

MINUTES OF A MEETING OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD
HELD IN THE TOWN HALL ON TUESDAY, AUGUST 16, 1960 AT 9:30 A. M.

PRESENT:

OTIS G. PIKE
BRUNO F. ZALOGA, JR., JUSTICES OF THE PEACE

ELMER A. STOTZKY
ULICK BELL, JR., COUNCILMEN

ABSENT:

WILLIAM J. LEONARD, SUPERVISOR

ALSO PRESENT: JACOB HARDING, TOWN ATTORNEY AND THADDEUS ZEMBKO,
SUPERINTENDENT OF HIGHWAYS.

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

RESOLVED THAT IN THE ABSENCE OF THE SUPERVISOR, JUSTICE OTIS G.
PIKE BE AND HE IS HEREBY DESIGNATED TEMPORARY CHAIRMAN FOR THIS
MEETING.

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

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

RESOLVED THAT THE MINUTES OF THE MEETING OF THE TOWN BOARD
HELD ON TUESDAY, AUGUST 2, 1960 BE APPROVED AS SUBMITTED.

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

MR. ERIC L. KEMPEL, NORTH SIDE ROAD, WADING RIVER, OWNER OF
A SUMMER HOME FRONTING ON THE SOUND, EAST OF THE WADING RIVER
TOWN BEACH, APPEARED BEFORE THE BOARD. HE COMPLAINED THAT
PERSONS WERE USING HIS BEACH ABOVE THE HIGH WATER MARK.

HE STATED THAT SUNDAY, AUGUST 7TH, 1960, HE ORDERED A MAN
OFF OF HIS BEACH AND THE MAN THREATENED HIM WITH A KNIFE. HE
CALLED THE POLICE AND THEY APPEARED AND CONFISCATED THE KNIFE.
MR. KEMPEL THEN APPEARED AT THE TOWN HALL TO SIGN A COMPLAINT,
BUT COULD NOT LOCATE A JUSTICE OF THE PEACE.

HE STATED THAT PEOPLE OWNING BEACH PROPERTY IN THE AREA
SHOULD HAVE PROTECTION AND THAT A POLICE OFFICER SHOULD BE
STATIONED AT WADING RIVER TO SEE THAT PEOPLE DO NOT TRESPASS.

JUSTICE PIKE STATED THAT BELOW THE HIGH WATER MARK PEOPLE
HAVE A RIGHT TO USE THE BEACH. ABOVE THE HIGH WATER MARK AN
OWNER MAY SIGN A COMPLAINT FOR TRESPASSING.

JUSTICE PIKE ADVISED MR. KEMPEL TO SIGN A COMPLAINT AGAINST THE PERSON WHO THREATENED HIM WITH A KNIFE AND HE WOULD BE ARRESTED AND A TRIAL WOULD BE HELD.

MR. KEMPEL DECLINED TO TAKE SUCH ACTION AT THIS TIME AS HE FELT THAT TOO MUCH TIME HAD ELAPSED SINCE THE INCIDENT.

A NOTICE OF CLAIM - MINNIE HEITMANN VS TOWN OF RIVERHEAD, WAS PRESENTED TO THE BOARD.

MATTER REFERRED TO FRANK J. SMITH, INSURANCE AGENT FOR THE TOWN.

A CERTIFICATE OF INSURANCE IN THE NAME OF THE TOWN OF RIVERHEAD RELATIVE TO THE 88TH ANNUAL CONVENTION OF THE FIREMEN'S ASSOCIATION OF THE STATE OF NEW YORK WAS PRESENTED TO THE BOARD AND ORDERED FILED.

A COMMUNICATION DATED AUGUST 1, 1960 FROM THE LONG ISLAND LIGHTING COMPANY WAS SUBMITTED TO THE BOARD RELATIVE TO THE NEW RATES FOR TRAFFIC SIGNALS RATED IN EXCESS OF FOUR FACES. COMMUNICATION ORDERED FILED.

A LETTER OF THANKS DIRECTED TO THE TOWN BOARD AND THE SUPERINTENDENT OF HIGHWAYS, DATED AUGUST 9, 1960, FROM THE NORTHVILLE BEACH CIVIC ASSOCIATION, WAS SUBMITTED TO THE BOARD AND ORDERED FILED.

A COMMUNICATION DATED AUGUST 4, 1960 FROM PECONIC LAKE ESTATES CIVIC ORGANIZATION WAS SUBMITTED TO THE BOARD RELATIVE TO THE HAZARDOUS CONDITIONS OF FORGE ROAD BRIDGE AND FORGE ROAD.

MATTER REFERRED TO THE HIGHWAY COMMITTEE.

COMMUNICATION ORDERED FILED.

A COMMUNICATION DATED AUGUST 1, 1960 FROM MRS. KAZIMIER ADRIAN, WADING RIVER, WAS SUBMITTED TO THE BOARD. SHE COMPLAINED THAT A MR. UHLINGER HAD PURCHASED THE LOT NEXT TO HER HOME AND THIS LOT WAS BEING USED AS A ROAD, CAUSING HER UNDUE ANNOYANCE.

THE TOWN CLERK WAS INSTRUCTED TO INFORM MRS. ADRIAN THAT HER COMPLAINT WAS NOT WITHIN THE JURISDICTION OF THE TOWN AND THAT HER PROBLEM WAS A PRIVATE MATTER.

COMMUNICATION ORDERED FILED.

SUPERVISOR'S REPORT FOR THE MONTH OF JULY, 1960 WAS SUBMITTED TO THE BOARD AND ORDERED PLACED ON FILE.

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

RESOLVED THAT FRANCES JEHLER, WADING RIVER, BE AND SHE IS HEREBY APPOINTED SCHOOL ATTENDANCE OFFICER FOR COMMON SCHOOL DISTRICT No. 1, WADING RIVER, TOWN OF RIVERHEAD FOR THE YEAR 1960-61, TO BE COMPENSATED AT THE RATE OF \$350.00 PER SCHOOL

YEAR, PAYABLE IN TEN MONTHLY PAYMENTS COMMENCING SEPTEMBER 1960, WHICH COMPENSATION SHALL INCLUDE ALL EXPENSES OTHER THAN THOSE INCURRED WHEN ATTENDING MEETINGS OUTSIDE OF THE TOWN OF RIVERHEAD CALLED BY THE DISTRICT SUPERINTENDENT OF SCHOOLS, AT WHICH TIME, ACTUAL EXPENSES ARE TO BE PAID.

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

AFTER BEING DULY ADVERTISED SEALED BIDS FOR THE CONSTRUCTION OF 620 FEET OF FENCING AND A GATE AROUND A RECHARGE BASIN BETWEEN LINDA AND BROAD AVENUES, AQUEBOGUE, WERE OPENED AS FOLLOWS:

MID-ISLAND FENCE Co., INC.	-----\$1456.00
APEX FENCE Co., INC.	----- 1528.00
ANCHOR POST PRODUCTS, INC.	----- 1749.00
COLORADO FUEL & IRON CORP.	----- 1495.00

BIDS ORDERED FILED.

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

RESOLVED THAT THE BID FOR 620 FEET OF FENCING AND A GATE AROUND A RECHARGE BASIN SITUATE BETWEEN LINDA AVENUE AND BROAD AVENUE, AQUEBOGUE, BE AND IT IS HEREBY AWARDED TO MID-ISLAND FENCE COMPANY, INC., YAPHANK, NEW YORK, AT A TOTAL COST OF \$1456.00, SUBJECT TO ITS BID AND SPECIFICATION FORM SUBMITTED DATED AUGUST 16, 1960.

FURTHER RESOLVED THAT THE SUPERVISOR BE AND HE IS HEREBY AUTHORIZED AND DIRECTED, TO SIGN THE CONTRACT PERTAINING HERETO IN THE NAME OF THE TOWN.

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

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

WHEREAS, THE COUNTY OF SUFFOLK PROPOSES TO DREDGE CERTAIN AREAS OF PECONIC BAY, PECONIC RIVER AND EAST CREEK, IN THE TOWN OF RIVERHEAD WHICH DREDGING WILL BE PERFORMED BY COUNTY OWNED DREDGING EQUIPMENT AT A NOMINAL COST TO THE TOWN OF RIVERHEAD AND

WHEREAS, IN ORDER TO ACCOMPLISH SAID DREDGING, PLANS, SPECIFICATIONS, AGREEMENTS AND OTHER DOCUMENTS MUST BE EXECUTED ON BEHALF OF THE TOWN OF RIVERHEAD,

NOW, THEREFORE, BE IT RESOLVED, THAT THE SUPERVISOR BE AND HE HEREBY IS AUTHORIZED TO EXECUTE, ON BEHALF OF THE TOWN OF RIVERHEAD ALL NECESSARY PLANS AND SPECIFICATIONS, SPOIL AREA AGREEMENTS, ASSURANCES TO THE COUNTY OF SUFFOLK, LICENSE AND/OR DREDGING PERMIT APPLICATIONS TO FEDERAL AND STATE AGENCIES AND ALL OTHER DOCUMENTS THAT MAY BE REQUIRED TO ACCOMPLISH SAID DREDGING WORK.

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

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

ASSURANCES FOR DREDGING OF PECONIC BAY, PECONIC RIVER AND EAST CREEK, TOWN OF RIVERHEAD, NEW YORK.

WHEREAS, THE COUNTY OF SUFFOLK OWNS AND OPERATES A DREDGE AND OTHER EQUIPMENT SUITABLE FOR DREDGING CHANNELS AND DEPOSITING FILL ON DESIGNED AREAS, AND

WHEREAS, THE TOWN OF RIVERHEAD HAS REQUESTED THAT THE SAID DREDGE BE USED IN CONNECTION WITH THE DREDGING OF PECONIC BAY, PECONIC RIVER AND EAST CREEK, TOWN OF RIVERHEAD, AS SHOWN ON THE ACCOMPANYING MAPS AND SPECIFICATIONS AND

WHEREAS, THE SUPERVISOR OF THE TOWN OF RIVERHEAD BY RESOLUTION DULY ADOPTED BY THE TOWN BOARD OF SAID TOWN OF RIVERHEAD HAS BEEN AUTHORIZED AND DIRECTED TO SIGN FOR AND ON BEHALF OF THE TOWN OF RIVERHEAD ASSURANCES TO THE COUNTY OF SUFFOLK, THAT THE SAID TOWN OF RIVERHEAD WILL PERFORM ALL ACTS REQUIRED TO BE PERFORMED BY SAID TOWN IN CONNECTION WITH THE PREPARATION FOR THE DREDGING OPERATION AS AFORESAID AND OBTAINING OF ALL NECESSARY EASEMENTS AND RIGHTS OF WAY FOR SAID DREDGING OPERATION AND USE OF THE AREAS INDICATED ON THE ATTACHED MAP FOR SPOIL AREAS TOGETHER WITH ALL NECESSARY RIGHTS INCIDENTAL TO SAID DREDGING OPERATION.

NOW, THEREFORE, IN CONSIDERATION OF THE BENEFITS TO THE TOWN OF RIVERHEAD, AS AFORESAID, THE TOWN OF RIVERHEAD HEREBY ASSURES THE COUNTY OF SUFFOLK THAT IT WILL:

(A) FURNISH, FREE OF COST TO THE COUNTY OF SUFFOLK, ALL LANDS, EASEMENTS, RIGHTS OF WAY AND SPOIL DISPOSAL AREAS NECESSARY FOR THE NEW WORK AND SUBSEQUENT MAINTENANCE WHEN AND IF REQUIRED FOR THE DREDGING OPERATIONS AT PECONIC BAY, PECONIC RIVER AND EAST CREEK, ALL AS SHOWN ON THE ATTACHED MAP, AND

(B) HOLD AND SAVE THE COUNTY OF SUFFOLK FREE FROM ANY CLAIMS OR DAMAGES RESULTING FROM SAID IMPROVEMENT OR RESULTING IN ANY WAY FROM THE SAID DREDGING OPERATION OR THE USE OF EQUIPMENT AT THE SAID PECONIC BAY, PECONIC RIVER AND EAST CREEK, OR USE OF ANY SPOIL AREA OR ANY OTHER AREA AFFECTED BY SAID DREDGING OPERATION.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL OF THE TOWN OF RIVERHEAD ON THIS 16TH DAY OF AUGUST, 1960

TOWN OF RIVERHEAD, NEW YORK

By:

WILLIAM J. LEONARD, SUPERVISOR

ATTEST:

ANTHONY F. GADZINSKI

CLERK

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

COUNCILMAN STOTZKY SUBMITTED AN APPLICATION FROM ALBERT P. WARNER, RIVERHEAD, FOR THE CONSTRUCTION OF CURBS AND GUTTERS AT 27 HUBBARD AVENUE, RIVERHEAD.

MATTER REFERRED TO THE HIGHWAY COMMITTEE FOR SURVEY AND REPORT. APPLICATION ORDERED FILED.

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

WHEREAS, APPLICATION FOR CONSTRUCTION OF CURBS AND GUTTERS HAS BEEN MADE BY HILDA RIESDORPH, EAST MAIN STREET, RIVERHEAD AND EDITH M. HOWELL, EAST MAIN STREET, RIVERHEAD, NOW, THEREFORE, BE IT RESOLVED, THAT CURBS AND GUTTERS SHALL BE CONSTRUCTED ALONG EAST MAIN STREET, ADJACENT TO THE PROPERTIES OF HILDA RIESDORPH AND EDITH M. HOWELL, PURSUANT TO A CONTRACT, THE FORM OF WHICH IS HERETO ANNEXED.

TOWN OF RIVERHEAD
CONTRACT FOR CONSTRUCTION OF CURBS AND GUTTERS

STATE HIGHWAY

THIS AGREEMENT BETWEEN THE TOWN OF RIVERHEAD, A MUNICIPAL CORPORATION OF THE STATE OF NEW YORK, AND HILDA RIESDORPH AND EDITH M. HOWELL OF EAST MAIN STREET, RIVERHEAD, NEW YORK, ADJACENT PROPERTY OWNERS.

THE TERMS OF THIS AGREEMENT ARE AS FOLLOWS:

1. THE TOWN OF RIVERHEAD AGREES TO CONSTRUCT CURBS AND GUTTERS ALONG EAST MAIN STREET, A STATE HIGHWAY IN THE TOWN OF RIVERHEAD.
2. THE GRADES AND LINES WILL BE ESTABLISHED BY THE SUPERINTENDENT OF HIGHWAYS.
3. THE MATERIALS WILL BE DELIVERED AND THE LABOR PERFORMED AT TIMES AND IN A FORM AND MANNER SPECIFIED BY THE SUPERINTENDENT OF HIGHWAYS.
4. THE TIME OF COMMENCEMENT AND COMPLETION OF THE WORK SHALL BE DETERMINED BY THE SUPERINTENDENT OF HIGHWAYS.
5. ALL LABOR USED AND ALL MATERIALS FURNISHED SHALL CONFORM TO NEW YORK STATE SPECIFICATIONS.
6. THE REPAIR AND MAINTENANCE OF THE CURBS AND GUTTERS SHALL BE THE OBLIGATION OF THE TOWN.
7. THE ADJACENT PROPERTY OWNERS, IN CONSIDERATION OF THESE PRESENTS AND OTHER CONSIDERATION HEREIN PERFORMED BY THE SAID TOWN, DO HEREWITH PAY TO THE SAID TOWN THE FOLLOWING SUMS:

HILDA RIESDORPH-----\$ 93.00

EDITH M. HOWELL----- 108.00

WHICH IS THE SUM TO REIMBURSE THE TOWN FOR THE COST OF THE MATERIALS.

THAT THE EXPENSE TO THE TOWN SHALL NOT EXCEED THE SUM OF \$703.50,
THAT THE SUPERVISOR BE AUTHORIZED TO SIGN THE SAID CONTRACTS IN BEHALF OF THE TOWN WHEN THE MONEY TO BE PAID BY SAID HILDA RIESDORPH

AND EDITH M. HOWELL, IS TURNED OVER AND THE CONTRACT HAS BEEN SIGNED BY THEM, AND THEN

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

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

A NOTICE OF PUBLIC HEARING BEFORE THE STATE PUBLIC SERVICE COMMISSION, ON MONDAY, AUGUST 15, 1960, WAS SUBMITTED TO THE BOARD, RELATIVE TO THE PETITION OF LONG ISLAND TRANSIT SYSTEMS, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, FOR THE TEMPORARY OPERATION OF AN OMNIBUS LINE.

NOTICE ORDERED FILED.

A COMMUNICATION DATED AUGUST 11, 1960 FROM STANLEY S. CORWIN, GREENPORT, ATTORNEY FOR LONG ISLAND TRANSIT SYSTEMS, INC., WAS SUBMITTED TO THE BOARD RELATIVE TO A PROPOSED BUS FRANCHISE CONTRACT WITH THE TOWN.

MR. CORWIN ALSO REQUESTED THAT A PUBLIC HEARING BE HELD BEFORE THE TOWN BOARD RELATIVE TO SAID BUS FRANCHISE.

COMMUNICATION ORDERED FILED.

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

WHEREAS AN APPLICATION HAS BEEN MADE TO THE TOWN BOARD BY LONG ISLAND TRANSIT SYSTEMS, INC., FOR A BUS FRANCHISE WITHIN THE TOWN OF RIVERHEAD,

NOW, THEREFORE, BE IT RESOLVED THAT A PUBLIC HEARING BE HELD UPON SAID APPLICATION AND TO CONSIDER THE TERMS UPON WHICH SAID FRANCHISE SHOULD BE GRANTED,

FURTHER RESOLVED THAT THE TOWN CLERK PUBLISH THE FOLLOWING NOTICE OF HEARING IN THE NEWS-REVIEW, THE OFFICIAL NEWSPAPER OF THE TOWN.

NOTICE IS HEREBY GIVEN

PURSUANT TO LAW, THAT A PUBLIC HEARING WILL BE HELD BY THE TOWN BOARD OF THE TOWN OF RIVERHEAD ON SEPTEMBER 6, 1960, AT 10:30 A.M. ON THE QUESTION OF GRANTING A FRANCHISE TO LONG ISLAND TRANSIT SYSTEMS, INC., TO OPERATE A BUS ROUTE ON THE FOLLOWING STREETS IN THE TOWN OF RIVERHEAD.

TOWN OF RIVERHEAD, ON ROUTE 25 (ALSO KNOWN AS WEST MAIN STREET, RIVER ROAD AND MIDDLE COUNTRY ROAD) BETWEEN PECONIC AVENUE AND RIVERHEAD-BROOKHAVEN TOWN LINES, ON PECONIC AVENUE BETWEEN ROUTE 25 AND RIVERHEAD-SOUTH-AMPTON TOWN LINE, ON CENTER DRIVE BETWEEN

ROUTE 25 AND RIVERHEAD-SOUTHAMPTON TOWN LINE, INCLUDING BUS STOPS (1) ON THE SOUTH SIDE OF ROUTE 25 OPPOSITE GRIFFING AVENUE, OR AT SUCH OTHER PLACES AS THE TOWN BOARD MAY DIRECT, AND (2) AT THE INTERSECTION OF ROUTE 25 AND EDWARDS AVENUE.

AN APPLICATION DATED JULY 25, 1960 AND THE SUBSTANCE OF A PROPOSED FRANCHISE AGREEMENT ARE ON FILE IN THE OFFICE OF THE CLERK.

DATED: RIVERHEAD, NEW YORK

AUGUST 16, 1960

ANTHONY F. GADZINSKI

TOWN CLERK

TOWN OF RIVERHEAD, N.Y.

BY ORDER OF THE TOWN BOARD.

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

At 10:30 A.M. NOTICE OF PUBLIC HEARING, WHICH WAS DULY PUBLISHED, WAS READ AND SUBMITTED TO THE BOARD RELATIVE TO THE CONTRACTS FOR FIRE PROTECTION FOR THE RIVERHEAD FIRE PROTECTION DISTRICTS, NAMELY AQUEBOGUE, ROANOKE AND CALVERTON.

JUSTICE PIKE, TEMPORARY CHAIRMAN, DECLARED THE HEARING OPEN TO ANYONE WISHING TO BE HEARD IN FAVOR OF OR OBJECTING TO THE PROPOSED FIRE PROTECTION CONTRACTS.

No ONE WISHING TO BE HEARD AND NO COMMUNICATIONS HAVING BEEN RECEIVED RELATIVE THERETO, JUSTICE PIKE DECLARED THE HEARING CLOSED.

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

WHEREAS THERE HAVE BEEN PREVIOUSLY ESTABLISHED IN THE TOWN OF RIVERHEAD, PURSUANT TO ARTICLE 11 OF THE TOWN LAW, FIRE PROTECTION DISTRICTS, NAMELY AQUEBOGUE, ROANOKE AND CALVERTON, AND

WHEREAS THE TOWN BOARD OF THE TOWN OF RIVERHEAD DESIRES TO CONTINUE TO PROVIDE FOR THE FURNISHING OF FIRE PROTECTION WITHIN SUCH FIRE PROTECTION DISTRICTS AND FOR THAT PURPOSE WISHES TO CONTRACT FOR A PERIOD OF THREE YEARS WITH THE RIVERHEAD FIRE DISTRICT, AND

WHEREAS, PURSUANT TO SECTION #184 OF THE TOWN LAW, NOTICE OF A PUBLIC HEARING WAS PUBLISHED IN THE NEWS-REVIEW, THE OFFICIAL NEWSPAPER, HAVING GENERAL CIRCULATION IN THE DISTRICT AND IN THE FIRE PROTECTION DISTRICTS, SUCH NOTICE HAVING SPECIFIED THE TIME WHEN AND THE PLACE WHERE SAID HEARING WAS TO BE HELD AND HAVING DESCRIBED IN GENERAL TERMS THE PROPOSED CONTRACT, AND THE FIRST PUBLICATION OF SAID NOTICE HAVING BEEN AT LEAST TEN DAYS PRIOR TO THE DAY SPECIFIED FOR SUCH HEARING, AND

WHEREAS A PUBLIC HEARING WAS HELD, PURSUANT TO SUCH NOTICE OF HEARING, ON THE 16TH DAY OF AUGUST, 1960 AT 10:30 A.M. ON SAID DAY, AND

WHEREAS EVERYONE DESIRING TO BE HEARD IN SAID MATTER HAVING BEEN AFFORDED THE OPPORTUNITY TO BE HEARD AND SAID TOWN BOARD HAVING DETERMINED THAT IT IS IN THE PUBLIC INTEREST TO CONTRACT FOR FIRE PROTECTION IN ACCORDANCE WITH THE TERMS SET FORTH IN SAID NOTICE OF PUBLIC HEARING,

NOW THEREFORE BE IT RESOLVED THAT THE CONTRACT HEREINAFTER SET FORTH BE AND THE SAME IS HEREBY APPROVED

FURTHER RESOLVED THAT THE AMOUNT TO BE CHARGED TO EACH FIRE PROTECTION DISTRICT IS AS FOLLOWS:

JANUARY 1, 1961 TO DECEMBER 31, 1961

AQUEBOGUE FIRE PROTECTION DISTRICT-----	\$2600.00
ROANOKE FIRE PROTECTION DISTRICT-----	2100.00
CALVERTON FIRE PROTECTION DISTRICT-----	2300.00
	<u>Total \$7000.00</u>

JANUARY 1, 1962 TO DECEMBER 31, 1962

AQUEBOGUE FIRE PROTECTION DISTRICT-----	\$2750.00
ROANOKE FIRE PROTECTION DISTRICT-----	2250.00
CALVERTON FIRE PROTECTION DISTRICT-----	2500.00
	<u>Total \$7500.00</u>

JANUARY 1, 1963 TO DECEMBER 31, 1963

AQUEBOGUE FIRE PROTECTION DISTRICT-----	\$3000.00
ROANOKE FIRE PROTECTION DISTRICT-----	2400.00
CALVERTON FIRE PROTECTION DISTRICT-----	2600.00
	<u>Total \$8000.00</u>

THE CONTRACT IS SET FORTH AS FOLLOWS:

THIS AGREEMENT MADE THIS 1ST DAY OF JANUARY, 1961, BETWEEN THE TOWN BOARD OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AS THE GOVERNING BODY OF THE AQUEBOGUE FIRE PROTECTION DISTRICT, OF THE ROANOKE FIRE PROTECTION DISTRICT, AND OF THE CALVERTON FIRE PROTECTION DISTRICT, HEREINAFTER DESIGNATED AS THE PARTY OF THE FIRST PART, AND THE BOARD OF FIRE COMMISSIONERS OF THE RIVERHEAD FIRE DISTRICT OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, HEREINAFTER DESIGNATED AS THE PARTY OF THE SECOND PART, WITNESSETH:

WHEREAS, THERE HAS BEEN DULY ESTABLISHED IN THE SAID TOWN OF RIVERHEAD, A FIRE PROTECTION DISTRICT IN THE FOLLOWING THREE (3) DISTRICTS: "AQUEBOGUE", "ROANOKE" AND "CALVERTON", EMBRACING TERRITORY IN SAID TOWN OUTSIDE OF SAID RIVERHEAD FIRE DISTRICT, AND SAID TERRITORIES ARE MORE FULLY DESCRIBED IN THE RESOLUTION ESTABLISHING SAID DISTRICTS AND DULY ADOPTED BY THE TOWN BOARD OF SAID TOWN, AND

WHEREAS, FOLLOWING PUBLIC HEARINGS DULY CALLED, THE SAID TOWN BOARD DULY AUTHORIZED A CONTRACT WITH THE PARTY OF THE SECOND PART FOR FIRE PROTECTION TO THE AFORESAID THREE FIRE PROTECTION DISTRICTS, UPON THE TERMS AND PROVISIONS HEREIN SET FORTH, AND

WHEREAS, THIS AGREEMENT HAS ALSO BEEN DULY AUTHORIZED BY THE BOARD OF FIRE COMMISSIONERS OF THE RIVERHEAD FIRE DISTRICT, PARTY OF THE SECOND PART,

NOW, THEREFORE, THE PARTY OF THE FIRST PART HEREBY ENGAGES THE PARTY OF THE SECOND PART TO FURNISH FIRE PROTECTION TO ALL THOSE PORTIONS OF SAID THREE FOLLOWING FIRE PROTECTION DISTRICTS:

(1) ALL THOSE PREMISES DESCRIBED AND CONTAINED IN THE DESCRIPTION AND AS SHOWN ON MAP DULY FILED WITH THE PETITION FOR THE ESTABLISHMENT OF AQUEBOGUE FIRE PROTECTION DISTRICT, AND WHICH PETITION WAS DULY FILED IN THE OFFICE OF THE CLERK OF THE TOWN OF RIVERHEAD ON DECEMBER 15, 1953.

(2) ALL THOSE PREMISES DESCRIBED AND CONTAINED IN THE DESCRIPTION AND AS SHOWN ON MAP DULY FILED WITH THE PETITION FOR THE ESTABLISHMENT OF ROANOKE FIRE PROTECTION DISTRICT, AND WHICH PETITION WAS DULY FILED IN THE OFFICE OF THE CLERK OF THE TOWN OF RIVERHEAD ON DECEMBER 15, 1953.

(3) ALL THOSE PREMISES DESCRIBED AND CONTAINED IN THE DESCRIPTION AND AS SHOWN ON MAP DULY FILED WITH THE PETITION FOR THE ESTABLISHMENT OF CALVERTON FIRE PROTECTION DISTRICT, AND WHICH PETITION WAS DULY FILED IN THE OFFICE OF THE CLERK OF THE TOWN OF RIVERHEAD ON DECEMBER 15, 1953.

AND, THE PARTY OF THE SECOND PART HEREBY AGREES TO FURNISH SUCH PROTECTION IN MANNER FOLLOWING:-

1. THE FIRE DEPARTMENT OF THE SAID PARTY OF THE SECOND PART SHALL AT ALL TIMES DURING THE PERIOD OF THIS AGREEMENT BE SUBJECT TO CALL FOR ATTENDANCE UPON ANY FIRE OCCURING IN THE AREAS AFORESAID AND WHEN NOTIFIED BY ALARM OR TELEPHONE CALL FROM ANY PERSON WITHIN THE PORTION OF SAID DISTRICTS OF A FIRE WITHIN THE PORTION OF SAID DISTRICTS, SUCH DEPARTMENT SHALL RESPOND AND ATTEND UPON THE FIRE WITHOUT DELAY, WITH ALL TRUCKS AND EQUIPMENT BELONGING TO THE PARTY OF THE SECOND PART AS MAY, IN THE REASONABLE EXERCISE OF THE DISCRETION OF THE FIRE CHIEF OR ACTING FIRE CHIEF, BE DEEMED NECESSARY FOR USE AT SUCH FIRE, EXCEPT THAT SUCH USE MUST NOT CREATE AN UNDUE HAZARD TO THE RIVERHEAD FIRE DISTRICT. UPON ARRIVING AT THE SCENE OF THE FIRE, THE FIREMEN OF THE PARTY OF THE SECOND PART ATTENDING SHALL PROCEED DILIGENTLY TO THE EXTINGUISHMENT OF THE FIRE, AND THE SAVING OF LIFE AND PROPERTY IN CONNECTION THEREWITH.

2. THE PARTY OF THE SECOND PART AGREES TO PAY ALL CHARGES FOR GASOLINE, OIL AND NECESSARY REPAIRS IN CONNECTION WITH THE USE OR UPKEEP OF EQUIPMENT USED AT FIRES IN THE SAID FIRE PROTECTION DISTRICTS.

3. THE PARTY OF THE SECOND PART AGREES TO DEFRAY THE COSTS OF ANY AND ALL MATERIALS USED BY IT, BY ITS FIRE DEPARTMENT, OR ANY MEMBER THEREOF, IN FIGHTING FIRES IN THE SAID FIRE PROTECTION DISTRICTS.

4. THE PARTY OF THE SECOND PART AGREES TO PROVIDE, AT ITS OWN COST AND EXPENSE, ADEQUATE INSURANCE FOR PROTECTION AGAINST LOSS AND DAMAGE BY REASON OF INJURIES TO PERSON AND PROPERTY OF THE PUBLIC, AND AGREES TO HOLD THE PARTY OF THE FIRST PART HARMLESS AGAINST ANY SUCH CLAIMS. PARTY OF THE SECOND PART ALSO AGREES TO PROVIDE ITS OWN INSURANCE AGAINST FIRE AND THEFT TO ITS APPARATUS, TRUCKS AND EQUIPMENT.

5. THE PARTY OF THE FIRST PART HEREBY AGREES TO PAY TO THE PARTY OF THE SECOND PART FOR ITS SERVICES AND EXPENSES HEREUNDER FOR THE YEARS FROM JANUARY 1, 1961, UP TO AND INCLUDING DECEMBER 31, 1963, THE FOLLOWING AMOUNTS ANNUALLY, WHICH SHALL BE DUE AND PAYABLE ON OR BEFORE JANUARY 20TH OF EACH OF THE THREE YEARS, AS SPECIFIED ABOVE, AND ENDING DECEMBER 31, 1963:

<u>JANUARY 1, 1961 TO DECEMBER 31, 1961</u>			
AQUEBOGUE FIRE PROTECTION DISTRICT	----		\$2,600.00
ROANOKE " " "	----		2,100.00
CALVERTON " " "	----		2,300.00
		TOTAL	\$7,000.00
<u>JANUARY 1, 1962 TO DECEMBER 31, 1962</u>			
AQUEBOGUE FIRE PROTECTION DISTRICT	----		\$2,750.00
ROANOKE " " "	----		2,250.00
CALVERTON " " "	----		2,500.00
		TOTAL	\$7,500.00
<u>JANUARY 1, 1963 TO DECEMBER 31, 1963</u>			
AQUEBOGUE FIRE PROTECTION DISTRICT	----		\$3,000.00
ROANOKE " " "	----		2,400.00
CALVERTON " " "	----		2,600.00
		TOTAL	\$8,000.00

6. PURSUANT TO THE AUTHORITY OF SECTION 184 OF THE TOWN LAW, AS AMENDED BY LAWS OF 1955, CHAPTER 391, SECTION 2, AND LATER LAWS, AND BY MUTUAL CONSENT OF THE CONTRACTING PARTIES, AND AFTER A PUBLIC HEARING HELD PURSUANT TO NOTICE AS SPECIFIED IN THE SAID SECTION 184 OF THE TOWN LAW, THIS CONTRACT MAY BE (1) AMENDED, (2) TERMINATED, OR (3) TERMINATED AND A NEW CONTRACT ENTERED INTO IN LIEU THEREOF, IF THE TOWN BOARD, AFTER THE HEARING, SHALL DETERMINE BY RESOLUTION THAT IT IS IN THE PUBLIC INTEREST SO TO DO. EITHER PARTY TO THE CONTRACT MAY REQUEST A REVIEW OF THE TERMS OF THE CONTRACT BY WRITTEN REQUEST TO THE OTHER PARTY GIVEN AT LEAST TWO WEEKS PRIOR TO ANY REGULAR MEETING OF THE SAID OTHER PARTY.

7. ALL MONEYS TO BE PAID UNDER ANY PROVISIONS OF THIS AGREEMENT SHALL BE A CHARGE UPON THE THREE SAID FIRE PROTECTION DISTRICTS TO BE ASSESSED AND LEVIED UPON THE TAXABLE PROPERTY IN SAID DISTRICTS AND COLLECTED WITH THE TOWN TAXES.

IN WITNESS WHEREOF,
THE PARTIES HAVE DULY EXECUTED AND DELIVERED THIS AGREEMENT THE DAY AND YEAR FIRST ABOVE WRITTEN.

WILLIAM J. LEONARD
SUPERVISOR

OTIS G. PIKE

BRUNO F. ZALOGA, JR.

ELMER A. STOTZKY

IN PRESENCE OF:

ULICK BELL, JR.

CONSTITUTING THE TOWN BOARD OF
THE TOWN OF RIVERHEAD

FRANCIS R. CREIGHTON

ALDEN W. YOUNG

FORREST A. YEAGER

TIMOTHY G. GRIFFING

IN PRESENCE OF:

JOSEPH H. COLEMAN

CONSTITUTING THE BOARD OF FIRE
COMMISSIONERS OF THE RIVERHEAD
FIRE DISTRICT.

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

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

RESOLVED THAT A SPECIAL MEETING OF THE TOWN BOARD BE HELD ON FRIDAY, AUGUST 19, 1960 AT 9:30 A. M., THEREAFTER AT THE USUAL TIME ON THE FIRST AND THIRD TUESDAY OF EACH MONTH.

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

THE TOWN BOARD CONVENED AS A BOARD OF AUDIT AND EXAMINED ALL BILLS TO DATE, THE TOTAL OF WHICH WAS AS FOLLOWS: GENERAL TOWN---\$7,433.56 AND MACHINERY FUND---\$643.49. ON MOTION MADE BY JUSTICE ZALOGA AND SECONDED BY COUNCILMAN STOTZKY, IT WAS RESOLVED THAT

THE BILLS BE APPROVED AS RENDERED. THE VOTE---COUNCILMAN BELL, YES, COUNCILMAN STOTZKY, YES, JUSTICE PIKE, YES, JUSTICE ZALOGA, YES, AND SUPERVISOR LEONARD, ABSENT. THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

THERE BEING NO FURTHER BUSINESS ON MOTION AND VOTE, THE MEETING ADJOURNED TO MEET ON FRIDAY, AUGUST 19, 1960 AT 9:30 A. M.

Anthony F. Gadzinski
ANTHONY F. GADZINSKI, TOWN CLERK

AFG:MVB

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