

7/7/70

174.

Minutes of a Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, July 7th, 1970, at 10:30 A. M.

Present:

Bruno Zaloga, Supervisor
Thomas R. Costello, Town Justice
Robert G. Leonard, Town Justice
Vincent B. Grodski, Councilman
George G. Young, Councilman

Also present: Alex E. Horton, Supt. of Highways
John J. Munzel, Town Attorney

Supervisor Zaloga called the meeting to order at 10:30 A. M.

Town Justice Leonard has returned from the hospital and is looking hale and hearty again.

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

BE IT RESOLVED, That the Minutes of a Town Board Meeting held on June 23rd, 1970, be approved as submitted.

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

BOARD OF AUDIT

The Town Board met as a Board of Audit and examined bills submitted on Abstracts dated July 7th, 1970, as follows:

General Town Account	\$ 12,760.88
Highway Item No. 1	\$ 7,610.09
Highway Item No. 3	\$ 392.69
Highway Item No. 4	\$ 506.00

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

BE IT RESOLVED, That General Town Bills in the amount of \$12,760.88 be approved for payment, and

FURTHER RESOLVED, That the following Highway bills be approved for payment:

Highway Item No. 1	\$7,610.09
Highway Item No. 3	392.69
Highway Item No. 4	506.00

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

REPORTS

Fire Inspector, June, 1970. Filed.
 Building Inspector, June, 1970. Filed.
 Police Department, June, 1970. Filed.
 Recreation Department, June, 1970. Filed.

BIDS FOR PURCHASE OF THREE SURPLUS POLICE VEHICLES.

Police Chief Grodski submitted the following bids for purchase of 3 surplus Police Vehicles:

Dubicki Auto Sales, 1540 Montauk Highway Mastic, N. Y. 11950	\$575.00
Henry Fioto 1187 East Main Street Riverhead, N. Y. 11901	\$395.00
Fred. J. Gallo d/b/a Warners Auto Body Shop 27 Hubbard Avenue, Riverhead, N. Y.	\$325.00
Ellrich Service Station 940 East Main Street Riverhead, N. Y. 11901	\$300.00

The Bids were ordered placed on file.

RESOLUTION

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

BE IT RESOLVED, That the Bid of Dubicki Auto Sales, 1540 Montauk Highway, Mastic, N. Y. 11950, for the purchase of three surplus Police Vehicles for \$575.00, be and is hereby accepted, and

FURTHER RESOLVED, That the acceptance of the bid is subject to Dubicki Auto Sales, making payment of \$575.00 by cash and/or certified check for the purchase of the three surplus Police Vehicles.

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

APPLICATION FOR CURBS AND GUTTERS

John W. Hall, Jr., 925A Broad Avenue, Riverhead, N. Y. Filed.
 Referred to Highway Committee.

PETITION FOR CHANGE OF ZONE

Theodore and Jennie Doroski for Zone Change from Agr. A to Ind. A., on property located in Calverton, N. Y. Filed.
 Referred to Planning Board for recommendation and report.

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COMMUNICATIONS

Town of Southampton, dated 6/23/70 re adoption of sign amendment to Building Zone Ordinance #26. Filed.

Copies to Building Inspector and Town Attorney.

L. C. Papsen, dated 6/27/70, stating that people park in prohibited areas of the Plaza Shopping Center and drive carelessly and requesting that Board arrange to have the parking area patrolled and protected as provided in the V & T Law Section 1640-A. Filed.

Referred to Town Attorney and Police Chief Grodski.

Billy Blake Discount Department Stores, dated 6/30/70, requesting Police Patrol at reasonable intervals during the night in the parking lot area around the building at Route 58 and Pulaski Street. Filed.

Referred to Police Chief Grodski.

East End Surf Fishing Club, dated 6/20/70, submitting resolution adopted on May 21st, 1970, as follows:

"Be it Resolved that the East End Surf Fishing Club, Inc., of Riverhead, N. Y. be put on record requesting the Town of Riverhead, N. Y. to have the waters of the Sound included under the restrictions pertaining to gill netting recently passed by the State Legislature at Albany, N. Y. for the Town of Brookhaven, N. Y.", further requesting consideration for resolution from the Riverhead Town Board in order to eliminate expected friction that might occur. Filed.

Anthony J. Dell'Aquila, Attorney for Valmont Homes subdivision, dated 6/26/70, submitting Planning Board resolution containing certain covenants and restrictions imposed on the homeowners of proposed Valmont Homes Subdivision. Further maintaining it would be economically unfeasible for a builder to sell houses wherein such restrictions were imposed and requesting copies of letter be made available to Town Board so that the proposal of the Planning Board may be reviewed. Filed.

Copies to Town Board.

Anthony J. Dell'Aquila, Attorney, dated 6/30/70, re Proposed Subdivision Map of Pleasant Brook Elton Street. Filed.

Copies to Town Board.

The Travelers Insurance Co. dated 6/23/70, calling attention to the possibility of power black-out or brown-out during peak load in July and August and asking that entire staff be made aware of this situation and that each employee be assigned a role in this important task, and offering to assist in any way possible in formulating a plan of action. Filed.

Referred to Town Justice Costello.

Mrs. Anna Hladky, dated 6/30/70, requesting street light on pole number 11 in front of house. Filed.

Copy to Lighting Committee.

COMMUNICATIONS continued:

L. I. Lighting Co. dated 6/29/70, submitting plan and costs for installation of street lighting on Long View Road and Cedar Street and Pine Street within the Wading River Lighting District for annual operating costs of \$229.20 per annum. Filed.
Referred to Lighting Committee.

L. I. Lighting Co. dated 6/29/70, submitting plan and costs for installation of street lighting on Fresh Pond Avenue and Route 25 and Fresh Pond Avenue and Sound Avenue, for annual operating costs of \$104.40. Filed.
Referred to Lighting Committee.

State of New York, Department of Transportation, re Notice of Action dated 6/25/70, repeals Stop Sign Control on Hulse Landing Road at its entrance from Route 25A from the north. Will be replaced by Yield Sign Control. Filed.
Copies to Police Chief, Supt. of Highways and Town Board.

State of New York, Department of Transportation, re Notice of Action dated 6/25/70. Orders the installations of a Yield Sign on Hulse Landing Road at its entrance to Route 25A from the north, to replace Stop Sign Control repealed under Notice of Action dated 6/25/70. Filed.
Copies to Police Chief, Supt. of Highways and Town Board.

Department of the Army, N. Y. District, Corps of Engineers, dated 7/1/70, re Public Notice No. 6568, stating revised regulations, effective 5/27/70 relating to harbor lines, pierhead and bulkhead lines in navigable water ways under the jurisdiction of the N. Y. District, no longer automatically authorize construction and/or filling of any kind shoreward of those lines. Instructions for obtaining Dept. of the Army Permits may be obtained by writing to office. Filed.
Copies to Town Board.
Referred to Town Attorney.

George J. Aspland, District Attorney, dated 6/30/70, complimenting Patrolmen Benjamin Brunskill and Robert Quinn for exceptional police work in locating defendant in assault and robbery case, and thanking them for their assistance during the trial. Filed.
Copies to Police Department and Town Board.

Carlyle M. Scholl, Deputy Commissioner, Department of Buildings, Town of Hempstead, dated 6/29/70, expressing thanks for courtesy and hospitality extended to him by Building Inspector Ed Munson and for his willingness and ability to help whenever there is need for his services. Filed.

State of New York, Department of Labor, dated 6/26/70, re 1970 Changes in Explosives Licensing Law. Advising that effective July 19, 1970, all licenses to purchase, own, possess, transport, or use explosives are to be issued by the Industrial Commissioner, instead of Town Clerk as heretofore. Filed.
Copies to Town Board.

Supervisor Zaloga asked if anyone wished to be heard and the following responded:

Robert L. Tooker, Esq., representing Edward Carrera (Little Bay Road, Wading River), renewed request that the Town Board consent to the dedication of Little Bay Road. He stated that it was understood that the Board would accept these roads if an additional \$2000 was given to apply as a guarantee to insure the necessary repairs to the sump.

Mr. Tooker informed the Board that a check for \$2000 was mailed to the Town Attorney.

After discussion it was agreed that the moneys posted will be used to correct and improve the sump and the roads will be accepted by the Town Board.

Mr. Tooker asked the Supt. of Highways if roads in the area of Roanoke Avenue north of Sound Avenue will be improved upon.

Mr. Horton advised that the roads in that area will be worked on this year.

Mr. Tooker suggested that an engineer be appointed to the Summit Drive and Meadow Drive Road Improvement District Project.

The Town Board assured Mr. Tooker his request will be taken under advisement.

DEPARTMENT HEADS

The Town Board discussed the matter of the request of Dorothy Jermusyk for sick leave of 22 days.

During the discussion it was brought out that the Board has not granted the leave and would not make its determination until Dr. Sylvester's report of examination is received and the pay status to remain pending decision of the Town Board.

Tax Receiver Irene Pendzick outlined the need for part-time clerk hire during the summer months.

After discussion the Town Board granted permission for part-time clerk hire.

Supervisor Zaloga advised Mrs. Pendzick that it is the consensus of the Board to have school taxes shown on a separate bill from the town tax.

Mrs. Pendzick informed the Board that the tax bills are probably being printed and it may not be possible to make this change until 1971 for 1972 and advised she would confer on the matter with the County Treasurer and make report at the next meeting.

Town Attorney John J. Munzel called the Board's attention to an item in the June, 1970 Municipal Affairs Review, to wit; "A town could adopt a local law providing for publication of a summary statement of the text of adopted ordinances, instead of publishing the whole text. The summary should give adequate and sufficient information regarding the substance of the ordinances."

Police Chief Grodski asked the Town Board for a resolution urging proper authority to divert traffic at the Wading River-Manor intersection with the L. I. Expressway for all southbound traffic to get on to the Montauk and Sunrise Highway to eliminate the congestion recently being experienced in Riverhead.

DEPARTMENT HEADS continued:

Supervisor Zaloga advised that a request be made to the State Office at Babylon.

Town Justice Costello pointed out that in the same connection he has had complaints that there is no arrow for those to turn in and those going east and west and the people going and turning left into the Expressway block off the traffic and asked if the Board could request the State Traffic Control to put an arrow on that light.

The matter was referred to Police Chief Grodski and the Town Attorney.

RESOLUTIONS

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

BE IT RESOLVED, That the Long Island Lighting Company be and is hereby authorized to install street lighting at the intersections of Fresh Pond Avenue and Route 25 and Fresh Pond Avenue and Sound Avenue, as per plan outlined in letter under date of June 29, 1970, at an annual cost of \$104.40.

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

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

RESOLUTION RETAINING COUNSEL

WHEREAS, a Petition For Street Improvement has been submitted to the Town Board of the Town of Riverhead, Suffolk County, New York, by the owners of certain real estate fronting or abutting on those private roads and rights of way known as Summit Drive and Meadow Drive, situate in the said Town of Riverhead, requesting that said private roads or rights of way be improved by the Town Board of the Town of Riverhead pursuant to Section 200 of the Town Law.

NOW, THEREFORE, it is hereby resolved that Francis J. Yakaboski, Esq., be and hereby is retained as Special Town Attorney to represent the Town of Riverhead in connection with all matters and proceedings related to the said Summit Drive and Meadow Drive, including but not limited to acceptance, improvement, dedication, assessment of cost of improvement of said private roads or rights of way, and that he be paid a reasonable fee, subject to approval of Town Board.

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

RESOLUTIONS

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

RESOLVED, That Highway bill submitted on Abstract dated July 7, 1970, Miscellaneous Item No. 4-The Davey Tree Expert Co. - dated March 28, 1970, in the amount of \$506.00; be and is hereby approved for payment.

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

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

WHEREAS, The Town of Riverhead and Everett B. Raynor entered into a three (3) year lease dated August 4, 1959, expiring August 31, 1962, covering damage privileges from Hallock Street, and

WHEREAS, Said lease has a provision for renewal on a year to year basis, and was duly renewed under the provisions of said lease for the period ending August 31, 1970,

NOW, THEREFORE BE IT RESOLVED, That the Town of Riverhead renew the said lease on a year to year basis at an annual rental of \$150.00 and on the same terms and conditions contained in said lease, the present renewal being for the year ending August 31, 1971, and be it

FURTHER RESOLVED, That the Town Clerk send notification of this intention to the said Everett B. Raynor.

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

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

WHEREAS, Cheryl Ross was appointed Recreation Aide at \$2.15 per hour to serve on the Playgrounds effective July 6, 1970 to and including August 14, 1970, and

WHEREAS, Cheryl Ross has indicated her inability to serve,

BE IT HEREBY RESOLVED, That the appointment of Cheryl Ross as a Recreation Aide made in a Town Board resolution on June 9, 1970 be and it is hereby rescinded.

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

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

RESOLVED, That the following be and are hereby appointed to serve on the Playgrounds effective July 6, 1970 to and including August 14, 1970, to be paid bi-weekly at the following hourly rate and to serve at the pleasure of the Town Board:

Lynn Kobylenski \$2.15

Iris Geri Chizever \$2.15

RESOLUTION continued:

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

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

RESOLVED, That Jerry Burns be and is hereby appointed to serve as a Beautification Supervisor effective July 6, 1970 to and including August 21, 1970, to be paid bi-weekly at the rate of \$2.50 per hour and to serve at the pleasure of the Town Board.

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

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

RESOLVED, That the following be and are hereby appointed Beautification Aides effective July 6, 1970 to and including August 21, 1970, to be paid bi-weekly at \$1.75 per hour:

Dean Alan Alexander

Robert Costantini

Bruce Hill

Nicholas Mercurio

Gregory P. Romanowski

Larry D. Booker

Bogdan Futerko

Daniel July Keenan

Stanley Pelc

Stephen John Zaremba

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

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

BE IT 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 number 11 in front of the home of Mrs. Henry Hladky, Nortsides Road, Wading River, within the Wading River Street Lighting District.

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

RESOLUTION

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

-----X
In the Matter of the

Laying out of a certain Town Highway
known as Little Bay Road in the Town
of Riverhead, County of Suffolk and
State of New York.

RESOLUTION AND CONSENT

:

-----X
WHEREAS, EDWARD CARRERA, the owner of premises known as LITTLE BAY AT WADING RIVER, has filed a subdivision map with a certain road known as "Little Bay Road", and

WHEREAS, said road has been graded, surfaced, curbs have been laid, a fenced and seeded recharge basin and drainage system have been completed, and

WHEREAS, EDWARD CARRERA, has tendered a deed of dedication to said highway dated the 22nd day of October, 1969, and

WHEREAS, said road, recharge basin and drainage system have met the specifications and requirements of the Planning Board of the Town of Riverhead, and

WHEREAS, the Planning Board of the Town of Riverhead did by its resolution adopt the resolution on the 11th day of March, 1970, which provided in part that "Edward Carrera is released and discharged in all respects from the terms of said performance or surety bond and the Town Clerk is directed to return the executed performance or surety bond...", and

WHEREAS, the Superintendent of Highways of the Town of Riverhead has expressed some reservations as to the adequacy of the recharge basin as approved by the Planning Board of the Town of Riverhead, and

WHEREAS, Robert L. Tooker, as attorney for EDWARD CARRERA, has offered to tender cash in the amount of \$2,000.00 to the Town Board of the Town of Riverhead guaranteeing the performance of said recharge basin, and

WHEREAS, THE TOWN BOARD of the Town of Riverhead did by its resolution adopted the 21st day of April, 1970, deliver said performance bond of \$23,000.00 to Robert L. Tooker, as attorney for EDWARD CARRERA, and

WHEREAS, Robert L. Tooker, as attorney for EDWARD CARRERA, has this day tendered to this Town Board the sum of \$2,000.00 to guarantee the operation of said recharge basin, and

UPON READING AND FILING the deed of dedication dated the 22nd day of October, 1969, which said deed of dedication has been duly acknowledged, dedicating and releasing the necessary lands for the proposed town road known as "Little Bay Road",

NOW, THEREFORE, BE IT RESOLVED that, in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same hereby is given that the Town Superintendent of Highways of the Town of Riverhead make an order laying out the aforesaid town highway, the said town highway to consist of the lands described in the deed of dedication and to extend as delineated therein, and

RESOLUTION continued:

IT IS FURTHER RESOLVED that said EDWARD CARRERA herewith deposits the sum of \$2,000.00 with the Town Board of the Town of Riverhead, guaranteeing the performance of said recharge basin, and the Town Board is to utilize the funds for the beneficial performance of the said recharge basin, and

IT IS FURTHER RESOLVED that the Town Clerk be and she is directed to forthwith cause such deed of dedication to be recorded in the Office of the Clerk of the County of Suffolk and, upon its return, to attach it hereto.

Dated: July 7th, 1970

TOWN BOARD OF THE TOWN OF RIVERHEAD
COUNTY OF SUFFOLK, NEW YORK.

BRUNO ZALOGA

Supervisor

THOMAS R. COSTELLO

Town Justice

ROBERT G. LEONARD

Town Justice

VINCENT B. GRODSKI

Councilman

GEORGE G. YOUNG

Councilman

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

RESOLUTION

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

BE IT RESOLVED, That the Long Island Lighting Company be and is hereby authorized to install street lighting at the intersection of Long View Road and Cedar Street, Long View Road between Cedar Street and Pine Street, Long View opposite Pine Street and Long View south of Pine Street, within the Wading River Lighting District as per plan outlined in letter under date of June 29, 1970, at an annual cost of \$229.20.

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

The Town Board recessed to 7:30 P.M.

The Town Board reconvened at 7:30 P.M. with all members present. John J. Munzel, Town Attorney, was also present.

PUBLIC HEARING - 7:30 P.M.

Town Clerk submitted affidavits of posting and publishing Public Notice Calling Public Hearing on proposed amendments to the existing Ordinance No. 37, entitled "Ordinance Regulating the Use of the Beach."

The affidavits were ordered filed.

Supervisor Zaloga called the Hearing to order and asked the Town Attorney to explain the proposed amendments.

Town Attorney John J. Munzel explained that the hours as published in the Public Hearing Notice (Section 2(a)) were inadvertently reversed, correction being "between the hours of 7:00 o'clock in the afternoon and 10:00 o'clock in the following forenoon".

Mr. Munzel read Section 10 pertaining to "Littering" and stated that if any one wished to talk on this section, it will be explained.

Supervisor Zaloga announced that the purpose of this Hearing is to discuss only matters relating to the proposed amendments as contained in the Public Notice, declared the Hearing open and asked if any one wished to be heard on the proposed amendments.

Mrs. Diane Winecoff, Wading River, said she sees no reason for amending the original ordinance. She objected to the "litter amendment" because of the way "beach" is defined in the original ordinance under Section 1(a) and stated she believes it will entail Police personnel to patrol and will be too costly to enforce.

Supervisor Zaloga advised Mrs. Winecoff that the owners have the right to sign informations against violators.

Mr. Munzel stated that the enforcement aspects are easier and this amendment will be more easily enforced by the provision of the presumption as involved in Section 1 (b).

PUBLIC HEARING - 7:30 P.M. continued:

Mr. Eric Kempel, Wading River, asked how this ordinance can be enforced from 7 P.M. to 10:00 A.M.

Supervisor Zaloga pointed out Police Patrolman Edward Sadowski and stated that he has been spending a great deal of time patrolling the beach area and has done a good job in curbing violations.

Mr. Koroleski asked where the garbage can be disposed of on the beach as there are no containers for such refuse.

Supervisor Zaloga suggested that the garbage be taken home by the individual.

Mr. Rajski asked if this applied to fishermen on Reeve's Park Beach who come and dump their garbage.

Mr. Harry Schmidt, New Northside Road, Wading River, asked if it was possible for the property owners to meet with the Board to bring out complaints.

Supervisor Zaloga asked Mr. Schmidt to see him after the Hearing.

No one else wishing to be heard, Supervisor Zaloga declared the Hearing closed at 7:55 P.M., and re-opened the meeting.

RESOLUTION

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

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law in order that amendments or changes to Ordinance No. 37 of the Town of Riverhead, entitled "Ordinance Regulating the Use of the Beach", may be adopted,

NOW, THEREFORE, By virtue of the authority vested in it by the Town Law and other statutes made and provided, the Town Board of the Town of Riverhead, hereby ordains and enacts the following amendments to Ordinance No. 37 of the Town of Riverhead, entitled "Ordinance Regulating the Use of the Beach", as Amended:

AMENDED ORDINANCE NO. 37 - "ORDINANCE REGULATING THE
USE OF THE BEACH".

BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD,
SUFFOLK COUNTY, NEW YORK, AS FOLLOWS:

(1) Section 1 of said ordinance shall be amended by adding thereto new subparagraph b as follows:

b. LITTER - All waste materials customarily handled and collected by refuse collectors including garbage, refuse, cans, containers, boxes, cartons, wrappers and rubbish of any nature.

RESOLUTION continued:

- (2) Subdivision 1b - shall be amended to read subdivision 1c.
- (3) Subdivision 1c - shall be amended to read subdivision 1d.
- (4) Subdivision 1d - shall be amended to read subdivision 1e.
- (5) Subdivision 1e - shall be amended to read subdivision 1f.
- (6) Subdivision 1f - shall be amended to read subdivision 1g.
- (7) Section 2 of said ordinance shall be amended to read as follows:

SECTION 2 - APPLICATION OF ARTICLE

a. No motor vehicle may be operated upon the beach between June 15 and September 15, both inclusive, in each year except between the hours of 7:00 o'clock in the afternoon and 10:00 o'clock in the following forenoon, except as herein provided.

(8) Section 10 of such ordinance shall be amended by adding thereto a new paragraph numbered Section 10 as follows:

SECTION 10-LITTERING PROHIBITED

a. No person shall throw, deposit or abandon litter on any beach or adjacent property or waters, whether public or private or whether owned or not owned by such person.

b. When litter is in the immediate vicinity of any individual and that individual has other property in his immediate possession which is of the same brand name, such person or persons shall have been presumed to have caused the litter to be abandoned in their immediate vicinity.

(9) Section 10 shall be amended to read Section 11.

(10) Section 11 shall be amended to read Section 12.

ORDINANCE NO. 37 ENTITLED "ORDINANCE REGULATING THE USE OF THE BEACH" ADOPTED APRIL 19, 1967, IS HEREBY AMENDED AS OF THE DATE OF THIS ORDINANCE SHALL GO INTO EFFECT.

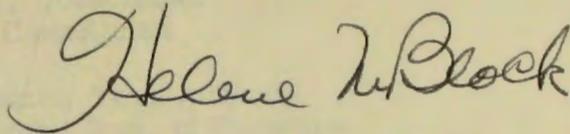
AND the Town Clerk is hereby authorized and directed to enter the said amendments to Ordinance No. 37 of the Town of Riverhead, entitled "Ordinance Regulating the Use of the Beach", as Amended, in the minutes of the Town Board, and to publish a copy once in the News-Review, the official newspaper published 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 adoption of the aforesaid amendments to Ordinance No. 37 of the Town of Riverhead, as Amended, shall take effect ten (10) days after such publication and posting.

RESOLUTION continued:

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

There being no further business on motion and vote, the meeting adjourned at 8:00 P.M., to meet on Tuesday, July 21, 1970 at 10:30 A.M.



Helene M. Block, Town Clerk

HMB.