

Minutes of a Meeting of the Town Board of the Town of Riverhead held at  
Town Hall, Riverhead, New York, on Tuesday, April 9, 1968 at 10:30 A.M.

Present:

Robert B. Vojvoda, Supervisor

Thomas R. Costello, Town Justice

Vincent B. Grodski

George G. Young, Councilmen

Absent: Bruno Zaloga, Town Justice

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

The meeting was called to order at 10:30 A.M., by Supervisor Vojvoda.

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

RESOLVED, That the Minutes of the Meeting of the Town Board held in the  
Town Hall on April 2, 1968, be approved as submitted.

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

COMMUNICATIONS:

From State of New York Department of Transportation, dated April 2, 1968,  
addressed to William C. Haugaard, Town Attorney, relating to Ordinance No. 13,  
reading as follows:

"Attached hereto is approval of Ordinance No. 13, Section 2. a 1) and 2) and  
Section 3 enacted by the Town of Riverhead, Suffolk Co. under date of March 19, 1968.

This approval is issued by the Department of Transportation pursuant to the  
provisions of Section 1684 of the Vehicle and Traffic Law in the light of its application  
to State Highways in the Town of Riverhead.

In reply to your question, the only sections which require approval are Section  
2. Parking Meter Zones, a 1) and 2) which are the locations on State highways and  
Section 3. Parking Time Limits, as far as it affects the State Highways.

Signed by: Charles E. Besanceney, Director  
Traffic Engineering and Safety." (End)

Approval

Pursuant to Section 1684 of the Vehicle and Traffic Law, the Department of  
Transportation hereby approves, in so far as it affects traffic on, along, entering  
or crossing, and the stopping, standing or parking on State Highways maintained by  
the State, Section 2. a 1) and 2) and Section 3 of Ordinance No. 13 which has been  
enacted by the governing body of the Town of Riverhead in the County of Suffolk and

COMMUNICATIONS continued:

State of New York on March 19, 1968 as such enactment is contained in (1) the copy thereof which has been submitted by such governing body to the undersigned, and (2) the copy thereof which is attached hereto and made a part hereof.

Dated: April 2, 1968

Signed by: Charles E. Besanceney, Director  
Traffic Engineering and Safety. (End).

From State of New York Department of Transportation, dated April 2, 1968, addressed to William C. Haugaard, Town Attorney, relating to Ordinance No. 3, reading as follows:

"Attached hereto is approval of Section 7 of Ordinance No. 3 enacted by the Town of Riverhead, Suffolk County, under date of March 19, 1968.

We are approving Section 7 only since it is the only part of the ordinance which affects State highway traffic and therefore is subject to approval.

This approval is issued by the Department of Transportation pursuant to the provisions of Section 1684 of the Vehicle and Traffic Law in the light of its application to State Highways in the Town of Riverhead.

Signed by Charles E. Besanceney, Director  
Traffic Engineering and Safety." (End)

Approval

Pursuant to Section 1684 of the Vehicle and Traffic Law, the Department of Transportation hereby approves, in so far as it affects traffic on, along, entering or crossing, and the stopping, standing or parking on State Highways maintained by the State, Section 7 of Ordinance No. 3 which has been enacted by the governing body of the Town of Riverhead in the County of Suffolk and State of New York on March 19, 1968 as such enactment is contained in (1) the copy thereof which has been submitted by such governing body to the undersigned, and (2) the copy thereof which is attached hereto and made a part hereof.

Dated: April 2, 1968

Signed by: Charles E. Besanceney, Director  
Traffic Engineering and Safety. (End)

On September 1, 1967, the powers and duties of the State Traffic Commission were assumed by the State Department of Transportation and the Commission was abolished. Consequently, the above approvals relating to Ordinances No. 13 and 3, serve as the approval required by Section 1684 of the Vehicle and Traffic Law.

The aforesaid communications were ordered filed.

Robert B. Bennett, Parade Chairman for Peconic Bay District Boy Scouts, Cub Scouts and Explorers, dated April 4, 1968, requesting parade permit for May 4, 1968. Filed.

Referred to Police Chief Grodski.

COMMUNICATIONS continued:

A. F. Gadzinski, Postmaster, dated 4/3/68, stating sidewalks and curbing Main Street and Marcy Avenue Post Office Annex Buildings in need of repair and further stating that a few months ago a woman fell on the sidewalk on the Main Street side of the building and has instituted legal action. Filed.  
 Referred to Supt. of Highways.

Long Island Lighting Company dated 4/8/68, submitting plan and costs for Street lighting on the Kingswood Subdivision in the Riverhead Lighting District. Filed.  
 Referred to Lighting Committee.

APPLICATIONS

John B. Miller - Curbs and gutters. Filed.  
 Peter Danowski - Curbs and gutters. Filed.

REPORTS

Recreation Department, month of March, 1968. Filed.

OPEN BID-Tandem Roller-Highway

After being duly advertised the following bids for One (1) New Tandem Roller for use of the Town of Riverhead Highway Department were opened by the Town Clerk on Monday, April 8, 1968 at 10:30 A.M.

Municipal Machinery Co. Inc., Coram, N. Y. 11727

C. H. & E. Model 933-Delivered Price \$3,335.00

Tryac Truck & Equipment Co. Inc., Box 98, Riverhead, N. Y. 11901

General Eager Beaver-Delivered Price \$2,647.00

Malvese Mowers & Equipment, Inc., Box 295, 530 Old Country Road, Hicksville, N. Y. 11801

General Eager Beaver-Delivered Price \$2,948.00

The Bids were filed for the April 9, 1968 Town Board Meeting.

OPEN BID-Traffic Paint-Highway

After being duly advertised the following bid for Traffic Paint for use of the Riverhead Town Highway Department was opened by the Town Clerk on Monday, April 8, 1968 at 11:00 A.M.

Long Island Paint and Chemical Co., 1 Continental Hill, Glen Cove, New York 11542

Delivered Price per 100 gallons White Traffic Paint \$1.94 per gallon

The Bid was filed for the April 9, 1968 Town Board Meeting.

At this point, Supervisor Vojvoda asked if anyone wished to be heard. No one responded.

Councilman Young commended the Detective Agency of the Riverhead Police Department for a job well done in responding to his call.

Supervisor Vojvoda commended the members of the Riverhead Police Department for their excellent handling of the assemblage during services for Martin Luther King at Stotzky Park on Sunday, April 7, 1968.

#### HEADS OF DEPARTMENTS

Police Chief Grodski made the following report:

40 MPH Signs have been posted as of April 5, 1968 at the following locations:

1. Pulaski Street, between CR 58 and a point 600 feet north of Raynor Avenue.
2. Northville Turnpike, CR 43, between Oliver Street and CR 58.

Police Chief Grodski recommended that a survey be made for improved street lighting in the area of Pulaski Street intersection between Raynor Avenue down to Stotzky Park.

#### HIGHWAY DEPARTMENT

The Town Board requested Supt. of Highways Alex E. Horton to submit report on costs for sidewalk to run from Raynor Avenue to Stotzky Park.

#### RESOLUTIONS

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

RESOLVED, That the Long Island Lighting Company, be and is hereby authorized to make a survey for improved street lighting in the area of Pulaski Street intersection between Raynor Avenue down to Stotzky Park.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Zaloga, Absent, 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, On March 19, 1968, the Town Board of the Town of Riverhead passed a resolution directing the Town Clerk to advertise for sealed bids for traffic paint for use of the Town of Riverhead Highway Department, by publication of such notice in the March 21, 1968 issue of the News-Review; and

WHEREAS, The specifications for said traffic paint as written in the bid form did not meet the requirements of the State of New York, Department of Transportation, and

WHEREAS, On April 8, 1968, one bid received by the Town Clerk from Long Island Paint & Chemical Co., Glen Cove, N. Y., did not meet specifications as required by the State of New York, Department of Transportation,

BE IT THEREFORE RESOLVED, That the bid of Long Island Paint and Chemical Co., be and is hereby rejected, and, be it further

RESOLVED, That the Town Clerk be and is hereby authorized to re-advertise for sealed bids for Traffic Paint requirements for use of the Town of Riverhead Highway Department, and be it further

RESOLVED, That specifications be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A. M., on April 22, 1968, and be it

FURTHER RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, April 22, 1968, at 11:00 A. M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Traffic Paint".

RESOLUTIONS continued:

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Zaloga, Absent, 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, On March 5, 1968, the Town Board passed a resolution directing the Town Clerk to advertise for sealed bids for a pull-type sweeper, by publication of such notice in the March 7th, 1968 issue of the News-Review; and

WHEREAS, Due to an error on the part of the publisher the said notice did not appear in said issue of the News-Review; and,

WHEREAS, On March 26, 1968, a resolution was passed awarding said bid to Municipal Machinery Co., Inc., Coram, N. Y., and

WHEREAS, It appears as aforesaid that the aforementioned award was made contrary to law for the reason that the notice was not properly advertised;

NOW, THEREFORE, BE IT RESOLVED, That the resolution of March 26, 1968, awarding the bid to Municipal Machinery Co., Inc., is hereby cancelled and rescinded, and be it further

RESOLVED, That the Town Clerk be and is hereby authorized to re-advertise for sealed bids for a pull-type sweeper for use of the Town of Riverhead Highway Department and be it further

RESOLVED, That specifications be prepared by the Superintendent of Highways and bids to be returnable up to 10:00 A.M., on April 22, 1968, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on April 22, 1968 at 10:00 A.M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Pull-Type Sweeper".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Zaloga, Absent, 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 bid for One (1) New Tandem Roller for use of the Town of Riverhead Highway Department, be and is hereby awarded to Tryac Truck & Equipment, Inc., Box 98, Riverhead, N. Y. 11901, for the net delivered price of \$2,647.00, subject to the bid and specification form filed in the Office of the Town Clerk, and

FURTHER RESOLVED, That the acceptance of said bid is subject to the approval of the Suffolk County Superintendent of Highways/Suffolk County Commissioner of Public Works.

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

RESOLUTIONS continued:

WHEREAS, On March 5, 1968, the Town Board passed a resolution directing the Town Clerk to advertise for sealed bids for rock salt, by publication of such notice in the March 7th, 1968 issue of the News-Review; and

WHEREAS, Due to an error on the part of the publisher the said notice did not appear in said issue of the News-Review; and,

WHEREAS, On March 26, 1968, a resolution was passed awarding said bid to Highway Materials, Inc., of South Lansing, New York; and

WHEREAS, It appears as aforesaid that the aforementioned award was made contrary to law for the reason that the notice was not properly advertised;

NOW, THEREFORE, BE IT RESOLVED, That the resolution of March 26, 1968 awarding the bid to Highway Materials, Inc., is hereby cancelled and rescinded, and be it further

RESOLVED, That the Town Clerk be and is hereby authorized to re-advertise for sealed bids for Rock Salt for use of the Town of Riverhead Highway Department for the period from April 1, 1968, to April 1, 1969, and be it further

RESOLVED, That specifications be prepared by the Superintendent of Highways and bids to be returnable up to 10:15 A. M. on April 22, 1968, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on April 22, 1968, at 10:15 A. M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Rock Salt".

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Zaloga, Absent, 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 Donald A. Dennis Associates, 6 Main Street, Riverhead, New York, be and hereby is authorized to prepare definite plans and specifications and a careful estimate of the anticipated expense involved for walking, lighting and recreational development of Grangebél Park, Riverhead, N. Y.

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

BE IT RESOLVED, That for lack of pressing business, the Town Board Meeting scheduled for April 16, 1968, be and the same hereby is cancelled.

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

RESOLUTIONS continued:

BE IT RESOLVED, That the Supervisor of the Town of Riverhead be and hereby is authorized to execute a lease by the Town of Riverhead of certain real property located near the intersection of First Street and East Avenue, Riverhead, from Sirmac Corp. for a term of two years at an annual rental of \$2,250, payable quarterly.

The subject real property is described as a parcel fronting approximately 260 feet on the north side of First Street and approximately 125 feet on the west side of East Avenue, in the Town of Riverhead, except a parcel fronting approximately 60 feet on East Avenue and 40 feet deep located in the northeast corner of the described parcel.

Said lease to contain a two-year option to purchase the subject property for \$40,000.

BE IT FURTHER RESOLVED, That this resolution is subject to permissive referendum; and

BE IT FURTHER RESOLVED, That the Town Clerk is authorized and directed to publish a copy of this resolution and the whole thereof in the April 11, 1968 issue of the News-Review.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Zaloga, Absent, 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 and duly adopted by the unanimous vote of the Board present.

A RESOLUTION  
OF

COMMENDATION TO DONALD W. RHUDA  
FOR SERVICES RENDERED TO THE TOWN  
OF RIVERHEAD RECREATION DEPARTMENT

WHEREAS, Donald W. Rhuda has served the Town of Riverhead Recreation Department as Assistant Recreation Supervisor and Recreation Supervisor for approximately three years, and

WHEREAS, Donald W. Rhuda will be remembered as being a highly regarded employee for giving generously of his time and efforts to his duties as an employee of the Recreation Department, and

WHEREAS, The Town Board of the Town of Riverhead commends him for his faithful and efficient service,

BE IT THEREFORE RESOLVED, That the Town Board accepts with profound regrets the resignation of Donald W. Rhuda as Recreation Supervisor, effective April 30, 1968, and

FURTHER RESOLVED, That the Town Board extends to Donald W. Rhuda, its humble expression of esteem for him in having served the Recreation Department faithfully and well, and its best wishes, for good health, success and prosperity in his new position, and be it

FURTHER RESOLVED, That the Town Clerk be authorized and instructed to transmit a suitably engrossed copy of this Resolution to him. (End)

RESOLUTIONS continued:

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

WHEREAS, Francis S. Bujnicki was on the date of his death on November 19, 1967, a member of the Riverhead Town Police Department, and had been such member for 17 years prior to that date; and

WHEREAS, Rita L. Bujnicki, widow of the said Francis S. Bujnicki, has filed on November 29, 1967, a petition for death benefits pursuant to Section 208-B of the General Municipal Law; and

WHEREAS, It appears that all of the requirements of law for the payment of such death benefits have been met, except that a serious question of fact exists as to whether or not the said decedent was actually engaged in the performance of duty as a member of the Police Force at the time of his death; and

WHEREAS, The Chief Officer of the Town of Riverhead has determined that it would be in the best interests of the Town to compromise the claim of the widow at a rate of one-half of the salary received by the decedent for the one year immediately prior to his death;

NOW, THEREFORE, after due consideration, BE IT RESOLVED, that Rita L. Bujnicki, widow of Francis S. Bujnicki, deceased, be paid the sum of \$4,439.71 in full settlement of her claim for death benefits for the death of the said Francis S. Bujnicki pursuant to Section 208-b of the General Municipal Law; and be it further

RESOLVED, That the Supervisor of the Town of Riverhead is authorized to deliver said sum to the said Rita L. Bujnicki upon receipt by the said Supervisor of a special release by the said Rita L. Bujnicki of all claims against the Town of Riverhead arising out of the death of the said Francis S. Bujnicki, deceased, under Section 208-b of the General Municipal Law; and be it further

RESOLVED, That this claim is payable from funds transferred from the General Town Current Surplus Account.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Maloga, Absent, 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 Grodski.

WHEREAS, In August and September, 1967, a situation seriously threatening the peace and security of the inhabitants of the Town of Riverhead arose at Wading River, New York; and

WHEREAS, The extraordinary services of certain members of the Riverhead Town Police Department were required to protect the public peace and tranquility at that time and place; and

WHEREAS, The conditions existing in the vicinity of Hulse Landing Road, Wading River, New York, between August 19, 1967 and September 3, 1967, requiring the use of the extraordinary police services, constituted an emergency within the meaning of Section 114 (2) of the Town Law:

NOW, THEREFORE, BE IT RESOLVED that an emergency within the meaning of Section 114 (2) of the Town Law is declared to have existed at Hulse Landing Road, Wading River between August 19, 1967 and September 3, 1967; and be it further

RESOLUTIONS continued:

RESOLVED, That the following named police officers be paid the sums (at straight time regular rate) shown next to their respective names for services rendered to the Town in the emergency situation above described, to wit:

John Kurpetski	\$10.57
Edward Curven	\$27.10
Robert Quinn	\$43.78
Joseph Grattan	\$28.14
William Palmer	\$29.19

payable from funds transferred from the General Town Current Surplus Account.

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

The matter of overtime compensation for Stanley Bokina, highway employee for the month of March, was discussed by the Board.

Supervisor Vojvoda advised Mr. Horton that Town Justice Costello has been voting against such expenditure and Councilman Grodski has indicated this will be his final consent to such expenditure.

Councilman Grodski asked the nature of the work performed by this man.

Mr. Horton informed the Board that the man opens the barn and fills all the trucks with gas which are ready to roll when the men arrive and is responsible for locking up the barn at night.

Mr. Horton further stated that it is time consuming to have the men gas up the trucks at one time and would prove costly to his department.

Councilman Grodski stated that \$1500 a year is a great deal of money to pay one man for such extra services and he believed the Town would be criticized for such expenditure.

Councilman Young felt that a continuance of such expenditure might develop into a political issue.

Councilman Grodski suggested to Mr. Horton that he make other arrangements and assign personnel with lower wages to perform the services in question.

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 to Stanley Bokina for the period from March 1, 1968 to March 31, 1968, for a total of 20 hours in the sum of \$60.00.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Town Justice Zaloga, Absent, Town Justice Costello, No, 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 - 11:00 A. M.

Town Clerk submitted affidavits of publication and posting Notice of Public Hearing in the matter of the adoption of an Ordinance appointing the inspectors of the New York Board of Fire Underwriters as Electrical Inspectors of the Town of Riverhead.

PUBLIC HEARING - 11:00 A.M. continued:  
The affidavits were placed on file.

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

Henry Fioto, Sr., 847 Ostrander Avenue, Riverhead, N. Y., referred to Section 3 and made objection to "violation prior to issuance of temporary certificate, etc.," and said the penalties of a \$50.00 fine or imprisonment of 15 days are utterly ridiculous.

Albert J. Reed, Chief Inspector, Long Island Division Board of N. Y. Fire Underwriters, Huntington Station, N. Y., replied to Mr. Fioto stating "that the word 'temporary certificate' pertains only to as it does now in connection of a service to a building by a utility company. It is not designed to request a certificate for a sumple outlet. We are not here to take over the authority of the township - rather - to giving more or less substantial boost and aid to the Building Department to perform the works for the protection of property in the Town of Riverhead."

Milton Sandstrom, Electrician of Aquebogue, N. Y., stated he is in possession of a letter from Mr. Reed stating that the violation of the Suffolk County Historical Society must be corrected by a licensed electrician and asked if he would be required to obtain a license.

Mr. Reed replied, "The mechanics of this is set up for areas that have licensing programs as well as those as your own who do not - and this statement - if this ordinance is adopted will be changed to "upon correction of violation an application should be filed".

Edward R. Munson, Building Inspector, said he didn't think there is a necessity for a licensed electrician when we follow through with something like this, because there are a lot of people who are qualified - and there are few towns that have licensed electricians.

Mr. Munson further stated - it isn't a point where we are going to go out and look - it is a corrective measure before anything dangerous happens - there are many instances where people have driven nails between wires and inadvertently caused, in later years a short - and these people they are qualified and they are knowledgeable and they do it for protection purposes and not go out to put somebody in jail.

Mr. Edward Purcell asked if this will pertain mostly to new places and if an inspection will have to be made of every house in town.

Supervisor Vojvoda answered, "No", and added saying that the fire inspector has made inspections of a lot of public buildings and found many violations and called in fire underwriters to give us inspections and these violations are being corrected so the buildings won't be hazards.

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

Mr. Purcell asked if the National and New York State Fire Underwriters are the same.

Mr. Reed answered, "The National is Code and we enforce it-----", (rest of statement inaudible as Mr. Purcell talked at the same time).

Raymond Wiwczar, Fire Inspector, stated that out of 54 inspections requested by the underwriters there was only one that did not have any violations - so this ordinance is sorely needed.

Town Justice Costello referring to Section 2, stated that upon request or violation found or alterations made in new service or change of service - this would violate the right of privacy - if somebody decides they want to inspect a private house - this should be spelled out - as it is a very serious constitutional problem allowing electrical inspectors to go in and inspect private homes - we should limit it to public buildings or upon request of private homes.

Mr. Reed said, "We do not enter a single or private dwelling without the permission of the owner or the tenant."

Town Justice Costello said, "I would like it spelled out to the effect that one family residences and people who don't request on a landlord or tenant basis should not be subject to inspection unless there is an alteration made or new service or change in use or service."

Mr. Reed: "We do not go into a place without any alterations having been performed. We do go in upon occasion on fire inspection - after the fire - which would give us the right to do this under Section 2, upon request of the Building Department or a town official."

Town Justice Costello, said, "According to my interpretation - if a man puts in a new box, he would first have to get a temporary certificate-".

Mr. Reed: "No, the temporary certificate applies to the second paragraph which is the connection to the utility company."

Town Justice Costello: "I don't think this spells it out sufficiently."

Town Attorney William Haugaard: "I'm not quite sure that I understand Justice Costello's objection because there is nothing in this ordinance that authorizes or attempts to authorize any one to violate anyone's constitutional right. You can't authorize people to do it. We can put in a general statement to the effect - to make it more clear. But the ordinance itself is perfectly constitutional."

Mr. Lester Conklin, Riverhead, N. Y., asked Mr. Reed if he had an outlet installed would he be required to bring his whole service up to date and pay about \$200 for new service.

Mr. Reed replied: "No, the inspection would be confined to the particular receptacle."

Mr. Conklin: "And you would issue a certificate only on that receptacle?"

PUBLIC HEARING - 11:00 A.M. continued:  
Mr. Reed replied in the affirmative.

Town Attorney Hugaard: "Mr. Reed, this ordinance as I understand it, merely deputizes the agents of the New York Board of Fire Underwriters to enforce existing laws, is that not correct? We are not creating any new violations?"

Mr. Reed agreed.

The Town Board decided that the following general statement be inserted in the ordinance and labeled "5)": "No inspection hereunder shall be made over the objection of the lawful occupant of the subject premises."

It was further decided that the statement relating to effective date of ordinance, to wit; "This Ordinance shall take effect upon publication and posting as required by law", be labeled, "6)".

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.

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 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 Ordinance No. 38:

**ORDINANCE NO. 38**

**APPOINTING NEW YORK BOARD OF FIRE UNDERWRITERS AS ELECTRICAL INSPECTORS IN THE TOWN OF RIVERHEAD**

BE IT ORDAINED by the Town Board of the Town of Riverhead, as follows:

1) The Chief Inspector, and each of the duty appointed Inspectors of the New York Board of Fire Underwriters are hereby authorized and deputized as agents of the Town of Riverhead to make inspections and reinspections of all electrical installations hereafter described, and to approve or disapprove the same. In no event, will the cost or expense of such inspections or reinspections be a charge against the Town.

2) It shall be the duty of the Inspector to report in writing to the Building Inspector of the Town, whose duty it shall be to enforce all provisions, violations and deviations from or omissions of the electrical provisions of the State Building Construction Code applicable to the Town, and of all local laws, ordinances and the Building Code as referred to in this ordinance insofar as any of the same pertain to electrical wiring. The Inspector shall make inspections and reinspections of electrical installations in and on the properties in the Town upon the written request of an authorized official of the Town or as herein provided. The Inspector is authorized to make inspections and reinspections of electrical wiring, installations, devices, appliances, and equipment in or on properties within the Town where he deems it necessary for the protection of life or property. In the event of emergency it is the duty of the inspector to make electrical inspections upon the oral request of an official or officer of the Town.

It shall be the duty of the Inspector to furnish written reports to the proper officials of the Town and owners and/or lessees of property where defective electrical installations and equipment are found upon inspection. He shall authorize the issuance of a

certificate of compliance when electrical installations and equipment are in conformity with the ordinance. He shall direct that a copy of the certificate of compliance be sent to the Town of Riverhead to the attention of the Building Inspector.

3) It shall be a violation of this ordinance for any person, firm or corporation to install or cause to be installed, or to alter electrical wiring for light, heat or power in or on properties in the Town until an application for inspection has been filed with the New York Board of Fire Underwriters. It shall be a violation of this ordinance for a person, firm or corporation to connect or cause to be connected electrical wiring in or on properties for light, heat or power, to any source of electrical energy supply, prior to the issuance of a temporary certificate, or certificate of compliance, by the New York Board of Fire Underwriters.

4) Failure to comply with the provisions of this ordinance shall be deemed a violation, and punishable by a fine of not more than \$50 or imprisonment for not more than fifteen days, or both such fine and imprisonment. Each week's failure to comply shall constitute a separate violation.

5) No inspection hereunder shall be made over the objection of the lawful occupant of the subject premises.

6) This ordinance shall take effect upon publication and posting as required by law.

Dated: April 9, 1968

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

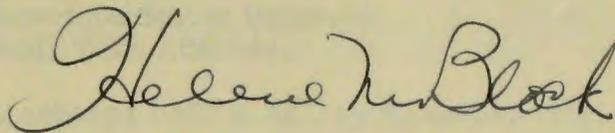
RESOLUTION continued:

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

It was reported that Town Justice Bruno Zaloga was confined to the Central Suffolk Hospital. Everyone wished him a speedy recovery.

Supervisor Vojvoda asked everyone to rise and observe a moment of silence in memory to Martin Luther King who was being buried this day.

There being no further business, on motion and vote, the meeting adjourned at 11:30 A. M. to meet on Tuesday, April 23, 1968 at 10:30 A. M.



Helene M. Block, Town Clerk