

MINUTES OF A MEETING OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD HELD IN THE TOWN HALL ON TUESDAY, JULY 21, 1959 AT 9:30 A.M.

PRESENT:

WILLIAM J. LEONARD, SUPERVISOR

OTIS G. PIKE

BRUNO F. ZALOGA, JR., JUSTICES OF THE PEACE

JOHN H. BENEDICT

ELMER A. STOTZKY, COUNCILMEN

ALSO PRESENT: JACOB HARDING, TOWN ATTORNEY AND MYRON C. YOUNG, SUPERINTENDENT OF HIGHWAYS.

MINUTES OF THE MEETING OF THE TOWN BOARD HELD ON JULY 7, 1959, WERE SUBMITTED TO THE BOARD AND ON MOTION MADE BY COUNCILMAN STOTZKY AND SECONDED BY COUNCILMAN BENEDICT, IT WAS RESOLVED THAT THE MINUTES BE APPROVED AS SUBMITTED. THE VOTE---COUNCILMAN STOTZKY, YES, COUNCILMAN BENEDICT, YES, JUSTICE PIKE, YES, JUSTICE ZALOGA, YES, AND SUPERVISOR LEONARD, YES. THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

MR. JACK MOORE, MANAGER OF H.C. WILLIAMS INC., OUTDOOR ADVERTISING, APPEARED BEFORE THE BOARD.

THE H.C. WILLIAMS COMPANY, IN GOOD FAITH, CONCLUDED A LEASE WITH MR. OLIN WARNER, FOR A SITE ON THE SOUTH SIDE OF ROUTE 25, NEAR RIVER ROAD AT CALVERTON, AND ERECTED THEREON A HIGHWAY OUTDOOR ADVERTISING BULLETIN BOARD STRUCTURE WHICH STRADDLES AN UNUSED WOODS ROAD. THIS WAS ACCOMPLISHED IN ADVANCE OF THE EFFECTIVE DATE OF THE RIVERHEAD TOWN ZONING ORDINANCE.

IT HAS SINCE BEEN BROUGHT TO THE COMPANY'S ATTENTION THAT THIS WOODS ROAD IN QUESTION IS A TOWN RIGHT-OF-WAY, AND NOT A PRIVATE ROAD AS IT HAD BEEN GIVEN TO UNDERSTAND. AND THE COMPANY HAS BEEN ADVISED THAT THE SIGN AND SUPPORTING STRUCTURE MUST THEREFORE BE REMOVED.

MR. MOORE ASKED IF SOME ARRANGEMENT COULD BE WORKED OUT WITH THE TOWN SO THAT THIS SIGN COULD BE LEFT STANDING. HE SUGGESTED THAT A "WELCOME TO RIVERHEAD" LEGEND BE PAINTED ON THIS SIGN TOGETHER WITH THE NAME OF THE SPONSOR, THE RIVERHEAD SAVINGS BANK.

MATTER WAS REFERRED TO THE TOWN ATTORNEY.

A LETTER DATED JULY 20, 1959 EXPLAINING THIS PROBLEM WAS PRESENTED TO THE BOARD BY MR. MOORE AND WAS ORDERED FILED.

MR. COLEMAN SALADON, CALVERTON, APPEARED BEFORE THE BOARD TOGETHER WITH MR. CHARLES CONKLIN, MR. HAROLD FINK, MR. ADOLPH BREITENBACH AND MR. CHARLES ZEH.

THIS GROUP OWN AND OPERATE ROADSIDE STANDS IN THE TOWN AND THEY

PROTESTED THE SELLING OF VEGETABLES AND OTHER FARM PRODUCTS FROM TRUCKS PARKED ON THE SIDE OF HIGHWAYS IN THE TOWN. THEY SAID THAT MANY OF THESE TRUCKS PEDDLERS ARE FROM OUT OF TOWN AND THAT THEY SELL BELOW MARKET PRICE, PAY NO TAXES TO THE TOWN AND PRESENT A TRAFFIC HAZARD.

MATTER WAS REFERRED TO THE TOWN ATTORNEY.

MR. JOHN CRISCOLA, WADING RIVER, APPEARED BEFORE THE BOARD WITH A DELEGATION FROM THE WILDWOOD ACRES ASSOCIATION, WADING RIVER, REQUESTING ASSISTANCE IN IMPROVING FOUR ROADS IN THE WILDWOOD ACRES DEVELOPMENT, HULSE AVENUE, PARK STREET, HILL STREET AND WILDWOOD AVENUE, ALL PRIVATE ROADS. THESE ROADS, WHICH ARE IN BAD CONDITION, HAVE BEEN MAINTAINED BY VOLUNTARY CONTRIBUTIONS FROM OWNERS, BUT FUNDS HAVE BEEN DEPLETED.

IT WAS EXPLAINED BY SUPERVISOR LEONARD, MEMBERS OF THE BOARD AND TOWN ATTORNEY HARDING, THAT THE TOWN COULD NOT EXPEND PUBLIC FUNDS IN IMPROVING PRIVATE ROADS. IF THE ROADS WERE TO BE DEDICATED TO THE TOWN, DEDICATION WOULD BE SUBJECT TO PRESENT RULES AND REGULATIONS GOVERNING THE DEDICATION OF HIGHWAYS.

THE GROUP WAS ADVISED TO CONSULT WITH ITS ATTORNEY RELATIVE TO THIS PROBLEM. CONSIDERATION COULD POSSIBLY BE GIVEN TO THE ESTABLISHMENT OF A SPECIAL IMPROVEMENT DISTRICT TO RECONSTRUCT THESE ROADS WITH THE COST REPAID THROUGH TAXES ON THE PROPERTIES BENEFITED OVER A TEN YEAR PERIOD.

MR. CRISCOLA MENTIONED THAT JAY HULSE, WADING RIVER, WHO FORMERLY OWNED THE LAND INCLUDED IN THE DEVELOPMENT WAS RELUCTANT TO RELEASE ANY INTEREST HE HAS IN THESE ROADS.

TOWN ATTORNEY HARDING ASSURED THE GROUP THAT HE WOULD ASSIST AND COOPERATE WITH ANY ATTORNEY HIRED BY THIS GROUP IN SEEKING A SOLUTION TO ITS PROBLEM.

SEVERAL LETTERS AND TELEGRAMS RELATIVE TO THIS MATTER WERE PRESENTED TO THE BOARD AND ORDERED FILED.

A LETTER DATED JULY 20, 1959 FROM THE SUFFOLK COUNTY TAXPAYERS ASSOCIATION OPPOSING THE ORGANIZATION AND OPERATION OF A "COUNTY COLLEGE" WAS READ TO THE BOARD AND ORDERED FILED.

A LETTER DATED JULY 16, 1959 FROM THE STATE TRAFFIC COMMISSION RELATIVE TO THE REDUCTION OF THE SPEED LIMIT ON PARKER ROAD IN WADING RIVER WAS READ TO THE BOARD AND ORDERED FILED.

A LETTER DATED JULY 14, 1959 FROM THE STATE TRAFFIC COMMISSION, DENYING THE APPLICATION BY THE BOARD FOR A TRAFFIC LIGHT SIGNAL AT THE INTERSECTION OF ROUTE 25 AND WADING RIVER MANOR ROAD, WAS READ TO THE BOARD AND ORDERED FILED.

MR. EDWARD YOUSIK OF VAN DYKE AND YOUSIK, RIVERHEAD TIRE DEALER, APPEARED BEFORE THE BOARD. HE STATED THAT HIS FIRM WAS CAPABLE OF SUPPLYING TIRES AT A VERY REASONABLE COST AND THAT HE WOULD APPRECI-

ATE THE OPPORTUNITY TO BID ON SAME. HE FELT THAT IF TIRE NEEDS WERE LET OUT TO PUBLIC BID, SAVINGS IN COST WOULD RESULT.

MR. YOUSIK WAS ADVISED THAT CONSIDERATION WOULD BE GIVEN TO HIS REQUEST.

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

RESOLVED THAT THE SUPERVISOR BE AND HE IS HEREBY AUTHORIZED TO SIGN IN BEHALF OF THE TOWN OF RIVERHEAD, A RELEASE OF CLAIM AGAINST ORELL CLINTON, FOR THE CONSIDERATION OF \$189.25, RELATIVE TO DAMAGE TO A TOWN POLICE CAR.

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

COUNCILMAN BENEDICT OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILMAN STOTZKY.

WHEREAS, THE CERTIFICATE OF DEPOSIT OF THE GENERAL REPAIRS ITEM No. 1-HIGHWAY ACCOUNT IN THE AMOUNT OF \$25,000.00 DEPOSITED AT THE FRANKLIN NATIONAL BANK, RIVERHEAD, N.Y., WILL MATURE ON THE 29TH DAY OF JULY, 1959, AND

WHEREAS, THE FUNDS OF THIS DEPOSIT ARE NEEDED TO MEET THE CURRENT OPERATING COSTS OF THE HIGHWAY DEPARTMENT, BE IT THEREFORE

RESOLVED, THAT THE SUPERVISOR IS HEREBY AUTHORIZED TO SURRENDER THIS CERTIFICATE OF DEPOSIT AND THAT THE PRINCIPAL AND INTEREST BE DEPOSITED IN THE GENERAL REPAIRS ITEM No. 1 HIGHWAY ACCOUNT.

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

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

RESOLVED THAT MALCOLM STEWART, RIVERHEAD, BE AND HE IS HEREBY APPOINTED A PART-TIME PATROLMAN OF THE POLICE DEPARTMENT, EFFECTIVE JULY 21, 1959, TO BE COMPENSATED AT THE RATE OF \$1.85 PER HOUR, PAYABLE SEMI-MONTHLY, TO SERVE AT THE PLEASURE OF THE TOWN BOARD.

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

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

RESOLVED THAT ROBERT METH, RIVERHEAD, BE AND HE IS HEREBY APPOINTED A LIFEGUARD, EFFECTIVE JULY 20, 1959, TO BE COMPENSATED AT THE RATE OF \$80.00 PER WEEK, PAYABLE WEEKLY.

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

At 10:30 A.M. NOTICE OF PUBLIC HEARING, WHICH WAS DULY PUBLISHED, WAS READ AND SUBMITTED TO THE BOARD RELATIVE TO THE ADOPTION OF ORDINANCE No. 27, "WATERWAYS ORDINANCE OF THE TOWN OF RIVERHEAD."

SUPERVISOR LEONARD DECLARED THE HEARING OPEN TO ANYONE WISHING TO BE HEARD IN FAVOR OF OR OBJECTING TO THIS PROPOSED ORDINANCE.

THE TOWN CLERK READ A LETTER DATED JULY 20, 1959 FROM ROLAND O. PETERSON, RIVERHEAD, RECOMMENDING CHANGES IN SECTION 4, PARAGRAPH (D) AND SECTION 13, PARAGRAPH (A) OF SAID ORDINANCE.

LETTER AND PROOF OF PUBLICATION CALLING SAID HEARING WERE ORDERED FILED.

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

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

WHEREAS, NOTICE OF HEARING UPON AN ORDINANCE, KNOWN AS PROPOSED WATERWAYS ORDINANCE No. 27, WAS GIVEN BY THE PUBLICATION OF A NOTICE IN THE NEWS-REVIEW, THE OFFICIAL NEWSPAPER CIRCULATING IN THE TOWN, SPECIFYING THE TIME WHEN AND THE PLACE WHERE SUCH HEARING WAS TO BE HELD AND IN GENERAL TERMS DESCRIBING THE PROPOSED ORDINANCE, AND

WHEREAS, SUCH NOTICE WAS PUBLISHED ONCE AT LEAST 10 DAYS PRIOR TO THE DAY SPECIFIED FOR SUCH HEARING, AS SHOWN BY AFFIDAVITS PRESENTED, AND

WHEREAS, A PUBLIC HEARING UPON SUCH PROPOSED WATERWAYS ORDINANCE HAVING BEEN HELD IN THE TOWN HALL ON THE 21ST DAY OF JULY, 1959, AT 10:30 A.M. ON SAID DAY, AND

WHEREAS, EVERYONE DESIRING TO BE HEARD IN SAID MATTER HAVING BEEN HEARD,

NOW THEREFORE BE IT RESOLVED, THAT THE FOLLOWING ORDINANCE BE ADOPTED:

ORDINANCE NO. 27-WATERWAYS ORDINANCE

ORDINANCE NO. 27
ORDINANCE PURSUANT TO
THE PROVISIONS OF SEC-
TION 130, SUBDIVISIONS 11
& 17, OF THE TOWN LAW
OF THE STATE OF NEW
YORK, AS AMENDED.
REGULATING THE USE OF
THE WATERWAYS WITHIN
THE TOWN OF RIVER-
HEAD.

SECTION 1. Short Title.

This ordinance shall be known as the "Waterways Ordinance of the Town of Riverhead."

SECTION 2. Legislative Findings.
The Legislature of this State, in the inland rules enacted by Congress and governing the navigation of the inland waters of the United States, and in any other case the last known owner of the vessel

the mooring of any boat previously laid down. Any boats so moored or anchored shall be removed by the owner or person in charge thereof on order of the Town Board or any duly authorized officer or agent thereof or member of the Town Police or Bay Constable of the Town. If said boat is not removed after orders to so remove it, it may be removed by or at the direction of the Town Board or any duly authorized officer or agent thereof or member of the Town Police or Bay Constable of the Town, at the expense of the owner or person in charge of said vessel to be enforced by civil suit.

SECTION 7. Hazards to Navigation. Any vessel which becomes a menace to navigation or unseaworthy, or sinks, grounds or

closer than one-fourth of a statute mile from the shore of any water body, or vessel propelled by water skis, a surfboard or simi-

SECTION 11. Mufflers.

No person shall operate a boat propelled wholly, or partly by an engine operated by gas, gasoline, naphtha, diesel oil or other substance without having the exhaust from the engine run through a muffler or so controlled by the introduction of water into the exhaust pipe or line so as to muffle the noise of exhaust in a reasonable manner.

SECTION 12. Aquatic Events.

Nothing herein contained shall prohibit the Town Board from issuing special permits for aquatic events, boat races or otherwise under proper supervision in limited areas for limited periods.

SECTION 13. Skin Diving.

(a) No "skin diving" shall be undertaken in any fairway or channel or in any waters where the same may interfere with rea-

The Police Department Constables of the Town are hereby empowered to enforce the ordinance.

SECTION 18. Severability.

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

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

WHEREAS, NOTICE OF HEARING UPON AN ORDINANCE, KNOWN AS PROPOSED WATERWAYS ORDINANCE No. 27, WAS GIVEN BY THE PUBLICATION OF A NOTICE IN THE NEWS-REVIEW, THE OFFICIAL NEWSPAPER CIRCULATING IN THE TOWN, SPECIFYING THE TIME WHEN AND THE PLACE WHERE SUCH HEARING WAS TO BE HELD AND IN GENERAL TERMS DESCRIBING THE PROPOSED ORDINANCE, AND

WHEREAS, SUCH NOTICE WAS PUBLISHED ONCE AT LEAST 10 DAYS PRIOR TO THE DAY SPECIFIED FOR SUCH HEARING, AS SHOWN BY AFFIDAVITS PRESENTED, AND

WHEREAS, A PUBLIC HEARING UPON SUCH PROPOSED WATERWAYS ORDINANCE HAVING BEEN HELD IN THE TOWN HALL ON THE 21ST DAY OF JULY, 1959, AT 10:30 A.M. ON SAID DAY, AND

WHEREAS, EVERYONE DESIRING TO BE HEARD IN SAID MATTER HAVING BEEN HEARD,

NOW THEREFORE BE IT RESOLVED, THAT THE FOLLOWING ORDINANCE BE ADOPTED:

ORDINANCE NO. 27-WATERWAYS ORDINANCE

ORDINANCE NO. 27
ORDINANCE PURSUANT TO THE PROVISIONS OF SECTION 130, SUBDIVISIONS 11 & 17, OF THE TOWN LAW OF THE STATE OF NEW YORK, AS AMENDED.
REGULATING THE USE OF THE WATERWAYS WITHIN THE TOWN OF RIVERHEAD.

SECTION 1. Short Title.

This ordinance shall be known as the "Waterways Ordinance of the Town of Riverhead."

SECTION 2. Legislative Findings.

It is hereby declared and found that the operation of boats in the waters or waterways of the Town of Riverhead, N. Y. is a matter affecting the public interest and consequently should be subject to the supervision and administrative control of municipal authority for the purpose of safeguarding the public.

SECTION 3. Areas Covered.

(a) The following rules and regulations shall, except when prohibited by the laws of the United States, apply to all waters or waterways in the Town and to all waters or waterways adjacent, to a distance of 1500 feet from the shore; and provided further that they shall not apply to waters or waterways in the channel system, if any, under the supervision of the Long Island State Park Commission.

(b) All provisions of the Navigation Law of this State, of the inland rules enacted by Congress and governing the navigation of the inland waters of the United States and of the Pilot Rules for United States inland waters, applicable to the Channel Systems relative to the rules for vessels passing each other, as to lights on vessels and other matters consistent with the proper use of the Channel Systems, shall be complied with by all vessels navigating said systems.

SECTION 4. Definitions.

(a) The term "boat" shall include every vessel propelled in any manner other than by hand, but shall not be deemed to include public vessels of the United States, or of the State of New York or any municipality therein.

(b) The term "channel system" as used in this ordinance shall mean main channels, cross channels connecting with them, basins and bathing areas.

(c) The term "owner" shall include the person under whose name the vessel was last registered with the United States Coast Guard, if requiring registration, and in any other case the last known owner, or the person who claims lawful possession of such vessel by virtue of legal title or equitable interest therein which entitles him to such possession.

(d) The term "skin diving" shall include any person swimming with the intent to explore or photograph in local waters or to hunt fish therein, including any person using any self contained underwater breathing apparatus commonly known as an Aqua Lung, but shall not include bona fide salvage operations displaying proper signals.

SECTION 5. Sanitation.

(a) Discharging of toilets is prohibited in areas designated or which may hereafter be designated as basin, dock or bathing areas.

(b) Dumping of oil, refuse, garbage or waste is prohibited.

SECTION 6. Mooring.

(a) Boats shall not moor or anchor in any channel and in no case shall vessels moor to or anchor within fifty (50) feet of any channel marker or so as to interfere with the full use of the channel.

(b) Boats shall not moor or anchor so as to endanger the safety of, or cause damage to, any boat previously anchored or moored, nor so as to interfere with

the mooring of any boat previously laid down. Any boats so moored or anchored shall be removed by the owner or person in charge thereof on order of the Town Board or any duly authorized officer or agent thereof or member of the Town Police or Bay Constable of the Town. If said boat is not removed after orders to so remove it, it may be removed by or at the direction of the Town Board or any duly authorized officer or agent thereof or member of the Town Police or Bay Constable of the Town, at the expense of the owner or person in charge of said vessel to be enforced by civil suit.

SECTION 7. Hazards to Navigation.

Any vessel which becomes a menace to navigation or unseaworthy, or sinks, grounds or becomes otherwise disabled, shall be removed by the owner or person in charge thereof on order of the Town Board or any duly authorized officer or agent thereof or member of the Town Police or Bay Constable of the Town. If said boat is not removed after orders to so remove it, it may be removed by or at the direction of the Town Board or any duly authorized officer or agent thereof or member of the Town Police or Bay Constable of the Town, at the expense of the owner or person in charge of said vessel to be enforced by civil suit.

SECTION 8. Speed and Operation Near Bathing Areas.

(a) No boat shall be operated at a greater speed than five (5) miles per hour within one-fourth of a statute mile from shore except at inlets or where a channel approaches the shore line closer than one-fourth of a statute mile.

(b) No boat or vessel propelled by hand shall cruise or be operated within 100 feet of any life lines or bathing float or if there be no life or bathing float, then within 150 feet of any public or semi-public beach regularly used for bathing or swimming, nor shall such boat or vessel cruise or be operated in excess of five (5) miles per hour within 50 feet of any person bathing or swimming except at inlets or where a channel approaches the shore line closer than one-fourth of a statute mile, except where designated by local ordinance.

SECTION 9. Water Skiing.

(a) No person shall operate a boat or vessel for towing a person on water skis, a surf-board or similar device unless there is in such boat or vessel a person, of suitable age and discretion other than the operator, in a position to observe the progress of the person being towed.

(b) No person shall ride on water skis, a surfboard or similar device, or use or operate a boat or vessel to tow a person thereon between the period from one hour after sunset to one hour after sunrise.

(c) No person shall ride on water skis, a surfboard or similar device, or use or operate a boat or vessel to tow a person thereon in any channel, or within 150 feet of any public or semi-public bathing beach or public dock, or within 50 feet of any swimmer or bather. Nor shall any such person engaged in such activities come within 300 feet of the shore line unless they approach or depart perpendicular to the shore line and solely for the purpose of commencing or ending the ride.

SECTION 10. Operation of Boats.

(a) Every person operating a boat shall at all times operate the same in a careful and prudent manner and at such a rate of speed as not to disturb the reasonable comfort, or endanger property of another or the life or limb of any person, or so as to interfere with the free and proper use of the waters of the said channel.

(b) No boat shall be operated in such a manner as to throw up a wake which is dangerous to life or limb of a person, boats or other property.

SECTION 11. Mufflers.

No person shall operate a boat propelled wholly, or partly by an engine operated by gas, gasoline, naphtha, diesel oil or other substance without having the exhaust from the engine run through a muffler or so controlled by the introduction of water into the exhaust pipe or line so as to muffle the noise of exhaust in a reasonable manner.

SECTION 12. Aquatic Events.

Nothing herein contained shall prohibit the Town Board from issuing special permits for aquatic events, boat races or otherwise under proper supervision in limited areas for limited periods.

SECTION 13. Skin Diving.

(a) No "skin diving" shall be undertaken in any fairway or channel or in any waters where the same may interfere with reasonable and proper operation of boats or within 150 feet of any public or semi-public beach regularly used for bathing and swimming or within 50 feet of any person bathing or swimming.

(b) No person shall engage in skin diving without displaying the international diving flag or authorized skin diving flag of suitable size consisting of red flag with diagonal white stripe adequately displayed by float, buoy, or boat at all times; and without a person of suitable age and discretion other than the skin diver in a position as lookout.

(c) No person shall use, operate or discharge under water any spear gun or similar apparatus within 100 feet of any public or semi-public beach, regularly used for bathing or swimming or within 50 ft. of any bather or swimmer.

SECTION 14. Police.

The Police Department and Bay Constables of the Town are hereby empowered to enforce the provisions of this ordinance and every person in charge of a vessel navigating or using the waterways of the Town shall at all times obey the lawful orders of the members of such Police Department and Bay Constables and such officers shall have the right to stop any vessel navigating or using the waterways of the Town for the purpose of enforcing this ordinance.

SECTION 15. Penalties.

(a) Any person who violates any provision of this ordinance shall be guilty of an offense and shall, upon conviction, be subject to a fine of not to exceed \$500.00 or imprisonment for not more than six months, or by both such fine and imprisonment.

(b) The Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance or to restrain by injunction the violation of this ordinance.

SECTION 16. Severability.

If any clause, sentence, section, paragraph or provision of this Ordinance shall be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not invalidate the remainder of this Ordinance, but shall be confined in its operation to the clause, sentence, section, paragraph or provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 17. Repeal of Conflicting Ordinances.

All ordinances or parts of ordinances inconsistent or conflicting with the provisions of this ordinance, are hereby repealed insofar as the same affect this ordinance, provided, however, that such repeal shall be only to the extent of such inconsistency and conflict, and in all other respects this ordinance shall be in addition to other ordinances regulating and governing the subject matter covered by this ordinance.

FURTHER RESOLVED THAT THE TOWN CLERK ENTER SAID ORDINANCE IN THE MINUTES OF THE TOWN BOARD AND THAT THE TOWN CLERK BE AND HE HEREBY IS DIRECTED TO GIVE PUBLIC NOTICE IN THE NEWS-REVIEW, THE OFFICIAL NEWSPAPER PUBLISHED IN THE TOWN, AND A PRINTED COPY THEREOF POSTED ON THE SIGN BOARD MAINTAINED BY THE TOWN CLERK PURSUANT TO SUBDIVISION SIX OF SECTION THIRTY OF THE TOWN LAW.

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

TWO APPLICATIONS, ONE FROM HAROLD HUTCHINSON, RIVERHEAD, AND ONE FROM HAROLD FANNING, RIVERHEAD WERE SUBMITTED TO THE TOWN BOARD FOR THE ESTABLISHMENT OF OPEN DEVELOPMENT AREAS WITHIN THE TOWN, PURSUANT TO SECTION 280-A OF THE TOWN LAW.

APPLICATIONS ORDERED FILED AND MATTER WAS REFERRED TO THE PLANNING BOARD.

A LETTER DATED JULY 20, 1959 FROM LEONARD GRIFFING, BUILDING INSPECTOR WAS READ TO THE BOARD RELATIVE TO THE OLD LAUNDRY BUILDING AT THE FOOT OF POINT STREET IN SOUTH JAMESPORT.

OWNER ADVISED THAT HE HAD HIRED THE NORTH FORK WRECKING COMPANY, MATTITUCK, N.Y., TO DEMOLISH THIS BUILDING.

LETTER ORDERED FILED.

A LETTER DATED JULY 20, 1959 FROM LEONARD GRIFFING, BUILDING INSPECTOR, WAS READ TO THE BOARD RELATIVE TO THE NORRIE BUILDING AT 415 OSBORNE AVENUE, RIVERHEAD.

GRIFFING STATED THAT NEITHER THE OWNER NOR THE PERSON IN CHARGE OF THE PREMISES WERE COOPERATING TO REMEDY THE DANGEROUS CONDITION OF THIS BUILDING.

LETTER ORDERED FILED.

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

WHEREAS AFTER BEING DULY ADVERTISED SEALED BIDS FOR ONE (1) CAR FOR USE OF THE POLICE DEPARTMENT WERE OPENED AT 10:30 A.M. ON JULY 15, 1959 AS FOLLOWS:

LYON FORD (1959 FORD)-----	\$1135.00
CRABTREE-O'KEEFE CHEV. Co. (1959 CHEV)-	1374.90

NOW THEREFORE BE IT RESOLVED THAT THE BID FOR ONE (1) CAR FOR USE OF THE POLICE DEPARTMENT BE AND IT IS HEREBY AWARDED TO LYON FORD, WEST MAIN STREET, RIVERHEAD, N.Y., AT A NET COST OF \$1135.00, SUBJECT TO ITS BID AND SPECIFICATION FORM SUBMITTED DATED JULY 15, 1959. NET BID PRICE INCLUDING TRADE-IN ON 1958 CHEVROLET.

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

BIDS ORDERED FILED.

AFTER BEING DULY ADVERTISED SEALED BIDS FOR THE INSTALLATION OF WOODEN BULKHEAD ON PECONIC RIVER AT GRANGEL PARK WERE OPENED AS FOLLOWS:

J.J. HAGGERTY, INC.-----	\$13.00 PER FOOT	\$1820.
NEW SUFFOLK DOCK BUILDING Co.	13.90 PER FOOT	1946.

BIDS ORDERED FILED.

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

RESOLVED THAT THE BID FOR THE INSTALLATION OF 140' OF WOODEN BULKHEAD ON PECONIC RIVER AT GRANGEL PARK BE AND IT IS HEREBY AWARDED TO J.J. HAGGERTY, INC., WESTHAMPTON BEACH, N.Y., AT A TOTAL COST OF \$1820. AS PER ITS BID AND SPECIFICATION FORM SUBMITTED DATED JULY 20, 1959,

FURTHER RESOLVED THAT THE SUPERVISOR BE AND HE IS HEREBY AUTHORIZED TO SIGN A CONTRACT FOR THIS WORK, IN BEHALF OF THE TOWN, UPON COMPLIANCE BY J.J. HAGGERTY, INC., WITH ALL CONTRACT PROVISIONS AS PREPARED BY ALDEN W. YOUNG.

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

AN APPLICATION FOR THE INSTALLATION OF CURBS AND GUTTERS FROM GEORGE K. MORELL, WILLIAM MORELL AND THERESA M. SMITH, E. MAIN STREET, RIVERHEAD, WAS SUBMITTED TO THE BOARD.

MATTER REFERRED TO COUNCILMAN BENEDICT.

COUNCILMAN BENEDICT OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY JUSTICE PIKE.

WHEREAS APPLICATION FOR CONSTRUCTION OF CURBS AND GUTTERS HAS BEEN MADE BY PETER S. DANOWSKI OF MARCY AVENUE, RIVERHEAD, N.Y.,

NOW THEREFORE BE IT RESOLVED THAT CURBS AND GUTTERS SHALL BE CONSTRUCTED ALONG MARCY AVENUE, ADJACENT TO THE PROPERTY OF PETER S. DANOWSKI, PURSUANT TO A CONTRACT, THE FORM OF WHICH IS HERETO ANNEXED:

TOWN OF RIVERHEAD
CONTRACT FOR CONSTRUCTION OF CURB & GUTTERS

TOWN HIGHWAY

THIS AGREEMENT BETWEEN THE TOWN OF RIVERHEAD, A MUNICIPAL CORPORATION OF THE STATE OF NEW YORK, AND PETER S. DANOWSKI OF MARCY AVENUE, TOWN OF RIVERHEAD, NEW YORK, ADJACENT PROPERTY OWNER.

THE TERMS OF THIS AGREEMENT AS FOLLOWS:

1. THE TOWN OF RIVERHEAD AGREES TO CONSTRUCT CURBS AND GUTTERS ALONG MARCY AVENUE, A TOWN HIGHWAY IN THE TOWN OF RIVERHEAD, ADJACENT TO THE PROPERTY OF OWNER HEREIN SET FORTH.
2. THE GRADES AND LINES WILL BE ESTABLISHED BY THE SUPERINTENDENT OF HIGHWAYS.
3. THE MATERIALS WILL BE DELIVERED AND THE LABOR PERFORMED AT TIMES AND IN A FORM AND MANNER SPECIFIED BY THE SUPERINTENDENT OF HIGHWAYS.

4. THE TIME OF COMMENCEMENT AND COMPLETION OF THE WORK SHALL BE DETERMINED BY THE SUPERINTENDENT OF HIGHWAYS.
5. ALL LABOR USED AND ALL MATERIALS FURNISHED SHALL CONFORM TO NEW YORK STATE SPECIFICATIONS.
6. THE REPAIR AND MAINTENANCE OF THE CURBS AND GUTTERS SHALL BE THE OBLIGATION OF THE TOWN.
7. THE ADJACENT PROPERTY OWNER, IN CONSIDERATION OF THESE PRESENTS AND OTHER CONSIDERATIONS HEREIN PERFORMED AND TO BE PERFORMED BY THE SAID TOWN, DO HEREWITH PAY TO THE SAID TOWN THE SUM OF \$156.00, WHICH IS THE SUM TO REIMBURSE THE TOWN FOR THE COST OF THE MATERIALS.

THAT THE EXPENSE TO THE TOWN SHALL NOT EXCEED THE SUM OF \$400.00, THAT THE SUPERVISOR BE AUTHORIZED TO SIGN THE SAID CONTRACT IN BEHALF OF THE TOWN WHEN THE MONEY TO BE PAID BY SAID PETER S. DANOWSKI IS TURNED OVER AND THE CONTRACT HAS BEEN SIGNED BY HIM, AND THEN

THAT THE SUPERINTENDENT OF HIGHWAYS BE DIRECTED TO PERFORM THE WORK.

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

A DISCUSSION WAS HELD RELATIVE TO THE BILL FOR SERVICES RENDERED AS SUBMITTED BY ATTORNEY REGINALD C. SMITH, FOR WORK DONE ON THE "GRUMMAN BILL", IN THE AMOUNT OF \$903.31.

JUSTICE PIKE COMMENTED THAT IN HIS OPINION THE AMOUNT OF THE BILL WAS EXCESSIVE BASED ON THE FINAL OUTCOME OF THE "GRUMMAN BILL" WHICH WAS VETOED BY GOVERNOR ROCKEFELLER.

JUSTICE PIKE LEFT THE MEETING AT THIS POINT.

COUNCILMAN BENEDICT OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILMAN STOTZKY.

RESOLVED THAT THE BILL FOR SERVICES RENDERED AS SUBMITTED BY ATTORNEY REGINALD C. SMITH, RIVERHEAD, FOR WORK ON THE SO CALLED "GRUMMAN BILL" IN THE AMOUNT OF \$903.31, BE AND THE SAME IS HEREBY APPROVED.

THE VOTE---COUNCILMAN STOTZKY, YES, COUNCILMAN BENEDICT, YES, JUSTICE PIKE, ABSENT, JUSTICE ZALOGA, YES, AND SUPERVISOR LEONARD, YES. THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

THE TOWN BOARD CONVENEED AS A BOARD OF AUDIT AND EXAMINED ALL BILLS TO DATE, THE TOTAL OF WHICH WAS AS FOLLOWS: GENERAL TOWN--- GENERAL TOWN----\$7,747.21 AND MACHINERY FUND----\$1,443.50. ON MOTION MADE BY COUNCILMAN BENEDICT AND SECONDED BY COUNCILMAN STOTZKY, IT WAS RESOLVED THAT THE BILLS BE APPROVED AS RENDERED. THE VOTE---COUNCILMAN STOTZKY, YES, COUNCILMAN BENEDICT, YES, JUSTICE PIKE, ABSENT, JUSTICE ZALOGA, YES, AND SUPERVISOR LEONARD, YES. THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

THERE BEING NO FURTHER BUSINESS ON MOTION AND VOTE, THE
MEETING ADJOURNED TO MEET ON TUESDAY, AUGUST 4, 1959 AT 9:30 A.M.

Anthony F. Gudzinski
ANTHONY F. GADZINSKI, TOWN CLERK

AFG:MVB