

Minutes of a meeting of the Town Board of the Town of Riverhead held in the Town Hall on Wednesday, April 7, 1948 at 2:00 P.M.

Present:

Joseph V. Kelly, Supervisor

Austin H. Warner,
Frank J. Yousik,
William J. Leonard, Justices of the Peace

Arthur H. Lundberg, Town Attorney and Myron C. Young, Supt. of Highways were present.

Minutes of a meeting of the Town Board held on March 24, 1948 were read and on motion and vote were duly adopted.

Notice of public hearing for the purpose of enacting the proposed parking meter ordinance was read.

Proof of publication of the above notice was submitted to the Board and on motion and vote was ordered placed on file.

Supervisor Kelly thereupon declared the hearing open and anyone who wished could be heard at that time.

No one having appeared in favor or against the proposed parking meter ordinance, the hearing was declared closed.

Justice Warner offered the following resolution which seconded by Justice Yousik:

RESOLVED, that the following be and is hereby enacted, ordained and adopted as an Ordinance of the Town of Riverhead, N. Y.

ORDINANCE NO. 13

An ordinance relating to traffic and regulating the use of public streets and highways in the Town of Riverhead, prescribing regulations relative to the parking of vehicles upon such public streets and highways; providing for purchase, acquiring, installation, operation, maintenance, supervision, regulation and control of the use of parking meters; defining and providing for the establishment of parking meter zones upon the public streets and highways, providing for the payment thereof; providing for the enforcement hereof and providing penalties for the violation thereof.

WHEREAS, because of traffic conditions that have existed in certain sections of the Town of Riverhead, the free movement of traffic in those sections is, and has been, impeded for a long period of time; and

WHEREAS, attempts to regulate the traffic and parking in the aforesaid sections have not been successful as is desirable; and

WHEREAS, because of the habit of numerous operators of motor vehicles of parking for long periods of time in close proximity to other motor vehicles so parked on the most congested parts of the Town's busiest streets tends to further impede traffic and in addition thereto constitutes a danger to the life, limb and property of motorists, pedestrians and others; and

WHEREAS, it is the opinion of the Town Board of the Town of Riverhead that the best method by which the above-mentioned conditions may be remedied is by the designation of individual parking spaces in the said sections by providing for the use of mechanical parking-time indicators in conjunction therewith, by restricting parking in said sections to reasonable intervals of time and by compelling the operators of vehicles who enjoy the use of the parking space so designated to pay a portion of the cost of establishing and maintaining the same.

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Riverhead.

SECTION 1. For the purpose of this ordinance

(a) The word "vehicle" shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

(b) The word "street" shall mean any public street, avenue, road, boulevard, highways or other public place located in the Town of Riverhead and established for the use of vehicles.

(c) The word "person" shall mean and include any individual, firm, copartnership, or corporation.

(d) The word "operator" shall mean and include every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner.

SECTION 2. The Town Board is hereby authorized to establish immediately zones to be known as parking meter zones in the following streets and avenues:

On the northerly and southerly sides of Main Street (a State Highway) from the easterly side of Osborn Avenue and the extension southerly thereof to the westerly side of Union Avenue and the extension southerly thereof.

On the easterly and westerly sides of Peconic Avenue (a State Highway) from the Riverhead-Southampton Town boundary line to the south side of Main Street.

On the easterly side of Roanoke Avenue (a County Highway) from the northerly side of Main Street to the southerly side of First Street.

On the easterly and westerly sides of Griffing Avenue (a Town Highway) from the northerly side of Main Street to a line drawn at right angles to Griffing Avenue and distant 240 feet southerly from the southerly side of Court Street.

(From the hours—7 A. M. to 6 P. M. (prevailing time) Sundays and the following Holidays, namely, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Armistice Day, Thanksgiving Day, Christmas and New Year's Day excluded).

And in such other streets, avenues, roads, highways and public places as traffic conditions require and as the Town Board may from time to time hereafter select by resolution for the location of such zones. The Town Board is also authorized by resolution to discontinue any parking meter zone or part thereof from time to time hereafter as it may select.

And in said parking meter zones the Town Board shall cause parking meters to be installed and shall cause parking meter spaces to be designated as hereinafter provided, and shall fix the time limitations for legal parking in such zones, and the hours during the day and night when the parking meter or meters must be used and when the time limitations shall be effective, in compliance with the provisions of this ordinance; and shall indicate the time limitations by designating the same on the parking meter or meters or by appropriate signs posted in proximity to said meter or meters in said zones.

SECTION 3. The Town Board is hereby directed to provide for the purchase, acquiring, installation, operation, maintenance, supervision, regulation and use of the parking meters provided for in this ordinance and to maintain the said meters in good workable condition and the Supervisor is hereby vested with power and authority to enter into a contract of purchase on approval of the terms and conditions thereof by the Town Board of the Town of Riverhead, N. Y.

SECTION 4. Parking meters installed in the parking meter zones established as provided in Section 2 hereof shall be placed upon the curb immediately adjacent to the individual parking places hereinafter described. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter installed shall indicate by a proper legend the legal parking time established by the Town Board and when operated shall indicate on or by its dial and pointer the duration of the period of legal parking, and on expiration of such period, shall indicate illegal or over parking.

SECTION 5. The Town Board shall have lines or markings painted or placed upon the curb and/or upon the street adjacent to each parking meter for the purpose of designating the parking space for which said meter is to be used and each vehicle parking adjacent or next to any parking meter shall park within the lines or markings so established. It shall be unlawful and a violation of this ordinance to park any vehicle across any such line or marking or to park said vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.

SECTION 6. When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle nearest to such meter.

SECTION 7. When a vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this ordinance, the operator of said vehicle shall, upon entering the said parking space, immediately deposit or cause to be deposited a five-cent or one or more (not exceeding five) one-cent coins in such parking meter, and put such meter in operation, and failure to deposit such coin and put the meter in operation shall constitute a breach of this ordinance and shall subject such person to the penalty prescribed in Section 14 hereof. Upon the deposit of such coins and placing said meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the part of the street in which said parking space is located. If said vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space, the parking meter shall by its dial and pointer indicate such illegal parking, and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time and the parking of a vehicle overtime or beyond the period of legal parking time in any such part of a street where any such meter is located shall be a violation of this ordinance and punished as hereinafter set out.

The Town Board is hereby authorized by resolution to fix from time to time hereafter the value of such parking meters and to prescribe the duration of the period the coin or coins to be deposited in of legal parking.

(a) Commercial trucks may park in the parking zones to load or to unload merchandise, without depositing coins for a period not to exceed thirty (30) minutes. Should any truck or delivery car be parked longer than thirty (30) minutes said violator will be given a ticket and classed as a violation, and the regular penalty imposed.

SECTION 8. It shall be unlawful and a violation of the provisions of this ordinance for any person to cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked overtime or beyond the period of legal parking time estab-

lished for any parking meter zone as herein described.

SECTION 9. It shall be unlawful and a violation of the provisions of this ordinance for any person to permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.

SECTION 10. It shall be unlawful and a violation of the provisions of this ordinance for any person to deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter installed under the provisions of this ordinance.

SECTION 11. It shall be unlawful and a violation of the provisions of this ordinance to deposit or cause to be deposited in any parking meter, any slugs, device or metallic substance, or any other substitute, for the specified coins.

SECTION 12. It shall be the duty of police officers of the Town, acting in accordance with instructions issued by the Town Board, to report:

(a) The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parking in violation of any of the provisions of this ordinance;

(b) The State license number of such vehicle;

(c) The time during which such vehicle is parking in violation of any of the provisions of this ordinance;

(d) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation. Each such police officer shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this ordinance and instructing such owner or operator to report at the Justice Court in the Town of Riverhead in regard to such violation. Each such owner or operator may, prior to the time specified in said notice to report at the Justice Court unless such permission and privilege is denied and which event such notice shall be so endorsed, pay to the Police Clerk, as a penalty for and in full satisfaction of such violation, the sum of \$1.00. The failure of such owner or operator to make such payment of the sum of \$1.00 prior to the time herein specified, shall render such owner or operator subject to the penalties hereinafter provided for violation of the provisions of this ordinance.

SECTION 13. Any person who shall violate any of the provisions of this ordinance and any person who aids, abets or assists therein, shall, upon conviction thereof by the Justice of Peace be subject to a fine of any amount not exceeding Fifty (\$50.00) Dollars for each offense or violation or be imprisoned for a term not exceeding thirty (30) days, in the County Jail or in any place provided by the municipality for the detention of prisoners or both.

SECTION 14. The specified coin or coins required to be deposited in parking meters as provided herein are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets, and also the cost of supervision and regulating the parking of vehicles in the parking meter zones created hereby, and to cover the cost of purchasing, acquiring, installation, operation, maintenance, supervision, regulation and control of the parking meters described herein. The meaning of the term "the proper regulation and control of traffic upon the public streets" as used in this section shall be construed and is intended to include the right to acquire by lease or purchase parking fields and the improvement thereof. Any surplus revenue which may be accumulated from such fees and not required for the aforesaid purpose may be used and appropriated for any other lawful purpose.

SECTION 15. This ordinance shall be deemed to be in addition and supplementary to, and not in conflict with nor a repeal of prior or existing ordinances of this Town, but shall be an additional provision for the regulation of traffic and parking in those zones provided for herein.

SECTION 16. If a section, part of section, sentence, clause or phrase of this ordinance shall be held to be unconstitutional or invalid, the remaining provisions hereof shall nevertheless remain in full force and effect.

SECTION 17. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and at the same time are hereby repealed. This ordinance shall take effect and be in force from and after May 3, 1948.

The foregoing ordinance was adopted by the following recorded vote. Justice Zaleski absent, Justices Warner, Yousik and Leonard Yes, Supervisor Kelly Yes. Total Vote Yes 4, No 0. The ordinance was thereupon declared duly adopted.

On motion made by Justice Leonard and seconded by Justice Yousik it was Resolved that the Long Island Lighting Company be authorized to change the 100 C.P. light to a 600 C.P. light on Pole #7J on Griffing Avenue, and to change the 100 C.P. light to a 250 C.P. light on Pole #3 on Woodcrest Avenue in the Riverhead Lighting District. The resolution was adopted by the unanimous vote of the Board present.

The Police report for the month of March 1948 was submitted to the Board and on motion and vote was accepted and ordered placed on file.

Forrest G. Downs, Receiver of Taxes submitted a report of the amount of taxes collected as of April 1, 1948 and on motion and vote was accepted and ordered placed on file.

On motion made by Justice Leonard and seconded by Justice Yousik it was Resolved that the verbal offers by the various property owners

on East Main Street for the use of the rear of their properties along Peconic River for a town parking field be accepted and that the Supervisor be authorized to enter into written leases in accordance with their verbal agreements. The resolution was adopted by the unanimous vote of the Board present.

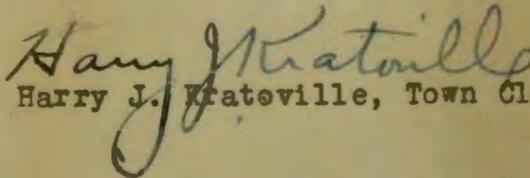
On motion made by Justice Warner and seconded by Justice Leonard it was Resolved that the Town proceed with the necessary work for the improvement of the new parking field on the south side of East Main Street and that a sum not to exceed \$5000.00 be appropriated from the Current Surplus Account, pursuant to Sec. 233 of the Town Law, for the expense of said improvement. The Vote, Justice Zaleski absent, Justices Warner, Yousik and Leonard Yes, Supervisor Kelly Yes. Total Vote Yes 4, No 0. The resolution was thereupon declared duly adopted.

On motion made by Justice Yousik and seconded by Justice Leonard it was Resolved, that the Town Board of the Town of Riverhead, Suffolk County, New York, does hereby request permission of the District Engineer, Department of Public Works of the State of New York to install and maintain parking meters on both sides of Main Street from the intersection of Osborn Avenue to the intersection of Union Avenue and on Peconic Avenue from the intersection of Main Street to the Riverhead-Southampton Town line, and be it further

RESOLVED, that the State of New York and/or its agents, servants and employees shall not be liable for injuries to persons and/or property, not caused by the State of New York, its agents, servants or employees, which may occur during the installing, repairing and/or maintaining by the Town of Riverhead of the aforesaid parking meters. The resolution was adopted by the unanimous vote of the Board present.

The Town Board then convened as a Board of Audit and examined all town and highway machinery bills to date.

There being no further business on motion and vote the meeting adjourned to meet on Wednesday, April 21, 1948 at 2:00 P.M.


Harry J. Krateville, Town Clerk.