

Minutes of a meeting of the Town Board of the Town of Riverhead held in the Town Hall on Wednesday, January 26, 1938 at 9:00 A.M.

Present:

Dennis G. Homan, Supervisor.

Henry M. Zaleski

Joseph V. Kelly

Austin H. Warner

Fred H. Butcher, Justices of the Peace.

Seth A. Hubbard, Town Attorney was present.

Minutes of a meeting of the Town Board held on January 12, 1938 were read and on motion and vote were duly adopted.

A communication was read from Mr. C.W. Ludlam in regard to the sidewalk in front of his property on West Main Street. The communication was referred to the Highway Committee.

A communication dated December 29, 1937 addressed to Dennis G. Homan, Supervisor-elect, in regard to a petition relative to the reappointment of Kenneth Randall in the Riverhead Water District was read and ordered placed on file.

A petition signed by more than 100 residents of the Town of Riverhead requesting the reappointment of Kenneth Randall in the Riverhead Water District was submitted to the Board and ordered placed on file.

On motion made by Justice Kelly and seconded by Justice Warner it was Resolved that Harry J. Kratoville be and he hereby is appointed Registrar of Vital Statistics for the Town of Riverhead for a period of two years. The Resolution was adopted by the unanimous vote of the Board.

The following signed Resolution was read:

WHEREAS, at the regular meeting of the Riverhead Town Board, held on January 12th, 1938, a request was unanimously made by the taxpayers and citizens present, for an investigation by the Town Board of the last administration of the Highway Department, with particular reference to the loss or theft of many tools and small articles of equipment purchased for use in the Highway Department; and

WHEREAS, at a Special Executive Meeting of the Town Board, held on January 19th, 1938, an informal hearing or investigation was made and as a result of which the following conclusions were reached:

First: An examination of the records of the Highway Department during the last administration shows such records to be in a perfectly satisfactory condition.

Second: That many tools and small articles of equipment belonging to the Highway Department were either lost or stolen during the last administration and that upon information and belief many such articles were lost or stolen in previous administrations of the highway department.

Third: That no serious effort has been made to adopt a business-like arrangement to provide a close check to prevent the loss, misplacement or theft of such articles.

Fourth: That although many such articles have been either lost or stolen no tangible evidence has been found to indicate any criminal liability on the part of the Superintendent of Highways.

Fifth: That as a result of this investigation, the Town Board urges that the present Highway Superintendent inaugurate a system of checking and safeguarding all of the tools and equipment in the Highway Department entrusted to his management, supervision and control and in the future that all losses of Highway supplies, tools and equipment be noted and reported as soon as the same are discovered.

Joseph V. Kelly
Austin H. Warner
Henry M. Zaleski
Fred H. Boutcher
Dennis G. Homan

Mr. William Hattrick, Attorney addressed the Board stating that specific data in regard to the Highway Department must be brought to the attention of the Board. He has therefore gone through the vouchers and is giving facts as appeared on the highway vouchers now on file in the Supervisors office. He read an itemized statement of purchases made by the Highway Department during the term of the previous Superintendent of Highways, qualifying his statement as to wear and tare on the various articles, but emphatically stated that there were many articles purchased which should have been turned over to the new Superintendent of Highways on January 1st and that the Taxpayers whom he represents request that the Town Attorney demand of the Continental Casualty Co. the things that should have been intact in the Highway Department on January 1, 1938 be replaced or the Highway Department be reimbursed for same.

Mr. Elias H. Avram, Attorney, addressed the Board in answer to Mr. Hattrick stating that he has practised law for twenty-seven years and found that there are always two sides to every question. He spoke in length as to what could have happened to many tools and smaller articles, outside of wear and tare, in a Department such as the Highway Department. He further stated that there may have been laxity or carelessness shown during the last highway administration, but surely there are no facts to prove that there was any criminal negligence on the part of the former Superintendent of Highways, if there are articles which are missing which should have been turned over to the new Superintendent of Highways the proper procedure is to take the matter up with the bonding company.

Mr. Leo Saxstien addressed the Board and made an inquiry

as to the investigation made by the Town Board at an executive meeting held on January 19, 1938. Further stating that if a thorough investigation was made, the facts shown should determine the disposition of the matter.

Mr. John Coen, Attorney, addressed the Board in regard to the matter of the Highway Department, stating that an appeal to the Attorney General of the State of New York should be made.

Justice Kelly addressed the Board stating that he has hesitated a long time before making any statement on the matter. That he spoke as a citizen rather than as a public official, but as he did not want to see anything done that would be unjust to any man, he was prompted to make a public statement at this time. That he was in no way responsible for the investigation and was very sorry that according to the newspapers, this matter had taken a political aspect. That a thorough investigation was made and that the State Auditor had approved the accounts of the former Superintendent of Highways and had personally said that they were in excellent condition. However, Justice Kelly recommended that in the future a better system of checking should be used in the Highway Department.

A communication was read from the Association of Towns in regard to their annual meeting to be held in Albany on February 23rd, 24th and 25th, 1938. The Communication was ordered placed on file.

A communication was read from the Riverhead Polish Independent Club, advising the Board that the Club was unanimously opposed to zoning in the Town of Riverhead. The communication was ordered placed on file.

Justice Warner offered the following Resolution, which was seconded by Justice Kelly.

WHEREAS, the sum of \$1,650.00 in the 1938 budget is insufficient to cover the charge of \$1,794.96 rendered by the State Comptroller as Riverhead Town's share apportioned to the Employees' Retirement System, now be it

RESOLVED, that the sum of \$144.96 be transferred from Current Surplus account to Budgetary Control-Employees' Retirement account.

The Resolution was adopted by the unanimous vote of the Board.

Justice Kelly offered the following Resolution which was seconded by Justice Zaleski.

WHEREAS, under Section 64 of the Town Law, it is provided that the Town Board shall designate by written resolution the banks or trust companies in which certain town officers shall deposit the moneys coming into their hands by virtue of their offices.

NOW, THEREFORE, BE IT RESOLVED, that the Suffolk County National Bank, The Long Island State Bank and Trust Company and the Suffolk County Trust Company BE AND THEY ARE HEREBY DESIGNATED as depositories in which the Supervisor and the Tax Receiver of this town shall deposit all moneys coming into their hands by virtue of their offices.

It is understood, however, that the above depositories will not be required to deposit collateral or other security to secure the deposits placed with them. The Resolution was adopted by the unanimous vote of the Board.

The Town Board then convened as a Board of Audit and examined the bills for the month of January 1938.

There being no further business, on motion and vote, the meeting adjourned to meet on Wednesday, February 9, 1938 at 2:00 P.M.

Harry J. Kratville
Harry J. Kratville,
Town Clerk.