

MINUTES OF A SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD HELD IN THE TOWN HALL ON FRIDAY, MARCH 8, 1963 AT 9:30 A. M.

PRESENT:

WILLIAM J. LEONARD, SUPERVISOR

BRUNO F. ZALOGA, JR.

THOMAS R. COSTELLO, JUSTICES OF THE PEACE

ELMER A. STOTZKY

ULICK BELL, JR., COUNCILMEN

JUSTICE ZALOGA OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILMAN STOTZKY.

WHEREAS, THE PLANNING BOARD HAS FORWARDED TO THIS TOWN BOARD A CERTAIN RESOLUTION ADOPTED BY IT ON DECEMBER 26, 1962, IN CONNECTION WITH THE APPROVAL OF THE PROPOSED SUBDIVISION PLAT KNOWN AS "HILL & DALE, SECTION 3", AND

WHEREAS, MESSRS. ROBERT ALLEN, JOSEPH MURRAY AND KENNETH THURBER HAVE APPEARED BEFORE THIS TOWN BOARD AND HAVE REQUESTED FAVORABLE ACTION BY THIS TOWN BOARD AND HAVE IN CONNECTION THEREWITH TENDERED VARIOUS INSTRUMENTS,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD IN THE COUNTY OF SUFFOLK, NEW YORK, AS FOLLOWS:

SECTION 1. THE PERFORMANCE BOND OF THE CONTINENTAL CASUALTY COMPANY, AS SURETY, IN THE AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS (\$18,500.00) IS APPROVED BY THIS TOWN BOARD AS TO FORM, SUFFICIENCY AND MANNER OF EXECUTION.

SECTION 2. THIS TOWN BOARD APPROVES THE CONTINENTAL CASUALTY COMPANY AS SURETY IN ACCORDANCE WITH THE NEW YORK TOWN LAW SECTION 277, SUBDIVISION 1.

SECTION 3. THIS TOWN BOARD ACKNOWLEDGES RECEIPT OF A DEED OF DEDICATION TO A PARK AREA IN "HILL & DALE, SECTION 3", DATED MARCH 6, 1963, AND WILL HOLD SAID DEED IN ITS POSSESSION WITHOUT RECORDATION UNTIL THE "HILL & DALE, SECTION 3, PARK DISTRICT" IS CREATED AT WHICH TIME SAID DEED WILL BE RECORDED. IN THE EVENT SAID PARK DISTRICT IS NOT CREATED BEFORE JANUARY 1, 1964, THE SAID DEED OF DEDICATION SHALL BE RETURNED TO MR. ROBERT A. ALLEN OF WADING RIVER, NEW YORK, AND SHALL NOT BE RECORDED.

SECTION 4. THE TOWN CLERK IS DIRECTED TO NOTIFY THE PLANNING BOARD THAT THIS TOWN BOARD HAS APPROVED THE \$18,500 PERFORMANCE BOND OF MESSRS. ROBERT A. ALLEN, JOSEPH MURRAY, KENNETH THURBER AND A. ANTHONY PISACANO, AS REQUIRED BY THE NEW YORK TOWN LAW SECTION 277, SUBDIVISION 1; THAT A PETITION EXECUTED AND ACKNOWLEDGED AS REQUIRED BY THE NEW YORK TOWN LAW SECTION 191 HAS BEEN FILED WITH THE TOWN CLERK; AND THAT MESSRS. ROBERT A. ALLEN, KENNETH THURBER AND JOSEPH MURRAY HAVE TENDERED A DEED OF DEDICATION FOR A PARK AND PLAYGROUND AREA IN "HILL & DALE, SECTION 3".

SECTION 5. THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY. THE VOTE---COUNCILMAN BELL, YES, COUNCILMAN STOTZKY, YES, JUSTICE ZALOGA, YES, JUSTICE COSTELLO, YES, AND SUPERVISOR LEONARD, YES. THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

JUSTICE ZALOGA OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY JUSTICE COSTELLO.

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IN THE MATTER OF THE

ORDER ESTABLISHING DISTRICT

CREATION OF HILL AND DALE, SECTION 3 : PARK IN THE TOWN OF RIVERHEAD, COUNTY OF SUFFOLK AND STATE OF NEW YORK :

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WHEREAS, A WRITTEN PETITION, DATED THE 13TH DAY OF JANUARY 1963, IN DUE FORM AND CONTAINING THE REQUIRED SIGNATURES HAS BEEN PRESENTED TO AND FILED WITH THE TOWN BOARD OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, FOR THE ESTABLISHMENT OF THE HILL AND DALE SECTION 3 PARK DISTRICT IN SAID TOWN, AND

WHEREAS, THE PROPOSED PARK DISTRICT WOULD BE MADE AT NO COST TO THE TOWN OF RIVERHEAD, AND

WHEREAS, ROBERT A. ALLEN, JOSEPH MURRAY, AND KENNETH THURBER HAVE TENDERED TO THIS TOWN BOARD A DEED OF DEDICATION FOR A PROPOSED PARK AREA IN THE HEREINAFTER DESCRIBED PROPOSED PARK DISTRICT, AND

WHEREAS, AN ORDER WAS DULY ADOPTED BY THE TOWN BOARD ON THE 19TH DAY OF FEBRUARY 1963, RECITING THE FILING OF SAID PETITION, THE BOUNDARIES OF THE PROPOSED PARK DISTRICT, AND THE FACT THAT THERE WOULD BE NO EXPENSE TO THE TOWN IN CONNECTION THEREWITH, AND SPECIFYING MARCH 5, 1963 AT 11 O'CLOCK A. M. (E.S.T.) AS THE TIME AND THE TOWN HALL, 220 ROANOKE AVENUE, IN SAID TOWN AS THE PLACE WHERE THE SAID TOWN BOARD WOULD MEET TO CONSIDER THE PETITION AND TO HEAR ALL PERSONS INTERESTED IN THE SUBJECT THEREOF, CONCERNING THE SAME, AND

WHEREAS, SAID TOWN BOARD HAS CAUSED A COPY OF SAID ORDER, DULY CERTIFIED BY THE TOWN CLERK, TO BE PUBLISHED ON THE 21ST DAY OF FEBRUARY 1963 IN THE "NEWS-REVIEW", THE OFFICIAL PAPER OF THE TOWN OF RIVERHEAD, AND HAS CAUSED COPIES THEREOF TO BE POSTED CONSPICUOUSLY IN FIVE PUBLIC PLACES WITHIN THE PROPOSED HILL AND DALE SECTION 3 PARK DISTRICT ON THE 20TH DAY OF FEBRUARY 1963, AND

WHEREAS, A HEARING IN THE MATTER WAS DULY HELD BY THIS TOWN BOARD ON THIS 5TH DAY OF MARCH 1963 COMMENCING AT 11 O'CLOCK A. M. (E.S.T.) AT THE TOWN HALL, 220 ROANOKE AVENUE, IN SAID TOWN, AND DISCUSSION UPON THE MATTER HAVING BEEN HAD, AND ALL PERSONS DESIRING TO BE HEARD, HAVING BEEN DULY HEARD, INCLUDING THE PETITIONERS, NOW, THEREFORE, THIS TOWN BOARD HEREBY FINDS AND DETERMINES:

1. THE PETITION AFORESAID IS SIGNED AND ACKNOWLEDGED OR APPROVED AS REQUIRED BY LAW, IT DULY COMPLIES WITH THE REQUIREMENTS OF THE TOWN LAW SECTION 191 AS TO SUFFICIENCY OF SIGNERS WITH RESPECT TO THE BOUNDARIES OF THE PROPOSED PARK DISTRICT AS HEREIN APPROVED AND IT IS OTHERWISE SUFFICIENT.

2. ALL THE PROPERTY AND PROPERTY OWNERS WITHIN THE PROPOSED PARK DISTRICT ARE BENEFITED THEREBY.

3. ALL THE PROPERTY AND PROPERTY OWNERS BENEFITED ARE INCLUDED WITHIN THE LIMITS OF THE PROPOSED PARK DISTRICT.

4. IT IS IN THE PUBLIC INTEREST TO GRANT IN WHOLE THE RELIEF SOUGHT BY SAID PETITION.

5. THE ESTABLISHMENT OF A PARK DISTRICT TO BE KNOWN AS HILL AND DALE SECTION 3 PARK DISTRICT AS PROPOSED IN SAID PETITION IS APPROVED.

6. THE DISTRICT PROPOSED IN SAID PETITION SHALL BE DESIGNATED AND KNOWN AS "HILL AND DALE SECTION 3 PARK DISTRICT" OF THE TOWN OF RIVERHEAD, AND IT IS HEREBY

ORDERED, THAT A PARK DISTRICT BE ESTABLISHED IN THE SAID TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO BE DESIGNATED AS HILL AND DALE SECTION 3 PARK DISTRICT AND TO BE OF THE FOLLOWING DESCRIPTION AND BOUNDARIES, TO WIT:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING AT WADING RIVER, TOWN OF RIVERHEAD, COUNTY OF SUFFOLK AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF OVERHILL ROAD, A PROPOSED ROADWAY 50 FEET IN WIDTH, WHICH SAID POINT BEARS THE FOLLOWING FIVE COURSES, AS MEASURED ALONG THE NORTHERLY AND EASTERLY LINE OF SAID OVERHILL ROAD, FROM A POINT FORMED BY THE INTERSECTION OF THE NORTHERLY LINE OF OVERHILL ROAD WITH THE EASTERLY LINE OF DOGWOOD DRIVE, SAID POINT OF REFERENCE BEING SHOWN ON A CERTAIN MAP ENTITLED MAP OF HILL AND DALE, SECTION 2, WHICH SAID MAP WAS FILED IN THE OFFICE OF THE CLERK OF SUFFOLK COUNTY JUNE 12, 1959 AS FILE No. 2987: (1) ALONG THE ARC OF A CIRCLE BEARING TO THE LEFT ON A RADIUS OF 23.00 FEET, A DISTANCE OF 38.23 FEET TO A POINT, (2) ALONG THE ARC OF A CIRCLE BEARING TO THE LEFT ON A RADIUS OF 60.57 FEET, A DISTANCE OF 66.86 FEET TO A POINT, (3) NORTH $38^{\circ} 14' 50''$ EAST A DISTANCE OF 212.60 FEET TO A POINT, (4) ALONG THE ARC OF A CIRCLE BEARING TO THE RIGHT ON A RADIUS OF 143.31 FEET, A DISTANCE OF 368.54 FEET TO A POINT, AND (5) SOUTH $05^{\circ} 35' 20''$ WEST A DISTANCE OF 554.71 FEET TO THE POINT OF BEGINNING, AND THENCE RUNNING SOUTH $84^{\circ} 24' 40''$ EAST ALONG THE SOUTHERLY LINE OF PROPOSED LOT No. 60, NOW OF THE PETITIONERS, A DISTANCE OF 150.15 FEET TO A POINT AND THE WESTERLY LINE OF TERMINAL PARK, A SUBDIVISION FILED IN THE OFFICE OF THE CLERK OF SUFFOLK COUNTY; THENCE RUNNING SOUTH $05^{\circ} 35' 20''$ WEST ALONG THE WESTERLY LINE OF SAID TERMINAL PARK, A DISTANCE OF 130.00 FEET TO A POINT; THENCE RUNNING NORTH $84^{\circ} 24' 40''$

WEST ALONG THE NORTHERLY LINE OF PROPOSED LOT No. 59, NOW OF THE PETITIONERS, A DISTANCE OF 150.15 FEET TO A POINT ON THE EASTERLY LINE OF THE AFORESAID OVERHILL ROAD; THENCE RUNNING NORTH $05^{\circ} 35' 20''$ EAST ALONG THE EASTERLY LINE OF OVERHILL ROAD A DISTANCE OF 130.00 FEET TO THE POINT OR PLACE OF BEGINNING.

TOGETHER WITH A RIGHT OF WAY OVER THE AFORESAID OVERHILL ROAD WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF OVERHILL ROAD AT THE PRESENT EASTERLY TERMINUS THEREOF AS SHOWN ON MAP OF HILL AND DALE SECTION 2, AND THENCE RUNNING NORTH $38^{\circ} 14' 50''$ EAST ALONG THE NORTHERLY OR NORTHWESTERLY LINE OF OVERHILL ROAD A DISTANCE OF 212.60 FEET TO A POINT; THENCE RUNNING ALONG A CURVED LINE, CURVING TO THE RIGHT ON A RADIUS OF 143.31 FEET ALONG THE NORTHERLY AND THE NORTHEASTERLY LINE OF OVERHILL ROAD, A DISTANCE OF 368.54 FEET TO A POINT; THENCE RUNNING SOUTH $05^{\circ} 35' 20''$ WEST ALONG THE EASTERLY LINE OF OVERHILL ROAD A DISTANCE OF 1012.60 FEET TO A POINT; THENCE RUNNING ALONG THE ARC OF A CIRCLE BEARING TO THE RIGHT ON A RADIUS OF 50.00 FEET, A DISTANCE OF 104.72 FEET TO A POINT; THENCE RUNNING SOUTH $69^{\circ} 12' 10''$ WEST ALONG LANDS OF THE LONG ISLAND LIGHTING COMPANY A DISTANCE OF 55.81 FEET TO A POINT; THENCE RUNNING NORTH $05^{\circ} 35' 20''$ EAST ALONG THE WESTERLY LINE OF OVERHILL ROAD A DISTANCE OF 24.81 FEET TO A POINT; THENCE RUNNING ALONG THE ARC OF A CIRCLE BEARING TO THE RIGHT ON A RADIUS OF 50.00 FEET, A DISTANCE OF 104.72 FEET; THENCE RUNNING NORTH $05^{\circ} 35' 20''$ EAST ALONG THE WESTERLY LINE OF OVERHILL ROAD, A DISTANCE OF 1005.21 FEET TO A POINT; THENCE RUNNING ALONG THE ARC OF A CIRCLE BEARING TO THE LEFT ON A RADIUS OF 90.77 FEET ALONG THE SOUTHERLY AND SOUTHEASTERLY LINE OF OVERHILL ROAD, A DISTANCE OF 227.23 FEET TO A POINT; THENCE RUNNING SOUTH $41^{\circ} 06' 30''$ WEST ALONG THE SOUTHEASTERLY LINE OF OVERHILL ROAD, A DISTANCE OF 212.85 FEET TO A POINT; THENCE RUNNING NORTH $51^{\circ} 45' 10''$ WEST ALONG THE PRESENT EASTERLY TERMINUS OF OVERHILL ROAD AS SHOWN ON MAP OF HILL AND DALE, SECTION 2, A DISTANCE OF 50.00 FEET TO A POINT OR PLACE OF BEGINNING.

ALSO A RIGHT OF WAY, 50 FEET IN WIDTH, OVER THAT PART OF OVERHILL ROAD AND DOGWOOD DRIVE AS SHOWN ON MAP OF HILL AND DALE, SECTION 2 WHICH LIES BETWEEN THE WESTERLY TERMINUS OF THE ABOVE DESCRIBED OVERHILL ROAD AND THE SOUTHERLY TERMINUS OF DOGWOOD DRIVE, A TOWN HIGHWAY 50 FEET IN WIDTH, AS SHOWN ON MAP OF HILL AND DALE, SECTION 1. AND IT IS FURTHER,

ORDERED, THAT THE TOWN CLERK, WITHIN TEN DAYS AFTER THE ADOPTION OF THIS ORDER SHALL RECORD A CERTIFIED COPY THEREOF IN THE OFFICE OF THE CLERK OF THE COUNTY OF SUFFOLK AND SHALL FILE A CERTIFIED COPY THEREOF WITH THE NEW YORK STATE DEPARTMENT OF AUDIT AND CONTROL.

DATED: MARCH 8, 1963

TOWN BOARD OF THE TOWN OF RIVERHEAD

WILLIAM J. LEONARD
SUPERVISOR

BRUNO ZALOGA, JR.
JUSTICE OF THE PEACE

THOMAS R. COSTELLO
JUSTICE OF THE PEACE

(SEAL)

ELMER A. STOTZKY
COUNCILMAN

ULICK BELL JR.
COUNCILMAN

MEMBERS OF THE TOWN BOARD OF THE
TOWN OF RIVERHEAD

THE VOTE---COUNCILMAN BELL, YES, COUNCILMAN STOTZKY, YES,
JUSTICE ZALOGA, YES, JUSTICE COSTELLO, YES, AND SUPERVISOR LEONARD,
YES. THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

THERE BEING NO FURTHER BUSINESS ON MOTION AND VOTE, THE
MEETING ADJOURNED.

Anthony F. Gadzinski
ANTHONY F. GADZINSKI, TOWN CLERK

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