

MINUTES OF A MEETING OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD HELD IN THE TOWN HALL ON TUESDAY, JULY 17, 1962 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

ALSO PRESENT: J. LEO SAXSTEIN, TOWN ATTORNEY, AND THADDEUS ZEMBKO, SUPERINTENDENT OF HIGHWAYS.

ATTORNEY WILLIAM HATTRICK APPEARED BEFORE THE BOARD IN BEHALF OF WILLIAM D. CONKLIN RELATIVE TO THE PURCHASE OF A PARCEL OF TOWN PROPERTY OFF OF BROWN STREET.

AFTER DISCUSSION THE MATTER WAS REFERRED TO COUNCILMAN STOTZKY. HE IS TO CONTACT MR. CONKLIN TO DETERMINE HOW MUCH MR. CONKLIN IS WILLING TO PAY FOR THE PARCEL HE DESIRES.

A COMMUNICATION DATED JULY 9, 1962 FROM THE SUFFOLK COUNTY DEPARTMENT OF PLANNING WAS SUBMITTED TO THE BOARD RELATIVE TO AMENDMENTS TO THE BUILDING-ZONE ORDINANCES OF THE TOWN OF BROOKHAVEN.
COMMUNICATION ORDERED FILED.

A COMMUNICATION DATED JULY 7, 1962 FROM THE HARTWOOD CIVIC ASSOCIATION, WADING RIVER, WAS SUBMITTED TO THE BOARD REQUESTING THAT A BOAT LAUNCHING RAMP BE BUILT IN WADING RIVER.
THE TOWN CLERK WAS DIRECTED TO REPLY THAT THE MATTER WAS UNDER CONSIDERATION.
COMMUNICATION ORDERED FILED.

A COMMUNICATION FROM THE SUFFOLK COUNTY CIVIL SERVICE COMMISSION WAS SUBMITTED TO THE BOARD RELATIVE TO THE ELIGIBILITY LIST FOR RECREATION DIRECTOR IN THE TOWN OF RIVERHEAD.
COMMUNICATION ON FILE IN SUPERVISOR'S OFFICE.

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

RESOLVED THAT KENNETH G. ROWLAND BE AND HE IS HEREBY APPOINTED AS RECREATION DIRECTOR, EFFECTIVE JULY 17, 1962, PURSUANT TO SUFFOLK COUNTY CIVIL SERVICE LIST NO. 2-132 ESTABLISHED JULY 10, 1962; TO BE COMPENSATED AT THE SAME SALARY AS HERETOFORE.

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.

A COMMUNICATION DATED JULY 11, 1962 FROM THE SUFFOLK COUNTY CIVIL SERVICE COMMISSION WAS SUBMITTED TO THE BOARD RELATIVE TO AN EXAMINATION FOR ZONING INSPECTOR. MATTER TABLED UNTIL THE NEXT MEETING. COMMUNICATION ON FILE IN SUPERVISOR'S OFFICE.

RECREATION DIRECTOR ROWLAND REQUESTED THAT THE BOARD MEET WITH THE RECREATION COMMISSION RELATIVE TO THE APPOINTMENT OF AN ASSISTANT RECREATION DIRECTOR AND OTHER RELATED MATTERS. IT WAS THE CONSENSUS OF THE BOARD THAT SAID MEETING BE HELD ON AUGUST 7, 1962 AT 2:00 P. M.

TOWN ATTORNEY SAXSTEIN REPORTED THAT HE HAD RECEIVED A COMMUNICATION FROM THE STATE COMMISSION FOR HUMAN RIGHTS RELATIVE TO A COMPLAINT ABOUT THE TOWN RECREATION DEPARTMENT RELATIVE TO PROBLEMS IN SECURING RECREATIONAL FACILITIES FOR EX-MIGRANTS-TOWN OF RIVERHEAD-SUMMER OF 1961.

THE COMMISSION REQUESTED THE APPEARANCE OF MR. SAXSTEIN AND RECREATION DIRECTOR ROWLAND AT A MEETING IN NEW YORK ON JULY 18, 1962, AT 2:30 P. M., BEFORE FRANCIS X. GIACCONE, COMMISSIONER.

IT WAS THE CONSENSUS OF THE BOARD THAT MR. SAXSTEIN AND MR. ROWLAND ATTEND SUCH MEETING AND REPORT TO THE BOARD.

AT 11:00 A. M. NOTICE OF PUBLIC HEARING WAS READ AND SUBMITTED TO THE BOARD RELATIVE TO A PROPOSAL TO AMEND ZONING ORDINANCE No. 26, BY CHANGING "USE DISTRICTS" ON LAND LOCATED SOUTH OF COUNTY ROAD 58 BETWEEN ITS INTERSECTION WITH OSTRANDER AVENUE AND OLIVER STREET.

SUPERVISOR LEONARD THEREUPON DECLARED THE HEARING OPEN TO ANYONE WISHING TO BE HEARD IN FAVOR OF OR OPPOSITION TO SAID CHANGES AND AMENDMENTS.

A COMMUNICATION DATED JULY 17, 1962 FROM THE TOWN PLANNING BOARD RELATIVE TO THIS MATTER WAS SUBMITTED TO THE BOARD.

THE PLANNING BOARD BY A VOTE OF 3 TO 2 ADOPTED A RESOLUTION ON JULY 16, 1962 RECOMMENDING TO THE TOWN BOARD THAT THEY DENY THE PETITION FOR SAID CHANGES AND AMENDMENTS.

COMMUNICATION ORDERED FILED.

ATTORNEY ROBERT L. TOOKER APPEARED BEFORE THE BOARD ON BEHALF OF THE PETITIONERS FAVORING THE ADOPTION OF SAID CHANGES AND AMENDMENTS.

HE PRESENTED TO THE BOARD CERTAIN "COVENANTS AND RESTRICTIONS" AFFECTING THE SAID PROPERTY WHICH WOULD INSURE THAT WITHIN 50' OF THE EASTERLY AND WESTERLY BOUNDARY, AND 50' OF THE SOUTHERLY

BOUNDARY, NO BUILDINGS WOULD BE BUILT, AND THAT A STRIP 25' WIDE BORDERING THE EASTERLY, WESTERLY AND SOUTHERLY BOUNDARIES WOULD BE PLANTED IN SHRUBS OR LEFT TO GROW IN TREES, AND THAT PLANTINGS WOULD BE ESTABLISHED IN THE SOUTHEAST AND SOUTHWEST SECTOR OF THE SAID PROPERTY, ALL TO PROVIDE ADEQUATE SEPARATION BETWEEN THE BUILDINGS TO BE ERECTED AND THE PRESENT HOMES IN THE SURROUNDING AREA. SAID "COVENANTS AND RESTRICTIONS" WERE ALSO IN ACCORDANCE WITH THE CONVERSATIONS HAD WITH THE PLANNING BOARD AT A RECENT MEETING, SAID MR. TOOKER.

MR. TOOKER FURTHER STATED THAT MR. JACOB HARDING WHO IS HIS PRINCIPAL OPPOSITION IN THIS MATTER, AND WHO HAS BASED MOST OF HIS ARGUMENTS ON THE IDEA THAT BUSINESS ON MAIN STREET WOULD BE HURT IF SAID CHANGES WERE GRANTED AND THE PROPOSED SHOPPING CENTER WAS BUILT ON ROUTE 58, APPEARED BEFORE THE ZONING BOARD OF APPEALS ON THURSDAY AND ASKED FOR ALMOST EXACTLY THE SAME THING IN CONNECTION WITH DUGAN BAKERIES.

MR. TOOKER STATED THAT MR. HARDING REQUESTED THE BOARD OF APPEALS TO PERMIT DUGAN BAKERIES TO SELL RETAIL AT THEIR STORE ON ROUTE 58. THIS, MR. TOOKER STATED, CONSTITUTES A BUSINESS USE, THE SAME TYPE OF BUSINESS USE HE AND THE PETITIONERS ARE ASKING FOR FURTHER EAST ON ROUTE 58.

A COMMUNICATION DATED JULY 16, 1962 FROM JACOB HARDING WAS READ AND SUBMITTED TO THE BOARD IN OPPOSITION TO SAID CHANGES AND AMENDMENTS TO THE ZONING ORDINANCE.
COMMUNICATION ORDERED FILED.

MR. ROBERT TOOKER REQUESTED A CERTIFIED COPY OF MR. HARDING'S COMMUNICATION AND THE TOWN CLERK WAS DIRECTED TO PROVIDE MR. TOOKER WITH SAME.

MR. TOOKER STATED THAT IT SEEMED TO HIM THAT MR. HARDING'S COMMUNICATION CONSTITUTES LIBEL, THAT IT ACCUSES HIM OF FRAUD AND FORGERY, AND HE WOULD LIKE TO HAVE THE OPPORTUNITY TO STUDY MR. HARDING'S COMMUNICATION.

MR. TOOKER URGED THE BOARD TO ACT PROMPTLY ON THIS MATTER.

NO ONE ELSE WISHING TO BE HEARD AND NO FURTHER COMMUNICATIONS HAVING BEEN RECEIVED, SUPERVISOR LEONARD DECLARED THE HEARING CLOSED.

AFFIDAVIT OF PUBLICATION OF NOTICE OF PUBLIC HEARING ORDERED FILED. MATTER TABLED UNTIL LATER IN THE MEETING.

A DISCUSSION WAS HELD RELATIVE TO THE USE OF THE MARINA AT THE TOWN BEACH IN JAMESPORT.

JUSTICE COSTELLO STATED THAT HE WAS OPPOSED TO ANYONE USING THE BEACH FOR ANY PURPOSE UNTIL SUCH TIME AS THE MARINA WAS PROPERLY BULKHEADED.

IT WAS THE CONSENSUS OF THE OTHER MEMBERS OF THE BOARD THAT THE PUBLIC BE PERMITTED TO USE THE MARINA EXCEPT FOR WATER SKIING, SWIMMING AND RACING.

COUNCILMAN STOTZKY REPORTED THAT A MEETING WAS TO BE HELD WITH THE SUFFOLK COUNTY HEALTH DEPARTMENT ON TUESDAY AT 9:30 A.M., RELATIVE TO THE FLY PROBLEM IN THE SUNRISE AVENUE, MEADOW LANE, AND FURTHER LANE AREA.

COUNCILMAN STOTZKY STATED THAT HE WAS SEEKING A FLY SPRAY THAT COULD BE SAFELY USED ON THE DUCK FARMS.

AT 12:15 P. M. SUPERVISOR LEONARD CALLED A RECESS FOR LUNCH, THE BOARD TO RECONVENE AT 2:15 P. M.

AT 2:15 P. M. THE BOARD RECONVENED WITH ALL MEMBERS OF THE BOARD PRESENT.

A DISCUSSION WAS HELD RELATIVE TO THE REQUEST OF THE WADING RIVER CIVIC ASSOCIATION TO AMEND THE ZONING ORDINANCE TO PROHIBIT THE ESTABLISHMENT OF TRAILER PARKS IN THE TOWN OF RIVERHEAD.

IT WAS THE CONSENSUS OF THE BOARD THAT THE TOWN CLERK BE DIRECTED TO REPLY TO THE WADING RIVER CIVIC ASSOCIATION AND INFORM THEM THAT THE BOARD HAS DECIDED TO TAKE NO ACTION ON THIS MATTER AT THIS TIME, AND TO WAIT UNTIL THIS MATTER HAS BEEN CONSIDERED BY THE PLANNING BOARD UNDER ITS URBAN PLANNING ASSISTANCE PROGRAM.

A DISCUSSION WAS HELD RELATIVE TO CHANGES AND AMENDMENTS TO THE ZONING ORDINANCE ON LAND SITUATE ON THE SOUTH SIDE OF ROUTE 58, BETWEEN OLIVER STREET AND OSTRANDER AVENUE.

CERTAIN CHANGES WERE SUGGESTED IN THE "COVENANTS AND RESTRICTIONS" AS PREPARED BY ATTORNEY ROBERT TOOKER RELATIVE TO (1) RIGHT OF SUBSEQUENT OWNERS RELATIVE TO RESTRICTION OF ACCESS TO OSTRANDER AVENUE (2) TYPE, EXTENT AND HEIGHTS OF FOILAGE IN BUFFER ZONES (3) THE TERM OF THE "COVENANTS AND RESTRICTIONS".

SUPERVISOR LEONARD SUGGESTED THAT BEFORE MR. TOOKER BE REQUESTED TO MAKE THE SUGGESTED CHANGES IN THE "COVENANTS AND RESTRICTIONS" THAT THE BOARD BE POLLED FOR AN EXPRESSION OF OPINION ON SAID CHANGES AND AMENDMENTS TO THE ZONING ORDINANCE. THE RESULT OF THE POLL WAS AS FOLLOWS: COUNCILMAN BELL, YES, COUNCILMAN STOTZKY, YES, JUSTICE ZALOGA, YES, JUSTICE COSTELLO, NO, AND SUPERVISOR LEONARD, NO.

THE TOWN ATTORNEY WAS DIRECTED TO CONTACT MR. TOOKER RELATIVE TO CHANGES IN THE "COVENANTS AND RESTRICTIONS" IN ORDER THAT THE MATTER MAY BE BROUGHT BEFORE THE BOARD AT ITS NEXT MEETING FOR FURTHER CONSIDERATION.

JUSTICE COSTELLO REPORTED THAT THE JUSTICES WOULD LIKE TO TAKE OVER THE ROOM IN THE TOWN HALL USED BY THE WATER DISTRICT FOR USE AS "CHAMBERS" FOR THE JUSTICE COURT.

IT WAS SUGGESTED THAT THE OFFICE OF THE WATER DISTRICT MOVE TO THE PLANT BUILDING ON PULASKI STREET OR INTO THE OFFICE OF THE TAX RECEIVER.
MATTER TABLED FOR FURTHER CONSIDERATION.

SUPERVISOR LEONARD ADVISED THE BOARD THAT HE HAS ELIMINATED THE PARK AND BEACH COMMITTEE AND THAT HE AND COUNCILMAN BELL WOULD NOW SERVE ON THE RECREATION COMMITTEE.

A DISCUSSION WAS HELD RELATIVE TO THE WORKING HOURS FOR EMPLOYEES IN THE TOWN HALL.

JUSTICE COSTELLO STATED THAT THE WORKING HOURS SHOULD BE STANDARDIZED AND ANY OFFICE MANNED BY TWO OR MORE PEOPLE SHOULD BE OPEN DURING THE NOON HOUR.
MATTER TABLED FOR FURTHER CONSIDERATION.

THE TOWN BOARD CONVENEED AS A BOARD OF AUDIT AND EXAMINED ALL BILLS TO DATE, THE TOTAL OF WHICH WERE AS FOLLOWS: GENERAL TOWN---\$12,972.69 AND MACHINERY FUND---\$1,981.05. ON MOTION MADE BY COUNCILMAN BELL AND SECONDED BY JUSTICE ZALOGA, IT WAS RESOLVED THAT THE BILLS BE APPROVED AND PAID AS RENDERED. 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 AT 4:30 P. M. TO MEET ON TUESDAY, AUGUST 7, 1962 AT 9:30 A. M.

Anthony F. Gadzinski
ANTHONY F. GADZINSKI, TOWN CLERK

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