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Minutes of a meeting of the Town Board of the Town of Riverhead held in the Town Hall on Tuesday, October 20, 1953, at 10:00 A.M.

Present:

Joseph V. Kelly, Supervisor

Austin H. Warner

Frank J. Yousik

Charles W. Gatz, Justices of the Peace

Thomas M. Stark, Town Attorney, and Myron C. Young, Superintendent of Highways were also present.

Minutes of a meeting of the Town Board held on October 6, 1953, were read and on motion made by Justice Warner and seconded by Justice Yousik, it was Resolved that the minutes be adopted as read. The Vote, Justices Warner, Yousik and Gatz, Yes; Supervisor Kelly, Yes; Justice Leonard, Absent. The Resolution was thereupon declared duly adopted.

The Supervisor's Report for the month of September 1953 was submitted to the Board and ordered placed on file.

Justice Gatz offered the following resolution which was seconded by Justice Yousik: Resolved that the sum of \$2,250.00 be transferred from the Surplus Account to the Public Utilities Account. The Vote, Justices Warner, Yousik, and Gatz, Yes; Supervisor Kelly, Yes; Justice Leonard, Absent. The Resolution was thereupon declared duly adopted.

On motion made by Justice Gatz and seconded by Justice Yousik it was Resolved that the Town of Riverhead purchase from Carl F. Peterson, Riverhead, New York, a certain bungalow situate on the property belonging to the Town of Riverhead at the Iron Pier Beach and that upon receipt by the Supervisor of a duly executed bill of sale for said bungalow, the Supervisor is hereby authorized to pay to Carl F. Peterson the sum of \$2,250.00 from the Public Utilities Account. The Vote, Justices Warner, Yousik and Gatz, Yes; Supervisor Kelly, Yes; Justice Leonard, Absent. The Resolution was thereupon declared duly adopted.

On motion made by Justice Warner and seconded by Justice Yousik it was Resolved that two members of the Riverhead Town Police Department be authorized to attend the Police Conference at Bear Mountain on October 21, 1953, and that all necessary expenses be paid. The Vote, Justices Warner, Yousik and Gatz, Yes; Supervisor Kelly, Yes; Justice Leonard, Absent. The Resolution was thereupon declared duly adopted.

The following resolution was offered by Justice Warner, who moved its adoption, seconded by Justice Gatz, to-wit:

CAPITAL NOTE RESOLUTION DATED OCTOBER 20, 1953.

A RESOLUTION PROVIDING FOR THE ISSUANCE OF A \$5000 CAPITAL NOTE OF THE TOWN OF RIVERHEAD, NEW YORK, TO PAY PART OF THE COST OF THE PURCHASE OF REAL ESTATE IN SAID TOWN TO BE USED FOR THE ESTABLISHMENT OF PUBLIC RECREATIONAL AREAS.

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WHEREAS, the bond resolution dated August 18, 1953, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the purchase of certain real estate in said Town to be used for the establishment of public recreational areas, and also authorized the issuance of \$36,000 serial bonds and a \$5000 capital note of said Town to pay the cost thereof, which resolution was duly approved at an election by the qualified voters of said Town, and

WHEREAS, it is now desired to take further action in connection with such capital note; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. In accordance with the aforesaid bond resolution, there shall be issued a \$5000 capital note of the Town of Riverhead, New York, to pay part of the cost of the purchase of such real estate. The estimated maximum cost, the plan of financing and other required matters in connection therewith were determined by the aforesaid bond resolution.

Section 2. Such capital note shall be dated and shall mature in not to exceed one year from the date thereof, shall be sold in the manner to be determined by the Supervisor of said Town, and the power to do so is hereby delegated to the Supervisor of said Town, but no such note shall be issued by said Supervisor unless he shall have first filed with the Town Board of said Town a certificate setting forth the details relating to such note. Such certificate shall be properly dated and signed by said Supervisor and shall be a public record. Said note shall be sold by said Supervisor at private sale in accordance with the provisions of the Local Finance Law, at not less than par and accrued interest, on such terms as he shall deem for the best interests of said Town, and such sale shall be evidenced by the execution of a certificate by such Supervisor, which certificate shall be properly dated and signed and shall be a public record.

Section 3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Joseph V. Kelly	Voting	Yes
Justice Austin H. Warner	Voting	Yes
Justice Frank J. Yousik	Voting	Yes
Justice Charles W. Gatz	Voting	Yes
Justice William J. Leonard	Absent	

The Resolution was thereupon declared duly adopted.

The following resolution was offered by Justice Warner, who moved its adoption, seconded by Justice Yousik, to-wit:

BOND ANTICIPATION NOTE RESOLUTION DATED OCTOBER 20, 1953.

A RESOLUTION AUTHORIZING NOT EXCEEDING \$36,000 BOND ANTICIPATION NOTES OF THE TOWN OF RIVERHEAD, NEW YORK,

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TO PAY PART OF THE COST OF THE PURCHASE OF REAL  
ESTATE IN SAID TOWN TO BE USED FOR THE ESTABLISHMENT  
OF PUBLIC RECREATIONAL AREAS.

WHEREAS, the Town Board of the Town of Riverhead, New York, adopted a bond resolution on August 18, 1953, authorizing the issuance of \$36,000 serial bonds of said Town to pay part of the cost of the purchase of certain real estate in said Town to be used for the establishment of public recreational areas, and it is necessary to temporarily finance such object or purpose; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. In anticipation of the sale and issuance of said \$36,000 serial bonds of said Town, there shall be issued bond anticipation notes of said Town in an amount not exceeding the aggregate principal amount of \$36,000, and such power is hereby delegated to the Supervisor, the chief fiscal officer, but no such note or notes shall be issued by said Supervisor unless he shall have first filed with the Town Board of said Town a certificate authorizing the issuance of such note or notes, which certificate shall contain the statements required by Section 30.00 of the Local Finance Law, provided, however, that such note or notes shall mature not more than one year from the date on which such note or notes first issued hereunder. Such certificate shall be properly dated and signed by said Supervisor and shall be a public record. Said note or notes shall be sold by said Supervisor at private sale in accordance with the provisions of the Local Finance Law, at not less than par and accrued interest, on such terms as he shall deem for the best interests of said Town, and such sale shall be evidenced by the execution of a certificate by such Supervisor, which certificate shall be properly dated and signed and shall be a public record.

Section 2. That the proceeds of said note or notes shall be used solely for the same object or purpose for which the proceeds of sale of said \$36,000 bonds may be expended, and said note or notes shall be paid from the proceeds of the sale of said bonds or otherwise redeemed in the manner provided by Section 23.00 of the Local Finance Law.

Section 3. That this resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Joseph V. Kelly	Voting	Yes
Justice Austin H. Warner	Voting	Yes
Justice Frank J. Yousik	Voting	Yes
Justice Charles W. Gatz	Voting	Yes
Justice William J. Leonard	Absent	

The Resolution was thereupon declared duly adopted.

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The meeting adjourned to convene at 2:00 P.M.

The Board reconvened at 2:00 P.M. with the following members present: Supervisor Joseph V. Kelly, Justices Warner, Yousik and Gatz. Justice Leonard, Absent.

Notice of Public Hearing in regard to Ordinance No. 18, Ordinance Regulating the use of Recreation Centers and Public Beaches, was read.

Proof of Publication and affidavit of posting the above notice were submitted to the Board and ordered placed on file.

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

A communication dated October 15th, 1953 was read from the Jamesport-South Jamesport Civic Association advising that they are unalterably opposed to the application of the proposed \$1.00 sticker permits for vehicles, <sup>at Town Beaches</sup> as they feel that the payment of taxes is sufficient to warrant issuance of a sticker permit at time of tax payment, they have seen too many of these minor nuisance taxes grow until the burden is anerous, they feel as resident taxpayers that they should not be taxed on tax for the privilege of using their own property, ~~and~~ other Townships do not charge for beach stickers. The communication was placed on file.

No one <sup>else</sup> having appeared in favor of opposition, the Hearing was declared closed.

On motion made by Justice Gatz and seconded by Justice Warner it was Resolved that the following be and hereby is enacted, ordained and adopted as an ordinance of the Town of Riverhead, New York:

ORDINANCE NO. #18

Ordinance Regulating the Use of Recreation Centers and Public Beaches

Pursuant to the provisions of the Town Law and the General Minicipal Law of the State of New York, the Town Board of the Town of Riverhead hereby enacts:

Section 1. No one shall be allowed to enter upon or use the facilities of any public bathing beach or recreation center owned, leased, operated or maintained by the Town of Riverhead, unless he be a resident, inhabitant, tenant or taxpayer of the Town of Riverhead.

Section 2. Vehicles entering any public bathing beach or recreation center shall enter only at designated entrances and leave only through designated exits. Parking of all vehicles is permitted only in spaces indicated therefor. Only vehicles displaying a parking permit, obtained as hereinafter provided, shall be permitted to park in the spaces provided at any public bathing beach or recreation center. The Town Clerk, or other persons authorized by him, is hereby

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authorized to issue a parking permit for use at any public bathing beach or recreation center, to any of the following persons: resident, inhabitants, tenants or taxpayers of the Town of Riverhead, upon due application by such person and upon the payment of an annual fee of One (\$1.00) Dollar. Such permit shall be evidenced by a printed sticker which shall be prominently displayed on the vehicle for which it was issued. Stickers lost or defrayed may be reissued. All parking permits shall expire on the last day of December of each year and may be renewed on or after the first day of January.

Section 3. No vehicles shall be driven or operated over or upon the beach area or strand at any public bathing beach or recreation center, except for the purpose of launching or recovery of boats.

Section 4. No person shall throw, break, cast, lay or deposit bottles, crockery, papers, wrappers, garbage or refuse of any kind or nature on the beach, or in or upon any parking area, roadway or footpath, but shall place the same in the containers provided therefor. No fire started or maintained on the beach area shall be left unattended, and all fires shall be completely extinguished before the person maintaining such leaves the beach areas

Section 5. Swimming and bathing is permitted only in the water area delineated or enclosed by floating lines or markers. No person shall launch, land, moor or operate any boat or vessel in, through, or across the swimming and bathing area. No fishing is permitted in any swimming and bathing area.

Section 6. No dogs or domestic animals shall be allowed on any public bathing beach or recreation center. No person shall, in any manner, damage, injure or destroy any structure, planting, roadway, embankment, building or equipment located on the grounds of any public bathing beach or recreation center.

Section 7. The selling, vending or offering for sale of any wares, foodstuffs or merchandise upon the grounds or in and about the facilities of any public bathing beach or recreation center is strictly prohibited, except where as in such case and instance as the Town Board of the Town of Riverhead has issued a permit therefor.

Section 8. All public bathing beaches and recreation centers of the Town of Riverhead shall be open only between the hours of sunrise and ten P.M.

Section 9. Any person using a public bathing beach or recreation center or any of its facilities shall do so with the understanding that the Town of Riverhead assumes no responsibility for any injury or damage which such person may sustain while so using said facilities or while occupying said beach or recreation center; and that the Town of Riverhead will not be responsible for any article that may be stolen from any building, structure or vehicle occupying or so using the facilities of said beach or recreation center.

Section 10. Any violation of any section or provision of this ordinance, upon conviction of such violation, shall be punishable by a fine or not less than Five (\$5.00) Dollars nor more than Fifty (\$50.00) Dollars.

This ordinance shall take effect immediately.

The Vote, Justices Warner, Yousik and Gatz, Yes; Supervisor Kelly, Yes; Justice Leonard, Absent. The Resolution was thereupon declared duly adopted.

The following statements were then made:

Justice Warner: Mr. Supervisor, at the meeting of the Town Board on October 6th, you told the Board of your conference with FBI Agent O'Connor. You told us that he said an investigation of the so-called "pipe deal" by the FBI would depend on certain factors, but if an investigation was made, no report of their findings would be made to the Town Board, as their findings are secret, and they guard their secrets with their lives.

I read you now your comment to the local newspaper following the meeting: "Following the meeting of the Town Board on Tuesday, Supervisor Kelly made the following comment on Rear Admiral Hillenkotter's letter: 'There is nothing in the letter indicating that a real investigation was made by Naval Intelligence in connection with the irrigation equipment transaction. Before the Town Board declares the matter closed I believe we should have the anticipated report of the investigation to be made by the FBI.'"

I accuse you, Mr. Supervisor, of making a deliberate false statement in order to confuse the public for political purposes.

I further accuse you of making a political football of Town Board matters. That you have not now or at any time, had any sincere desire to see the matter cleared up one way or another before election day. The reasons for your attitude are only too obvious. You know that, should an investigation bring to light any wrong doing by a member of the police force, that I as the Police Chairman of the Board will see to it that such member be dealt with forthwith, without fear or favor. You also know that an investigation might clear him entirely and in either case, your political balloon will have bursted.

I say to you, Mr. Supervisor, if we are to have honesty and integrity in our Town Government, let us have it from the top down---yes, even in an election year.

I respectfully request that this statement be given the same consideration in the local press as was your statement referred to above.

Supervisor Kelly: I am rather amazed at the statement of Judge Warner who waits until such a late date to accuse me after 18 years of public service to the Town of Riverhead of making a political football out of something so important as the alleged involvement on the part of a local police officer in connection with the so-called "pipe deal." I am quite amazed that at the very beginning of this investigation that Judge Warner, as the Police Chairman, was not interested in this matter whatsoever; that it was Judge Yousik and

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Judge Gatz who went to Lieut. Commander Bailey at the Grumman Aircraft Plant at Calverton, N.Y. and requested that he come forth before the Town Board and make certain statements. I again reiterate that the letters from Commander Bailey's superiors in no way settled this controversy. I have never been accused of lying in my life by any public official and I am not lying now. The FBI did indicate that they would report back to me. Whether they would reveal the right source of their information or not, I do not know. I think that if anyone is trying to capitalize politically on this matter, it is Judge Warner, and whoever he represents, in making such a drastic statement at this meeting.

Justice Warner: That no matter what Mr. Supervisor meant, at the time he stated that if an investigation is made by the FBI, that the FBI would not report on the findings. Those are his words.

Supervisor Kelly: I am amazed at the excellent memory of Judge Warner in remembering my exact words of a meeting here several weeks ago. I did announce at the meeting, and I think the Board will bear me out, that I was telling the true facts that it was not their policy to reveal the results of their investigations publicly. I still stand by that statement.

The Town Board convened as a Board of Audit and examined all Town bills to date, the totals of which were as follows:  
General Town Fund---\$50,491.05 and Highway Machinery Fund---\$80.26.

There being no further business on motion and vote the meeting adjourned to meet on Thursday, November 5, 1953 at 2:00 P.M.

*Harry J. Kratoville*  
Harry J. Kratoville, Town Clerk

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