

Minutes of a meeting of the Town Board of the Town of Riverhead held in the Town Hall on Wednesday, February 6, 1946 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 January 16, 1946 were read and on motion and vote were duly adopted.

Town Attorney Lundberg presented an informal opinion from the State Attorney General's Office in which he stated that the provisions of Section 105-c of the War Emergency Act are broad enough to cover a local legislative officer who was already in military service, if his entry was subsequent to May 6, 1942, at the time of his election to office. The communication was ordered placed on file.

Justice Warner offered the following resolution which was seconded by Justice Yousik,

WHEREAS, at the November 1945 election Justice of the Peace, Henry M. Zaleski, then serving overseas in the Military Service of the United States of America was re-elected to the office of Justice of the Peace for the term commencing January 1, 1946 and has duly filed his oath of office, and

WHEREAS, Justice of the Peace, Henry M. Zaleski ever since has continued in such military service and in accordance with an unofficial opinion rendered by Honorable Nathaniel L. Goldstein, Attorney General, his office shall temporarily be filled by a person of the same political party pursuant to the provisions of Section 105-c of the New York State War emergency Act, and

WHEREAS, Edwin M. Lockwood, Esq. who belongs to the same political party as Justice of the Peace, Henry M. Zaleski, was the other candidate and the other choice of the Democratic Party at the last election for the office of Justice of the peace, and after due deliberation is considered as both deserving and qualified to best serve the interests of the people of the Town of Riverhead as a member of the Democratic Party, now therefore be it

RESOLVED that Edwin M. Lockwood, Esq. in accordance with the provisions of Section 105-c of the New York State War Emergency Act be and he hereby is appointed Justice of the Peace to fill temporarily according to law the office of Justice of the Peace, Henry M. Zaleski. The Vote Justices Warner, Yousik and Leonard Yes, Supervisor Kelly Yes. Total Vote Yes 4, No 0. The resolution was thereupon declared duly adopted.

Justice Lockwood signed his Oath of Office and was declared duly qualified to serve as Justice of the Peace

Justice Yousik offered the following resolution which was seconded by Justice Leonard,

WHEREAS application has been made to the United States War Department for the improvement of Peconic River, and a public hearing will be held on Wednesday, February 6, 1946, in connection thereof, and

WHEREAS the said improvement would be of great benefit to navigation, business and the development of the Town, now therefore be it

RESOLVED, that the Town Board of the Town of Riverhead, New York go on record as definitely favoring the completion of the proposed Peconic River Project. The resolution was adopted by the unanimous vote of the Board.

Notice of Public Hearing on the matter of the purchase of an Oil Distributor 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 for or against the purchase of an Oil Distributor for the Highway Department, the hearing was declared closed.

On motion made by Justice Warner and seconded by Justice Leonard it was Resolved that the Supt. of Highways be authorized to purchase an Oil Distributor to be used in the Highway Department for a sum not to exceed ~~the sum of~~ \$4,300.00. The Vote Justices Warner, Yousik, Leonard and Lockwood Yes, Supervisor Kelly Yes. Total Vote Yes 5, No 0. The resolution was declared duly adopted.

A communication was read from J. Harry Brown thanking the Board for his appointment as Town Historian of the Town of Riverhead and stated that he is pleased to accept the appointment and assured the Board that he will perform his duties to the best of his ability. The communication was ordered placed on file.

A communication was read from Raymond Weigen stating that he intends to build a home on his property on Brown Street and as the said Street is a Town Highway requested that it be opened and improved. The Matter was referred to the Highway Committee and the Supt. of Highways.

A communication was read from Forrest G. Downs, Receiver of Taxes advising the Board that he had appointed Helen Maks as part time Clerk in his Office. The communication was ordered placed on file.

On motion made by Justice Yousik and seconded by Justice Leonard it

Resolved that Helen Maks be and she hereby is appointed a provisional part time Junior Clerk to the Receiver of Taxes of the Town of Riverhead, retroactive as of January 29, 1946, salary fixed at the rate of \$5.00 per day, payable semi-monthly. The Vote, Justices Warner, Yousik, Leonard and Lockwood Yes, Supervisor Kelly Yes. Total Vote Yes 5, No 0. The resolution was thereupon declared duly adopted.

Forrest G. Downs submitted his report of the amount of taxes collected as of February 1, 1946 and on motion and vote were accepted and ordered placed on file.

The Police and Welfare reports for the month of January 1946 were submitted to the Board and on motion and vote were accepted and ordered placed on file.

Supervisor Kelly appointed Justice Lockwood on the Town Hall and the Welfare Committees.

The report of the examination of the fiscal affairs of the Town of Riverhead for the year ending December 31, 1944 was submitted to the Board and on motion and vote was ordered placed on file in the Town Clerk's Office where it is available as a public record for inspection by all interested persons.

On motion made by Justice Warner and seconded by Justice Yousik it was Resolved that the Riverhead Town Board hereby establishes the following Rules and Regulations for the government, discipline, administration and disposition of the Town of Riverhead Police Department, Riverhead, New York, and of the members thereof. Any and all former rules or regulations conflicting with these Rules and Regulations are abrogated as of February 6th, 1946, which date shall be the date these Rules and Regulations take effect. These Rules and Regulations shall be amended only by action of the Town Board.

1. PERSONAL CONDUCT. APPEARANCE AND ACTIVITIES OF THE MEMBERS OF THE POLICE DEPARTMENT.

A. CONDUCT

1. Each and every member must be quiet, civil and orderly in his conduct and deportment. In the performance of his duty, he must be attentive, and maintain decorum, command of temper, patience and discretion. He must at all times refrain from harsh, violent, indecent, coarse, profane or insolent language, and yet must act, when required, with firmness and energy in the performance of his duty.
2. No member shall use intoxicating liquor to excess, nor shall he drink of it while on duty.
3. Smoking shall be done only at headquarters or in a police car, and then only when not in the presence of the general public, while on duty.
4. Members must be civil and respectful to each other at all times.
5. Immorality, indecency or lewdness is prohibited.

B. APPEARANCE.

1. The uniform furnished by the Town is the prescribed uniform. It shall be kept neat, clean and in perfect order. Members shall wear it whenever on active duty except when directed otherwise by the Chief.
2. Every member must appear at all times neat and clean in his person in all respects.

C. ACTIVITIES.

1. Members shall not enter (except in the immediate performance of duty) any place in which intoxicating liquor may be sold or furnished.
2. Members in uniform are prohibited from attending parties or visiting places of amusement or public resort except in the performance of duty.
3. Members shall act in a manner leading to good order and discipline in the Department.

2. DUTIES AND POWERS OF.

A. THE CHIEF OF POLICE.

1. It is the duty of the Chief of Police to see that these Rules and Regulations are strictly enforced, and he will be held responsible therefor.
2. It is the duty of the Chief of Police to prefer written charges against any member of the Police Department with reference to neglect or dereliction in the performance of official duty, or of violation of these Rules and Regulations, or of disobedience, or of incompetency to perform official duty, or of an act of delinquency seriously affecting his general character or fitness for office. These charges shall be made to the Police Committee of the Town Board. The Police Committee will then arrange an appropriate investigation, hearing and determination of the charges. If the Chief of Police believes the grounds for the charge to be sufficiently aggravated, he may suspend without pay the member involved immediately until such time as he is able to prefer the written charges to the Police Committee, and in this event, the charges shall be preferred as soon as possible and in no instance more than five days after effecting the suspension. Any suspension invoked by the Chief of Police shall be temporary in nature and shall terminate upon the submission of the written charges to the Town Board and Police Committee, which can then determine the necessity for and extent of further action.
3. The Chief of Police shall have the power to promulgate such orders not inconsistent with these rules to the members of the Police Department as he may deem proper. All orders and notices placed upon the Bulletin Board in Police Headquarters by the Town Board or by the Chief of Police for twenty-four consecutive hours shall be deemed official and sufficient notification and obeyed accordingly.

4. It is the duty of the Chief of Police to draw up schedules of working hours for the members of the department, to establish patrol posts and routes, to indicate the administrative duties involved in each tour of duty, and to detail and assign the members for supervision or duty as he deems necessary. In this connection, he may order any or all members to any place within the Town where their services may be necessary. He may detail any member of the Department for detective duty.
5. The Chief of Police shall have general charge of the Police Headquarters and Police property, and he will be held responsible for the cleanliness, general condition and good order of it.
6. It is the duty of the Chief of Police to insure the proper maintenance of adequate records of police activity and administration. These books should be subject to inspection by the Town Board at any time.

B. OTHER MEMBERS OF THE POLICE DEPARTMENT.

1. It is the duty and power of the members to maintain law and order in the Town of Riverhead and to this end they should detect, enforce and prevent whenever possible, the violations of all criminal laws and infractions therein. They should exert themselves constantly to accomplish this end. Each member must examine and make himself perfectly acquainted with each part of the Town and, by his vigilance, make it extremely difficult for anyone to commit a crime, or go undetected should he commit one, in the Town of Riverhead. Accordingly, each member should maintain his character, condition, knowledge, and ability so that the performance of his official duty will be of the highest type.
2. It is the duty of the members to have a thorough knowledge of these Rules and Regulations and of all orders issued by the Chief of Police and to render to them implicit and prompt obedience and strict conformance.
3. All members will be deemed to be always on duty. They shall be on active duty when taking their scheduled tour or when so designated by the Chief of Police. When on active duty, all members shall appear in full uniform except when it may be necessary for the public interest to appear in citizens' clothing and then only when so ordered by the Chief. Although certain hours are allotted to the respective members for active duty, yet at all time they must be prepared to act immediately on notice that their services are required.
4. Under no circumstances when on active duty, shall a member go outside the Town limits except when necessary to the performance of duty.
5. When on active duty, members shall not sleep or leave their posts but shall constantly patrol it in accordance with the schedules and orders of the Chief of Police. Each member must

carefully inspect each part of his route or post and be ready at any time to furnish information concerning the state of it. Should he observe anything likely to produce danger or public inconvenience or anything irregular, he shall report the same to headquarters. He shall frequently carefully examine (especially in the night time) all doors and lower windows of stores and business places to see that they are properly secured. The regularity of his tour or inspections, however, should not prevent him from remaining at any particular place if his presence is required, but he must be able to satisfy the Chief of Police that there was sufficient cause for so remaining. Members should not leave active duty until properly relieved by their replacement. It is suggested that the replacement arrive five minutes early for the convenience of the member he is relieving. Each member shall make a written report of his activities and of the police action taken by him. This report should be submitted on the prescribed form at the end of each tour of duty.

6. Every member will be held responsible for the proper discharge of the duties assigned to him by the Chief of Police, or the desk Clerk in the absence of the former, and it will be no excuse for failure to offer that he followed the advise of others.
7. A member must not walk nor talk with members of the general public while in uniform except on official business and then he will stand and transact that business in a courteous and efficient fashion. He shall give his name and number to all persons when they require the same. He will be willing to help anyone in distress at any time.
8. Members must not walk together or talk with each other when they meet while on active duty except when at headquarters unless it is to communicate information pertaining to official business and then such communication is to be as brief as possible.
9. When on active duty, a member must not enter any house or business establishment except in the execution of his duty, and except that each member may be allowed one thirty-minute lunch period during an eight hour shift.
10. A member must not use his baton or gun except in the most urgent case or in self-defense.
11. Whenever a member is sick or unable to do duty, he shall so notify the Chief of Police at once.
12. It is strictly enjoined upon the members to be careful in the use of all Town property. Roughness or carelessness is not to be tolerated and will be made and subject of written charges.
13. It is the duty of all members to properly execute with care all reports and other forms of paper work indicated for them by these Rules and Regulations or by order of the Chief of Police.

### 3. TOWN PROPERTY.

- A. In addition to Rules 1-B-1, a-A-5, 2-A-6, 2-B-13 and 4, of these Rules and Regulations relating to the handling of Town Property, the following is specified.

1. The patrol cars are to be used only for official business. They are not to be used as taxis. They are to be kept clean and in good repair.
2. The radios are to be handled carefully and all Federal Communication Commission rules are to be observed.

4. POLICE RECORDS AND FILES.

A. The records referred to in Rules 2-A-6 of these Rules and Regulations should include at least:

1. A memorandum book which is to be maintained by members assigned to desk duty. It should chronologically set forth indicating the time, all activities and movements of the members and about headquarters and all police business in the Town.
2. A blotter book into which the pertinent police business is to be transferred from the memorandum book for a permanent public record.
3. A docket book which should indicate the proceedings and dispositions in all court cases in which the Police Department has an active interest.
4. A radio log book indicating police business transacted over the radio and conforming to the rules of the Federal Communications Commission.
5. An automobile book in which should be recorded the inspections of, servicing of, and repairing of the patrol cars. The mileage of each car should be indicated in this book as of the end of each tour of duty.
6. A file for complaint forms which are to be filled in on the prescribed forms by the members immediately upon the receipt of a complaint. The action taken in regard to the complaint should be shown thereon. These forms must be reviewed and approved by the Chief of Police before filing.
7. A file for accident forms which are to be filled in on the prescribed forms by the members immediately upon receiving information concerning an accident in the Town. These forms must be reviewed and approved by the Chief of Police before filing.
8. A file for arrest reports which are to be filled in on the prescribed forms by the members immediately upon making an arrest. These forms must be reviewed and approved by the Chief of Police before filing.
9. A file for daily report forms which are to be filled in on the prescribed forms by the members at the end of each tour of duty indicating their activities while on duty. These forms must be reviewed and approved by the Chief of Police before filing.

5. GENERAL.

- A. It shall be distinctly understood that the Police Headquarters located in the Town Hall of Riverhead, is not and shall not be made a place for loitering, but shall be used only for the members of the Department and persons on business.
- B. No member shall communicate, except to such persons as directed by the Chief of Police or by the Town Board, any information concerning any proposed police action on the part of the Department.

The vote, Justices Warner, Yousik, Leonard and Lockwood, Yes, Supervisor Kelly, Yes. Total vote, Yes 5, No 0. The resolution was declared duly adopted.

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

There being no further business on motion and vote the meeting adjourned to meet on Tuesday, February 19th, 1946 at 2:00 P. M.

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