by other approved means. Where one of these forms of protection is provided, the separation shall not be less than 25 feet between such container groups."

11. By amending ARTICLE 13, PLACES OF ASSEMBLY, SECTION 1311b, MARKING OF EXIT WAYS, by deleting from the words: "of the district".

12. By amending ARTICLE 14, PRECAUTIONS AGAINST

FIRE, GENERAL, by deleting from SECTION 1401, BONFIRES AND OUTDOOR RUBBISH FIRES, paragraphs a. and b. and replacing it with paragraph a. to read as follows: "No person shall kindle or maintain an outdoor fire within twenty-five feet of any building or structure, or commercial display, or motor vehicle or property line, nor on or in any street, alley, sidewalk, public place or public property; nor in any container unless the same shall have been approved as herein; nor shall any such fire be left unattended nor shall any such fire be so kindled or maintained if the prevailing wind shall exceed a velocity of ten miles per hour; nor shall any such fire be so kindled or maintained which creates or causes to be created, any noxious or offensive odor, or smoke so dense in volume as to be hazard producing; nor shall any such fire be so kindled or maintained on any holiday after 1:00 P. M. prevailing time as such word is defined in the General Construction Law, at Section 24 thereof; nor on a Sunday after 1:00 P. M. prevailing time, unless on such holiday or Sunday such fire is kindled or maintained within an approved container, as provided herein. All fires other than in an approved container shall require a permit from the protecting department."

"In land clearing operations involving the burning of trees, underbrush shrubs, and/or debris of any kind or nature, such burning shall be conducted in a pit or trench not to exceed 25 feet in length and 10 feet in width, and not less than 5 feet in depth or down to the water table, whichever is less. Burning in such cases shall not be commenced before seven o'clock in the forenoon, prevailing time, nor after one o'clock in the afternoon; and each such fire must be extinguished not later than eight o'clock in the evening, prevailing time; and each such pit or trench so used shall be covered over at the end of each day's operations with non-inflammable materials to prevent the possible spread of fire."

"All vegetation uprooted as a result of a land clearing operation shall be burned, or removed to a Town dump or other lawful depository within thirty days after the completion of the

said land clearing operation."

"Fires requiring permits shall not be kindled before 7:00 A.M., prevailing time, and shall be extinguished by 8:00 P.M., prevailing time."

"Container, an approved container shall be made of non-inflammable material and have no openings larger than one square inch, including the cover. An outdoor grill or barbecue pit shall be considered an approved container providing that the fire contained therein shall be under control at all times and be used only for the purpose of cooking and not for disposal of combustible matter."

By amending SECTION 1401c by redesignating it 1401b and by deleting from it the words: "of the district"; and

By amending SECTION 1406, HANDLING READILY COMBUSTIBLE MATERIALS, by deleting from the second sentence the words: "of the district".

13. By amending ARTICLE 15, SMOKING PROHIBITED UNDER CERTAIN CONDITIONS, SECTION 1502, FIRE INSPECTOR TO DESIGNATE AREAS WHERE SMOKING SHALL BE PROHIBITED, by deleting from the first and second sentences the words: "of the district".

And the Town Clerk is hereby authorized and directed to enter the said amendment to Ordinance No. 2 in the minutes of the Town Board, and to publish a copy of the amendment 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 affidavits of said publication and posting.

This amendment, modification and change of Ordinance No. 2 shall take effect ten (10) days after such publication and posting. Dated: September 15, 1964

BY ORDER OF
THE TOWN BOARD
TOWN OF RIVERHEAD,
NEW YORK.
HELENE M. BLOCK,
TOWN CLERK.

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

At 10:45 A. M. Notice of Public Hearing was read and submitted to the Board relative to the Application for Franchise of Riverhead Community TV Service. The Notice was ordered placed on file.

Supervisor Vojvoda declared the Hearing open to anyone wishing to be heard in favor of or in opposition to the aforesaid Application for Franchise.

Joseph Bloom, Attorney, representing the Petitioner appeared before the Board and stated that said Petitioner is prepared to proceed in accordance with the stipulations as submitted in the application.

Supervisor Vojvoda: "I noted that there is one clause omitted in your application. In the past it has been the policy of the Town to grant a franchise for a term of 15 years and no option for renewal, and if we are to grant the franchise we would want this clause understood."

Attorney Joseph Bloom: "We will accept that".

Justice Costello: "Is there a schedule of charges in your application?"

Attorney Joseph Bloom: "Yes, sir".

Philip Kenter, President of Long Island Cablevision Corporation appeared before the Board and stated that he recognizes that the Long Island Cablevision Corporation does have a non-exclusive franchise and that the Town Board does have the right to issue as many franchises as they wish, however, he will bring to its attention the following facts for if another franchise were issued at this time it may cause extreme difficulty in providing service to the Town whether it be by Long Island Cablevision or any other competitor: Mr. Kenter continued:

New York Telephone Company has a policy which states that they will issue but one agreement for Pole Licenses in any one geographical area for which there is a CATV Franchise and their policy is not to choose which CATV company will have this agreement and would rather have the Town Board make such a selection.

Last year in August the Long Island Cablevision Corporation received its franchise from the Town of Riverhead and immediately thereafter did extensive work and spent a considerable amount of money in developing the CATV system for the Town of Riverhead.

On March 25th a second request was made to the N. Y. Telephone Company for a license agreement for the Poles, no such agreement was granted to Long Island Cablevision at that time because of an existing joint-use Pole Agreement between Long Island Lighting Company and the New York Telephone Company. It has taken from March 25th until today or yesterday to grant such an agreement.

Long Island Cablevision believes that there is a possible belief on the part of the Town Board and the residents of the Town that there has been complete inactivity by Long Island Cablevision. I would like to introduce at this point and this can be labeled "Exhibit A":

Mr. Kenter submitted to the Board a list of letters which were sent out by Long Island Cablevision from April 8, 1963 to August 11, 1964, totaling 98 letters which were generated for the purpose of developing the CATV System in the Town of Riverhead and referred to a number of the letters on said list.

The list was marked "Exhibit A" and ordered filed.

Mr. Kenter also submitted the following:

A map showing the Tower Location of the L. I. Cablevision Corporation.

The map was marked "Exhibit B" and ordered filed.

Sixteen individual detailed engineering drawings of the Town of Riverhead area and eleven drawings for the Flanders area depicting the engineering work done.

A communication from the N. Y. Telephone Company to Joseph Bloom, Esq.

The communication was marked "Exhibit C" and ordered filed.

A communication from the N. Y. Telephone Company to L. I. Cablevision.

The communication was marked "Exhibit D" and ordered filed.

Mr. Kenter further stated that it will take from four to eight weeks to complete all the work, further that they have an estimate of from \$20,000 to \$25,000 for the renovating of the poles for CATV and they are prepared to pay and have moneys set aside for these purposes, that a construction company has been engaged for the work, that they have purchased from the RCA a large parcel of land valued at \$60,000 and are prepared to enter into a lease with RCA to locate the tower adjacent to the land purchased.

Mr. Kenter further stated that while he is not seeking an exclusive franchise, he does request the Town Board to hold a moratorium of 90 days before any other franchise is issued to give the Long Island Cablevision time to prove it is more than capable of installing a system that will be suitable to all and further that its current schedule is to have the system completed prior to Christmas of this year.

Justice Costello: "If you recall, when you applied for the franchise Mr. Kenter, it was an exclusive franchise at your request and if you further recall, I was the one opposed to it. I know you have had difficulty with the L. I. Lighting Company and Telephone Company in getting your system in operation. I don't think it is the policy of this Board to pick and choose people on the basis of the policy of the Telephone Company in leasing their pole space to you.

It is my opinion as I have so stated last year to you that competition is always good whether it be in the Town of Riverhead or in the State of Alaska or in the State of Hawaii or anywhere throughout the United States, for it enables people to secure cheaper rates and I think this is what the Town Board is interested in.

Your request today before the Board is in effect to hold off any determination on any further applications for franchises for the reasons that you so well stated and your request to hold off any action whatsoever would in effect give you an exclusive right. This was not the intent of the Board at the time we granted you the franchise as we at that time vehemently stated that we were opposed to making an exclusive franchise to any one person. In speaking for myself, I believe in competition, I believe in letting everyone come in and letting the better man emerge victorious."

Councilman Young: "Is the N. Y. Telephone Company coming to the Board to choose which franchise we prefer and which they should give it to?"

Supervisor Vojvoda: "I believe so. Basically the L. I. Cablevision came to us first and if the Telephone Company is happy with them, we have no objections and have no reason to by pass them.

No one else wishing to be heard, Supervisor Vojvoda declared the Hearing closed.

The Town Board reserved decision on the above Application for Franchise.

At 11:30 A. M. Notice of Public Hearing was read and submitted to the Board relative to the Application for Franchise of Patchogue Broadcasting Company, Inc. The Notice was ordered placed on file.

Supervisor Vojvoda declared the Hearing open to anyone wishing to be heard in favor of or in opposition to the aforesaid Application for Franchise.

Wallace Davidow, Attorney representing the Patchogue Broadcasting Company, Inc., appeared before the Board in favor of the Franchise stating that the Company has been in the radio broadcasting business in Suffolk County for thirteen years presently operating WPAC in Patchogue and WAPC in Riverhead, further that the Company has all the experience and technical know-how and has access to all the facilities and equipment necessary to operate in the Town of Riverhead and requested that the Patchogue Broadcasting Company be given the same opportunity as other applicants to operate in the Town of Riverhead.

Justice Costello: "What are the rates?"

Town Attorney Scheinberg: "\$35.00".

Joseph Bloom, Attorney: "In view of the announcement of the \$30.00 fee for installation and \$5.00 monthly charge, Riverhead Community TV Service will let competition speak for itself and will meet this price."

Mr. Philip Kenter: "For the record, my argument is the same."

Morton Morrison, Vice President and Technical Director of the Patchogue Broadcasting Company and also a licensed Consulting Broadcast Engineer qualified to practice before the Federal Communications Commission appeared before the Board and stated that the big question of the availability and usage of Telephone Company poles is what he wished to talk on.

Mr. Morrison stated that the Telephone Company is a Common Carrier licensed by the Federal Communications Commission and therefor unless they can find some extreme cause such as an undesirable client they must supply facilities to anyone who so desires and in fact they must string a cable and rent facilities to anyone desiring same as they are so doing all over the entire country as a network.

Mr. Morrison further stated that people are interested in receiving a superior service and that his company can supply this type of service as they are doing it in the radio business and hope to do so in the cable business. That they have not prepared tons of maps due their economical operation and have not called in outside survey people because by recent tabulation they have talked to 50,000 people in the County and know what their desires are and what they want and they are going to serve them.

Mr. Morrison further added that they are working in conjunction with a number of development organizations who are building equipment and some of the new designs are so fantastic that they are almost unbelievable and concluded that they hope to progress to cover not only the Town of Riverhead but all of Suffolk County.

No one else wishing to be heard, Supervisor Vojvoda declared the Hearing closed. The Town Board reserved decision on the above Application for Franchise.

At 11:15 A. M. Notice of Public Hearing was read and submitted to the Board relative to the Application to amend the Franchise of Long Island Cablevision Corporation. The Notice was ordered placed on file.

Shepard M. Scheinberg, Town Attorney explained that the reason for this amendment was to protect any local television station from being blocked out by a cablevision corporation where all the antennas would be taken down from the Town by a cablevision company coming in and that this covenant was inserted in order that our local people would be able to see our local TV station, should there be one.

Supervisor Vojvoda: "And this covenant applies to the other applications."

Supervisor Vojvoda declared the Hearing open to anyone wishing to be heard in favor of or in opposition to the aforesaid Application to amend Franchise.

No one wishing to be heard, Supervisor Vojvoda declared the Hearing closed.

Supervisor Vojvoda thanked everyone for appearing and advised that the Board would take the matter of the Applications under consideration.

The Town Board convened as a Board of Audit and examined all Town Bills submitted on Warrants dated September 15, 1964 as follows: General Town-\$8,701.71, General Repairs Highway Item No. 1-\$8,173.35, Machinery Highway Item No. 3-\$1,370.90 and Miscellaneous Highway Item No. 4-\$362.80.

The Town Board disallowed the bill of Tomassini submitted in the amount of \$29.95 in the Miscellaneous Highway Item No. 4 Account.

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

RESOLVED, That the General Town Bills as submitted in the amount of \$8,701.71 be approved for payment, and

FURTHER RESOLVED, That General Repairs Highway Item No. 1 bills in the amount of \$8,173.35, Machinery Highway Item No. 3 bills in the amount of \$1,370.90 and Miscellaneous Highway Item No. 4 bills in the amount of \$332.85 be approved for payment.

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

There being no further business, the meeting adjourned at 12:00 o'clock Noon to meet on Tuesday, October 6, 1964 at 10:30 A. M.

Helene M. Block

Helene M. Block, Town Clerk