

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, September 6, 1966 at 10:30 A. M.

Present:

Robert B. Vojvoda, Supervisor

Bruno F. Zaloga, Jr.

Thomas R. Costello, Justices of the Peace

Vincent B. Grodski

George G. Young, Councilmen

Also present: Shepard M. Scheinberg, Town Attorney.

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

Councilman Young 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 August 16, 1966, be approved as submitted.

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

Supervisor Vojvoda asked if anyone wished to be heard. No one responded.

REPORTS

Fire Inspector's - July, 1966. Filed.

Fire Inspector's - August, 1966. Filed.

Police Department - August, 1966. Filed.

Building Department - August, 1966. Filed.

Grievance Committee re Hearing on Highway Employee. Filed

Probationary Report on Highway Employee-Edward Fihk. Filed.

Supreme Court memorandum re Order of Temporary Stay and Permanent

Injunction vs. Riverhead Town Board. Filed.

After being duly advertised Sealed Bids for the Repair of Highway in Roanoke Homes Development, Riverhead, N. Y., were opened by the Town Clerk on Tuesday, August 30th, 1966 at 10:30 A. M. as follows:

R. O. WELCH ASPHALT CO., 1064 Woodcrest Avenue, Riverhead, N. Y. 11901

Item 1. \$ 900.00

Item 2. 3,994.00

TOTAL \$4,894.00 -60 calendar days to complete the work

H. S. ROBERTS, INC., ROGERS AVENUE, WESTHAMPTON BEACH, N. Y. 11976

Item 1. \$1,900.00

Item 2. 4,275.00

TOTAL \$6,175.00-15 calendar days to complete the work

REPORTS-Sealed Bids-Roanoke Homes -continued:TUFANO CONTRACTING CORP., MIDHAMPTON AVENUE, QUOGUE, N. Y.

Item 1.	\$1,650.00
Item 2.	11,375.00
<b>TOTAL</b>	<b>\$13,025.00</b> - 60 calendar days to complete the work

The Bids were ordered filed.

COMMUNICATIONS

Suffolk County Dept. of Planning, dated August 29, 1966, stating no adverse responses received from adjoining towns and L. I. State Park Commission on adopted changes to Zoning Ordinance No. 26 of Town of Riverhead relating to Residence 3 in the area of Wading River, and Yard and Accessory Buildings. Filed.

Copies to Town Attorney.

Suffolk County Dept. of Planning, dated August 18, 1966, relating to adoption of Zoning Changes, Town of Brookhaven. Filed.

Copy to Town Attorney.

Town of Brookhaven, dated August 17, 1966 re adoption of Zoning Changes. Filed.  
Copy to Town Attorney.

Town of Brookhaven, dated August 26, 1966 re Public Hearing on Zoning Changes.  
Copy to Town Attorney and filed.

Town of Southampton, dated, August 31, 1966 re adopted changes to Zoning Map.  
Copy to Town Attorney and filed.

Emily M. Bruen and Wm. E. Miller, dated August 31, 1966, enclosing check in the amount of \$750.00 to pay for 1/2 share of costs to repairs of the undedicated section of Dogwood Drive, Hill & Dale Section #2, Wading River. Filed.

Copy to Supt. of Highways.

John and Wanda Wittmeier, dated August 31, 1966, requesting permission to increase Trailer Park by adding lots number 23, 24, 25, 26 and 27 to the existing filed map and enclosing map showing proposed increase. Filed.

Referred to Planning Board for recommendation and report.

Long Island Lighting Company, dated August 29, 1966, enclosing copies of maps showing electric transmission line covering area in Wading River lying between the Brookhaven-Riverhead Town Line and Hulse Landing Road. Filed.

Alden W. Young, dated August 30, 1966, enclosing prints of survey on parcel of land to be acquired from Frank Firth, Wading River, for highway purposes. The consideration being that curb and gutters be installed by the Town of Riverhead. Filed.

State Traffic Commission, dated August 11, 1966, advising that in view of recent fatalities at the intersection of Route 25, Wading River-Manor Road, that another investigation will be conducted and report made when field reports have been evaluated. Filed.

Copy to Police Chief.

COMMUNICATIONS continued:

Eastern Outboard Racing Club, Inc., dated August 23, 1966, requesting permission to hold races at the end of Meeting House Creek Blvd., on September 4, 1966.

Town Clerk reported that permission was granted by Supervisor Vojvoda prior to September 6th, 1966 Town Board Meeting. Message and stipulations relayed to Secretary Peter Voss by Police Department. Permission ratified by Town Board. Filed.

Edward R. Munson, Building Inspector, dated August 23, 1966, submitting following matters for review and recommendations:

1. Site Plan Layout
2. Suffolk County Department of Public Works Permit
3. Suffolk County Health Department Approval
4. Application for Building Permit for Mobile Service Station. Filed.

Recommendations and report tabled for the September 20th, 1966 Town Board Meeting.

Rudolph Martini, dated August 15, 1966, requesting street light installation on Pole #226, Main Road, Route 25, about 500 feet east of Washington Ave. Filed.  
Referred to Street Lighting Committee.

Joseph Conforti, dated August 24, 1966, requesting installation of street lights on LILCO Poles No. 8, 9 and 11, located on south side of Sound Avenue, opposite Ramblewood Mobile Home Estates. Filed.  
Referred to Lighting Committee.

Rev. Paul Graskow, dated August 27, 1966, requesting improved street lighting on Robinson Boulevard & East Avenue Extension adjacent to the southeast portion of St. John the Baptist Church. Filed.  
Referred to Lighting Committee.

Long Island Lighting Co., dated August 25, 1966, submitting plan for street lighting on MerrittsPond Road, Riverhead, outlining cost of \$21.00 per annum, within the Riverhead Lighting District. Filed.  
Referred to Lighting Committee.

HEAD OF DEPARTMENT

Police Chief Stephen J. Grodski rendered following reports:

Civil Service List of Eligible for Police Patrolman has been canvassed and said list found to be exhausted.

On the matter of complaints regarding the parking of vehicles without beach stickers, at end of Roanoke Landing: A sign reading "Riverhead Town Board, Residents Only", has been posted at the top of the landing for the past year.

The Town Board instructed Chief Grodski to remove the existing sign and replace same with sign reading "Dead End Stop-Steep Hill", as the Roanoke Beach has not been established as "town-owned."

RESOLUTIONS

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

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids for One New 1967 Automobile for use of the Town of Riverhead Highway Superintendent, and be it

RESOLVED, That specifications be prepared by the Superintendent of Highways, and bids returnable up to 10:30 A.M., on September 19, 1966, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, September 19, 1966 at 10:30 A.M., at the Town Clerk's Office, Town Hall, 220 Roanoke Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on Automobile."

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, 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 Town Clerk be and is hereby authorized to advertise for sealed bids for Gasoline Requirements for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A.M., on September 19, 1966, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, September 19, 1966, 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 Gasoline."

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, 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 Superintendent of Highways be and is hereby authorized to employ William Raymond Bilski, 463 Hamilton Avenue, Riverhead, New York, for a probationary period of six months as Laborer in the Highway Department at an hourly wage of \$1.75 effective August 29, 1966.

The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, 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 Edward Fink, Automotive Equipment Operator, has satisfactorily completed his six months probation period in the Highway Department, therefore be it further

RESOLVED, That the Superintendent of Highways be and is hereby authorized to increase said Edward Fink's salary from \$1.75 per hour to \$2.00 per hour, effective September 5, 1966.

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

RESOLUTIONS continued:

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

RESOLVED, That the Superintendent of Highways be and is hereby authorized to increase the salary of James A. Castagnaro from \$1.75 per hour to \$2.25 per hour as Automotive Mechanic, effective August 29, 1966.

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

<p><b>PUBLIC NOTICE</b> PLEASE TAKE NOTICE that the following Resolution was approved and adopted by the Town Board of the Town of Riverhead, Suffolk County, New York, on the 6th day of September, 1966: RESOLVED, That the Town Board on behalf of the Town of Riverhead, enter into the following Lease Agreement: THIS AGREEMENT, made the 6th day of September, 1966, between WADING RIVER FIRE DISTRICT, of Wading River, New York, as Landlord and RIVERHEAD TOWN BOARD of Riverhead, New York, as Tenant, WITNESSETH: The Landlord hereby leases to the Tenant the following described premises: ALL that certain plot, piece or parcel of land, together with the buildings and improvements thereon, situate, lying and being at Wading River, Town of</p>	<p>Riverhead, Suffolk County, New York, bounded north by North Wading River Road 166.1 feet, east by land of Reuben Thomas 250.4 feet south by land of F. &amp; W. Batten, 165.3 feet, and west by land of F. &amp; W. Batten, J. Guarino and F. Gutsch 254.5 feet for the term of ten years, to commence on the date hereof and to end on the 6th day of September, 1976, upon the considerations and covenants following: 1. That the Tenant shall pay the rent of \$1.00 for the term of this lease, receipt of which is hereby acknowledged. 2. That the Tenant shall use the premises as a Town recreation area, and as a meeting hall which shall be available for use by civic groups in the Wading River-Wildwood area, and that the Tenant shall promptly proceed to make the premises suitable for such purposes.</p>	<p>3. That the Tenant shall have the right to make alterations to the inside of the building on the premises, and will provide necessary maintenance, upkeep and repairs. 4. That the siren and electric line now on the premises shall remain, and the Landlord shall have access thereto and to the standpipe on the premises. 5. That the Tenant shall have the right to use the well on the premises, in common with the Landlord. 6. That the Tenant shall provide a separate electric line for its use, and shall pay for the electricity used by it. 7. That the Tenant shall obtain liability insurance covering the premises and protecting the Landlord. And the said Landlord doth covenant that the said Tenant on paying the said rent and performing the covenants of aforesaid,</p>	<p>shall and may peacefully and quietly have, hold and enjoy the said demised premises for the term aforesaid. 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 ten (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. Dated: September 6, 1966 BY ORDER OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD, NEW YORK. HELENE M. BLOCK, Town Clerk</p>
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The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLVED, That Edward J. Gadzinski, H.E.A.O., Sanitation Department, be paid the sum of \$104.00 for 40 hours overtime pay for the period from August 8th to 12th, 1966, at the rate of \$2.60 per hour, and Frank J. Columbus, H.E.A.O., Sanitation Department, be paid the sum of \$104.00 for 40 hours overtime pay for the period from August 15th to 19th, 1966, at the rate of \$2.60 per hour.

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

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLUTIONS continued:

RESOLVED, That the Supervisor be and is hereby authorized to transfer the sum of \$14,772.03 from the General Town Current Surplus Account to the following Accounts:

Peconic Avenue Bridge Construction Account	\$ 87.00
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Budgetary subsidiary Accounts:

Town Hall and Offices/Purchase of Furniture and Equipment	295.91
Town Hall and Offices/Litigation & Appraisal Costs	40.00
Town Hall and Offices/Other Miscellaneous Expenses	645.72

Enterprises/Parks and Beaches/Capital Improvements	4,362.37
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Enterprises/Parking Field Expenses	2,226.27
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Enterprises/Other/Marina	660.16
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Enterprises/Other/Peconic River Buoy Lights	11.54
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Enterprises/Other/Town Dock	500.00
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Miscellaneous/Town Share Employees Retirement	4,776.19
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Miscellaneous/Insurance/Compensation	1,016.87
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Miscellaneous/Insurance/Official Bonds & Other	150.00
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TOTAL	\$14,772.03
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The vote, Councilman Young, Yes, Councilman Grodski, Yes, Justice Zaloga, Yes, Justice Costello, Yes, and Supervisor Vojvoda, Yes. The resolution was thereupon declared duly adopted.

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

RESOLVED, That Shirley Fields, Marion Seery, Gloria Lonski, Ruth Worm, Otto Stahl, Stanley Rogers and Pheletus Tuthill be and they are hereby appointed school crossing guards, effective September 7, 1966, at the rate of \$2.00 per hour, payable bi-weekly and at the pleasure of the Town Board.

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

RESOLVED, That Sophie Waski be authorized to attend the four day School for Fiscal Officers and Clerks sponsored by the Comptroller and the Conference of Mayors, to be held at Saratoga Springs, New York, on September 27, 28, 29, 30, 1966, and that all necessary expenses incidental thereto be paid.

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

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLUTIONS continued:

RESOLVED, That Raymond Wiwczar, Fire Inspector, be paid at the rate of \$2.00 per hour, for hours so worked, and

FURTHER RESOLVED, That said Raymond Wiwczar, Fire Inspector, be and is hereby allowed mileage allowance of 10¢ per mile for the use of a vehicle on authorized Town business.

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

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That the Long Island Lighting Company be and is hereby authorized to make a survey for the installation of a street light on Pole #226, Main Road, Route 25 about 500 feet east of Washington Avenue, Jamesport, within the Jamesport Lighting District.

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

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That the Long Island Lighting Company be and is hereby authorized to make a survey for the installation of street lights on LILCO Poles #8, 9 and 11, located on the south side of Sound Avenue opposite Ramblewood Mobile Home Estates.

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

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That LILCO make a survey for improved street lighting in the area of Robinson Boulevard and East Avenue Extension, within the Riverhead Lighting District.

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

Justice Costello offered the following resolution which was seconded by Justice Zaloga.

RESOLVED, That the Long Island Lighting Company be and is hereby authorized to install street lighting on Merritts Pond Road, within the Riverhead Lighting District, as per letter and plan dated August 25, 1966, outlining added cost to aforesaid District of \$21.00 per annum.

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

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

RESOLUTIONS continued:

A RESOLUTION EXPRESSING APPRECIATION TO LIEUTENANT DANIEL F. ROCHE OF THE NEW YORK STATE POLICE FOR HIS MANY YEARS OF FAITHFUL SERVICE IN LAW ENFORCEMENT.

WHEREAS, Lieutenant Daniel F. Roche, has been a member of the New York State Police for a period of over twenty-five years, and

WHEREAS, A great portion of that time was spent as a New York State Police Officer in the Town of Riverhead, and

WHEREAS, Lieutenant Daniel F. Roche has devoted many years to law enforcement and the protection of the lives and property of the people of the Town of Riverhead as a member of the New York State Police,

NOW, THEREFORE BE IT RESOLVED, That the Town of Riverhead express its sincere appreciation to Lieutenant Daniel F. Roche of the New York State Police for his many years of faithful service in the cause of law enforcement and particularly for his untiring effort in the protection of the lives and property of the people of the Town of Riverhead, and

BE IT FURTHER RESOLVED, That this Resolution be spread upon the minutes of this meeting and a copy of this Resolution be forwarded to Lieutenant Daniel F. Roche with the sincere thanks and appreciation of the people of the Town of Riverhead for the many years of public service rendered in their behalf.

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

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined bills submitted on Warrants dated September 6, 1966 as follows: General Town-\$10,616.08, Highway Item 1-\$4,323.69 and Highway Item 3-\$1,667.15.

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

RESOLVED, That General Town bills submitted in the amount of \$10,616.08, be approved for payment, and

FURTHER RESOLVED, That Highway Item 1 bills submitted in the amount of \$4,323.69 and Highway Item 3 bills in the amount of \$1,667.15, be approved for payment.

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

At this point of the meeting, Supervisor Vojvoda called a recess to hold a Public Hearing.

PUBLIC HEARING - 11:00 A. M.

Proof of publication and posting of the Notice in the Matter of the Repeal of the existing Ordinance No. 15, entitled "Public Dump or Disposal Area", and the Adoption of the revised Ordinance No. 15, entitled "Waste Disposal Ordinance of the Town of Riverhead", was presented to the Board by the Town Clerk and ordered placed on file.

Thereupon Supervisor Vojvoda declared the Hearing open, and asked if anyone wished to be heard in favor of or in opposition on the matter of the Repeal of the existing "Public Dump or Disposal Area" Ordinance No. 15.

Special Town Attorney Robert L. Tooker addressed the Board and stated that the existing Ordinance No. 15, "Public Dump" or "Disposal Area", does not cover fully all the problems the Town has in connection with the disposal of waste and rubbish. And in order to adopt the proposed revised Waste Disposal Ordinance which is much more comprehensive, it will be necessary to repeal the old Dump Ordinance No. 15.

No one else wishing to be heard on the matter, Supervisor Vojvoda declared the Hearing on the Repeal of Ordinance No. 15, closed.

Supervisor Vojvoda declared the Hearing open on the matter of the proposed revision of Ordinance 15 to be known as "Waste Disposal Ordinance", and asked if any one wished to be heard in favor of or in opposition to the matter.

Robert L. Tooker, Special Town Attorney addressed the Board and stated as follows:

"In the past the Town of Riverhead has neither licensed or charged carriers who use the dump. This has caused many problems as some of the carriers have picked up business on the side and they used improper equipment to carry loads and generally conducted an unsanitary operation.

The thrust of this Ordinance is to regulate those people to make it their business to collect refuse, rubbish and trash and to charge them a fee. This will help offset the costs of operating the dump and to dispose of large quantities of garbage and rubbish.

No fees are charged to residents. The Ordinance is written so that people who live in that portion of the Town of Southampton which is within Central School Dist. No. 2, can also use the dump and commercial people who collect in that area can also deposit what they collect in the dump.

There is a schedule of fees based on \$100.00 for each operator for the first truck and \$75.00 for each additional truck. A charge of \$150.00 for the honey-dippers and a charge of \$25.00 for an unusually difficult load to dispose of. It also provides a charge for demolishing buildings and carrying that refuse to the dump.

Although it was a holiday yesterday and the Dump was closed, I nevertheless took a drive up to the area and observed that a lot of refuse was strewn along the way. I do not believe this refuse was dumped there by the legitimate carriers but by pick-up operators who are in the business in the summer time and don't care.

This Ordinance requires that if you carry wet-garbage you have to have a water tight container. No matter what type of garbage you carry you have to have it covered."

PUBLIC HEARING - 1100 A.M. continued:

Mr. Tooker continues:

"The Ordinance sets the hours of operation of the dump.

I have discussed this Ordinance with you before and made changes as to your suggestions. I have gone over it thoroughly with Mr. Gadzinski as to its contents and its implementations and I recommend its adoption, after which it shall be published and become effective 10 days after publication.

If there are any alterations to the Ordinance which may seem to be necessary as a result of the Public Hearing today, we can amend that before it is published. I shall be pleased to answer any questions."

The following garbage operators raised objections as to the closing hours of the dump as contained in Section 7 (b) -second sentence:

John Lombardi stated that sunset comes at 4:30 P.M. in the winter and inasmuch as trucks are not permitted to stand overnight with garbage, the operators will not be able to make the dump on time. In the summertime with barbecues and all, the hours are too short to complete pickups. There is more garbage in the summertime and all of the customers will not be taken care of.

Justice Costello: "What time do you start in the morning and finish at night?"

Mr. Lombardi: "We start at 7 A.M. and it is 6 o'clock or later when we finish. Our customers would object to the noise of trucks pulling in and out of the yards if we came in earlier than 7 A.M. When you are a one truck operator, the short hours would not give us time to fill a second truck."

Councilman Grodski: "How can you see to do anything when it is dark?"

Justice Costello: "Are all these garbage collectors in the same status as you are?"

Mr. Lombardi: "It will be pretty rough to operate under these hours."

Thomas Aniello: "If the dump is closed at these stated hours, it will hurt our business and if we get any new customers or expand our business we will need more time."

Justice Costello: "How much more time will you need?"

Mr. Aniello: "I say open later in the morning and close later at night."

Justice Zaloga: "How early do you want it opened in the morning?"

Mr. Aniello: "Well, anytime later than 7 A.M."

Mr. Tooker: "I think you might talk to Mr. Gadzinski and he can tell you what he has experienced there. In the past a packer could leave this stuff overnight and under this Ordinance he has to deposit at the end of the day."

Supervisor Vojvoda: "Before we get to Mr. Gadzinski, are there any other carriers who want to say anything regarding the hours?"

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

John Anderson: "I would suggest you set the hours, say possibly 8 or 9 o'clock opening in the morning."

Justice Zaloga: "Then you don't need the early opening hours?"

Edward Gadzinski: "We find that we have a few people coming in at 7 or shortly after seven, but very few, and these are people who stop in on their way to work. We could change the opening hours to 8 A. M. without any hardships. As Mr. Lombardi has stated, in the summertime it would be difficult to make the dump at 6 P. M. I think we could help these boys out in the winter months by setting the opening hours at 8 A. M. and closing at 5 P. M., and in the summer time to open at 8 A. M. and close at 7 P. M."

Mr. Lombardi: "Yes, and we have to consider breakdowns in trucks."

Councilman Young: "Well, in the winter time it's cold and you don't have to worry too much as probably the garbage is refrigerated."

Supervisor Vojvoda: "Well, what hours would you fellers suggest?"

Mr. Tooker: "Mr. Vojvoda, the reason the hours were written into the Ordinance was it seemed to us that the dump was opened for a couple of hours when no one was using it and it did seem foolish to have the boys hanging around when the dump was not being used."

Mr. Gadzinski: "We could take into consideration the heavy and light days and set the hours accordingly."

Mr. Tooker: "This is a thing that is going to fluctuate from year to year. The population of the town will enter into it and the number of people you will have in the business and the amount of equipment that is being used."

Councilman Young: "Can't we do something about the time now, so we won't have to amend and have this Ordinance published each time there is a change?"

Mr. Tooker: "Well, as a practical matter, nobody is going to read this Ordinance—they will look at the signs posted at the dump. It isn't necessary that this Ordinance have hours in it at all. We can alter the hours or eliminate them."

Town Attorney Scheinberg: "I have a question as to why was that portion of Southampton included within Central School District No. 2?"

Supervisor Vojvoda: "Because the Town of Southampton pays us \$2500 per year for that area."

Town Attorney Scheinberg: "Yes, but it says 'licensed vehicles operating within that portion'. It doesn't say, residents."

Mr. Tooker: "Yes, it does under Section 7 (a)."

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

Kenny Smith, Wading River: "What will happen to our second load coming in if we should have trouble with a truck and can't make the dump on time?"

It was suggested that the men at the dump be called.

Mr. Anderson: "If we are going to require permits, what about licensing the vehicles of the fly-by-night operators?"

Mr. Tooker: "That was the purpose of this Ordinance. They can only be in business if they are licensed and have the proper vehicle and if they pick up wet garbage they must have a water tight truck. It will put these people out of business as a pick-up truck is not water tight and they can't stay in business."

Justice Costello: "This Ordinance will increase your business and by eliminating them you will get more customers."

Police Chief Grodski: "What about private individuals, are they permitted to take garbage to the dump?"

Mr. Tooker: "Yes, but they must have the garbage covered as the Ordinance reads that all vehicles shall be so equipped that no part of the load shall blow, leak or spill."

Mr. Lombardi: "As to Section 4 (c), who will notify people that they must have tight covers on their garbage containers?"

It was suggested that the carriers call the Ordinance to the attention of their customers.

Mr. Tooker suggested that the Town Board strike out the second sentence in Section 7 (b), reading as follows: "The Town Dump shall be open from 7:00 a. m. to 7 p.m. unless sunset shall be before 6 p.m., in which case the Town Dump shall close at sunset."

After discussion it was the consensus of the Board to delete from the proposed Ordinance the second sentence under Section 7 (b) as recited by Mr. Tooker.

No one else wishing to be heard and no communications having been received thereto, Supervisor Vojvoda declared the Hearing closed at 11:26 A.M.

Supervisor Vojvoda re-opened the meeting.

RESOLUTIONS

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

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 and other statutes made and provided in connection with the repeal of the existing Ordinance No. 15, entitled "Public Dump or Disposal Area",

RESOLUTIONS continued:

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby repeals the existing Ordinance No. 15, entitled "Public Dump or Disposal Area".

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

Justice Zaloga offered the following resolution which was seconded by Justice Costello.

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 and other statutes made and provided in connection with the adoption of the revised Ordinance No. 15, entitled "Waste Disposal Ordinance of the Town of Riverhead",

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby ordains and enacts the following revised Ordinance No. 15, entitled "Waste Disposal Ordinance of the Town of Riverhead":

ORDINANCE NO. 15 - REVISED WASTE DISPOSAL ORDINANCE

Adopted September 6, 1966  
Section 1. TITLE  
This ordinance shall be known as the "Waste Disposal Ordinance of the Town of Riverhead".

Section 2. PURPOSE  
The purpose of this ordinance shall be to protect and promote the health, safety and welfare of the Town of Riverhead by controlling the storage, collection and disposal of garbage, refuse, rubbish and trash within the Town of Riverhead.

Section 3. DEFINITIONS  
The following definitions shall govern the interpretation of this ordinance unless otherwise expressly defined herein:

a. Words used in the singular shall include the plural and vice versa. The word "shall" is always mandatory.

b. "Town": includes all areas within the Town of Riverhead and that portion of the Town of Southampton which lies within Central School District #2 of the Towns of Riverhead et al.

c. "Person": includes natural persons, corporations, co-partnerships, unincorporated associations or any other organization of two or more persons.

d. "Owner": includes actual owners, purchasers under reserve title contracts, conditional sales contracts or vendor's lien agreements, or lessees, who are entitled to obtain in their own names proper New York State registration of vehicles.

e. "Vehicle": means any truck, wagon, automobile or conveyance which is licensed for the transportation or cartage of garbage, refuse, rubbish or trash.

f. "Street": means a road, avenue or public highway in the Town of Riverhead.

g. "License": means due authorization in writing as provided herein which permits a person to engage in the business of collecting garbage, refuse, rubbish or trash from the premises of any person or of carting or transporting the same through or upon any street within the Town of Riverhead or within that part of the Town of Southampton which lies within Central School District #2 of the Towns of Riverhead et al, and to deposit the same on any authorized dumping ground within the Town of Riverhead.

## Section 4. ILLEGAL DUMPING

a. It shall be unlawful for any person to throw, deposit, or cause to be thrown or deposited on any street or place, except authorized dumping grounds, garbage, refuse, rubbish or trash, nor shall any person use or permit to use operate or maintain any private property as a dump or dumping ground, for the deposit of any garbage, refuse, rubbish or trash, unless a permit therefor is first obtained from the Town Board. This section shall not be construed to limit the rights of residents or others to place garbage, refuse, rubbish or trash in covered containers in front of their property for authorized collection and removal.

b. No household, or institutional garbage, refuse, rubbish or trash shall be stored or accumulated on any premises within the Town of Riverhead except as permitted by this ordinance.

c. Every owner, lessee and occupant of any house, building,

premises or place of business within the Town of Riverhead shall provide or cause to be provided sufficient receptacles for receiving and containing garbage, refuse, rubbish or trash that may be accumulated upon the premises. No such receptacles shall be kept near any public place longer than may be necessary for the removal of the contents thereof. All receptacles used for the reception of garbage, refuse, rubbish or trash shall be provided with proper covers, and such receptacles shall at all times be securely closed.

d. No garbage, refuse, rubbish or trash shall be burned within the Town of Riverhead without first obtaining an appropriate permit as authorized by the Town Board.

## Section 5. LICENSES

a. Licenses shall be issued by the Town Clerk to persons complying with the provisions of this ordinance and supplementary regulations as are promulgated from time to time by the Town Board of the Town of Riverhead. No person shall engage in the business of collecting garbage, refuse, rubbish or trash within the Town of Riverhead without first obtaining a license from the Town Clerk. Such license shall be issued by the Town Clerk upon the payment of a fee of \$100.00 for each calendar year or fraction thereof for the first vehicle and the sum of \$75.00 for each additional vehicle owned by the same person. Each vehicle shall require a license.

b. Anything herein contained to the contrary notwithstanding, the license fee for any vehicle used in

the transportation of cesspool contents shall be \$150.00 per annum.

c. Before a license is issued for any vehicle it shall first be inspected by the person in charge of the Town Dump, or such other person or persons designated by the Town Board.

d. Each application for such license shall provide the following information:

1. Name and address of the applicant and of all persons having a financial interest in the business;
2. A brief description of the vehicle, including the manufacturer, factory number, type of body (for example, tank, enclosed pickup, packer, van, and so forth), weight of the vehicle unladen, the maximum load to be carried and the New York State registration number;
3. The area or areas served by the vehicle;
4. The location where the vehicle is stored or garaged when not in use;
5. The place or places where the applicant shall dispose of the garbage, refuse, rubbish or trash collected and the manner of disposal;
6. Whether the applicant, or any of the persons having a financial interest in the business, has ever been convicted of a felony, or misdemeanor, or has ever had an operator's license revoked or suspended in this or any other state;
7. Proof of financial responsibility in the event of injury of persons or property by reason of the negligent operation of

## RESOLUTIONS continued:

any vehicle used in the business.

e. Every licensee shall affix the insignia delivered for use in connection with operation of a licensed vehicle upon the licensed vehicle in such manner as may be directed by the Town Clerk.

f. No license or permit issued under the provisions of this ordinance shall be transferable.

g. The Town Board shall have the power to suspend or revoke a license granted or renewed pursuant to this ordinance, for failure to comply with this ordinance. Renewal licenses shall be issued in the same manner and subject to the same conditions as original licenses.

## Section 6 VEHICLES

a. All vehicles used in the transportation of garbage, refuse, rubbish or trash shall be so equipped that no part of the load shall blow, leak or spill. All vehicles used in the transportation of garbage, refuse, rubbish or trash shall be covered. All vehicles used in the transportation of garbage, refuse, rubbish or trash shall be watertight unless the load consists wholly of dry material.

b. No license shall be required for any individual resident of the "Town", as defined herein, to so transport his own garbage, refuse, rubbish or trash.

c. All vehicles shall be kept in a sanitary condition and shall be subject to inspection by the person in charge of the Town Dump or by such other persons as the Town Board may designate.

d. It shall be unlawful to store or garage any vehicle containing garbage, refuse, rubbish or trash overnight.

## Section 7. USE OF THE TOWN DUMP

a. The use of the Town Dump of the Town of Riverhead is hereby restricted to residents of the Town of Riverhead, operators of licensed vehicles as defined herein operating within the Town of Riverhead or operating within that portion of the Town of Southampton which lies within Central School District #2 of the Town of Riverhead et al, and to residents of that portion of the Town of

Southampton which lies within Central School District #2 of the Towns of Riverhead et al.

b. No person shall use the Town Dump except during the regular hours when the dump is open. The Town Dump shall be open every day except New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and Easter Sunday.

c. It shall be unlawful for residents or licensed collectors to dump vehicles or parts of vehicles at the Town Dump. Cesspool refuse may be dumped at the Town Dump only if it is transported in watertight metal containers. Newspapers may be dumped at the Town Dump only if they are tied securely or placed in a suitable container.

d. Anything herein contained to the contrary notwithstanding, the dumping or disposal at the Town Dump of garbage, refuse, rubbish, or trash created by the demolition of any building larger than 2,000 cubic feet shall require a permit of the Town Clerk. A permit shall be issued upon payment of a fee of \$25.00 for the disposal of garbage, refuse, rubbish or trash created by the demolition of a building with an area of more than 2,000 cubic feet and less than 10,000 cubic feet, and upon payment of a fee of \$50.00 for the disposal of garbage, refuse, rubbish or trash created by the demolition of a building with an area of 10,000 feet or more.

e. Anything herein contained to the contrary notwithstanding, a charge of \$25.00 per load shall be made for the dumping or disposal at the Town Dump of any unusually large quantity of garbage, refuse, rubbish or trash which shall give off an offensive odor, or which shall create an unusual disposal problem, except cesspool contents, which are provided for under Section 5, Article (b) herein.

f. The person in charge of the Town Dump under the authority of the Town Board shall have the authority to determine what garbage, refuse, rubbish or trash may be left at the dump and the

place or places, such garbage, refuse, rubbish or trash shall be deposited within the dump, and shall also have the sole authority to determine what shall constitute an unusually large quantity of garbage, refuse, rubbish or trash with an offensive odor, or which shall create an unusual disposal problem, as defined above.

g. No person shall dump garbage, refuse, rubbish or trash at the Town Dump except in the area and manner indicated by signs or directions displayed at the Town Dump. Any oral directions given by the person in charge of the Town Dump under the authority of the Town Board shall take precedence over any posted signs or directions.

h. There shall be no loitering or scavenging at the Town Dump at any time.

i. The regulations herein contained shall also apply to any other lands hereafter acquired or leased by the Town of Riverhead for the purpose of disposal of garbage, refuse, rubbish or trash.

## Section 8. ENFORCEMENT, PENALTIES

a. Any person who commits or permits any act or acts in violation of any of the provisions of this ordinance shall be deemed to have committed an offense against such ordinance, and also shall be liable for any such violation of the penalty therefor. Each day such violation shall continue or be permitted to exist shall constitute a separate violation.

b. For every violation of any provision of this ordinance the person violating the same shall be subject to a fine of not more than \$100.00, or imprisonment not exceeding 30 days, or by both such fine and imprisonment.

c. Conviction for any above-mentioned violation shall constitute and effect an immediate forfeiture of the license.

d. Any person violating this ordinance shall be subject to a civil penalty enforceable and collectable by the Town in the amount of \$100.00 for each such offense. Such penalty shall be collectable by and in the name of the Town

for each day that such violation shall continue.

e. In addition to the above-provided penalties and punishment, 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 with or to restrain by injunction the violation of such ordinance.

## Section 8. SAVING CLAUSE

If any clause, sentence, paragraph, section or part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

## Section 9. REPEAL

The Public Dump or Disposal Ordinance of the Town of Riverhead, adopted July 3, 1951, and any subsequent amendments, thereto are hereby repealed, and all rules, requisitions, and ordinances of this town inconsistent herewith are hereby repealed as of the date this ordinance shall go into effect.

And the Town Clerk is hereby authorized and directed to enter the said revised Ordinance No. 15, entitled "Waste Disposal Ordinance of the Town of Riverhead", in the minutes of the Town Board, and to publish a copy on 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.

The revised Ordinance No. 15, entitled "Waste Disposal Ordinance of the Town of Riverhead", shall take effect ten days after such publication and posting. Dated: September 6th, 1966.

BY ORDER OF THE  
TOWN BOARD OF THE  
TOWN OF RIVERHEAD  
HELENE BLOCK,  
TOWN CLERK

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

9/6/66

267.

The matter of land acquisition from Frank Firth, Wading River, N. Y., for Highway purposes was discussed by the Board and the Town Attorney was directed to prepare a resolution authorizing the Supervisor to execute agreement subject to permissive referendum, for said land.

Alden W. Young, Engineer, submitted two maps on the matter of the Town acquiring properties on Roanoke Heights from R. C. Diocese of Brooklyn and/or Mercy High School and suggested that the Town Board determine how much curbing will be given the Mercy High School.

The maps were ordered filed.

The Town Attorney was directed to prepare a resolution authorizing the Town to acquire said properties.

There being no further business on motion and vote, the meeting adjourned at 12:30 P. M., to meet on Tuesday, September 20th, 1966 at 10:30 A. M.

*Helene M. Block*

Helene M. Block, Town Clerk

HMB.