

Minutes of a meeting of the Town Board of the Town of Riverhead, held in the Town Office January 9 1929 at 3 P. M.

Present:-

Dennis G. Homan, Supervisor.  
Milton L. Burns, Town Clerk.  
George E. Penny,  
Robert Burnside,  
Albert W. Conklin, Justices of the Peace.  
Charles O. Downs, Town Superintendent of Highways was present.

The minutes of the meeting of the Town Board, held December 24, 1928 were read and on motion and vote approved.

A communication was received from the Board of Assessors advising that at a meeting of said Board held January 8th 1929, Charles W. Sanford was elected Chairman of the Board and Byron Rogers, Clerk of the Board.

A communication was read from the Suffolk County Mosquito Committee, advising of a meeting of said committee, the election of officers of said committee and of action taken by said committee at said meeting.

The resignation of Robert P. Burns, as Constable to take effect January 1, 1929 was presented.

On motion duly made, seconded and carried it was RESOLVED That the resignation of Robert P. Burns, as Constable of Riverhead Town be and the same is hereby accepted.

The resignation was ordered placed on file.

Byron Rogers, Clerk of the Board of Assessors, addressed the Board and requested that his compensation as Clerk of the Board be increased to \$2000.00 per year.

On motion duly made, seconded and carried it was RESOLVED That the compensation of Byron Rogers as Clerk of the Board of Assessors be and the same is hereby fixed at \$2000.00 per year, effective as of January 1, 1929.

A roll call vote on the foregoing resolution was as follows:-

Supervisor Homan	Yes.
Justice Burnside,	Yes.
Justice Penny,	Yes.
Justice Conklin,	Yes.
Town Clerk Burns,	Yes.
Total	Yes 6- Nay 0.



1. WHEREAS, the Town Board of the Town of Riverhead, New York, did on the 12th day of December, 1928 duly adopt a resolution providing that the provisions of § 26 of the Transportation Corporation Law of the State of New York should apply to said Town, and

2. WHEREAS, Ernest Naber of Flanders, Suffolk County, New York, grantee herein, did on the 12th day of December, 1928, make written application to said Board for its permission, consent and franchise to operate a motor bus line over and upon certain streets and highways in the Town of Riverhead aforesaid for the purpose of carrying passengers for hire, and

3. WHEREAS, the Town Board of the Town of Riverhead aforesaid has duly given and published notice of a public hearing upon said application to be held at the office of the Town Clerk in said Town on the 24th day of December, 1928, at 2 o'clock P.M. of that day, proof of publication of said notice as required by law having been filed with the Town Clerk of said Town, and

4. WHEREAS, Ernest Naber has now in operation a public motor bus line from the village of Riverhead, in said Town, to the village of Port Jefferson, Suffolk County, New York, and

5. WHEREAS, the Town Board of said Town, after due consideration, had determined that the application of said Ernest Naber be granted, as prescribed by the Transportation Corporation Law,

NOW, THEREFORE, IT IS HEREBY RESOLVED,

FIRST. That the consent, permission and franchise of the Town Board of the Town of Riverhead, Suffolk County, New York, be and the same hereby is granted unto said Ernest Naber to maintain and operate a motor bus line or route for the transportation of passengers for hire over and along the highways of the Town of Riverhead hereinafter described.

SECOND. This franchise, consent and permission shall become operative only when the same shall be accepted in writing by the said Ernest Naber within fifteen days next after the date of this instrument and upon his filing with the Town Board of the Town of Riverhead a bond as hereinafter provided, and this franchise shall remain in full force and effect for the term of ten (10) years from the date hereof unless previously terminated.

THIRD. It is hereby expressly and mutually understood and agreed that this instrument shall not be operative until the grantee aforesaid shall pay to the Town of Riverhead, the sum of Twenty (\$20.00) as an annual payment for the privilege of operating under this franchise and the same shall be due and payable yearly in advance in each and every year during the term hereof, and the first year shall commence upon the date of this instrument and said grantee shall also



execute and file with said Town Board, a bond or undertaking to the satisfaction of said town board, as to form, manner of execution and sufficiency of the sureties, in the sum of Five Hundred (\$500.00) conditioned for the faithful performance of his obligations hereunder, and as security for the payment of any sum which may become due said Town by reason of any provision of this instrument.

FOURTH. The streets and highways over which this said bus line or route shall be operated for for which the consent, franchise and permission is granted and the schedules of said operation shall be as follows, viz:

Between the Riverhead Post Office and the Riverhead Depot of the Long Island Railroad Company and from those points along any connecting highways to the Riverhead-Port Jefferson Federal Aid Highway and along said highway to the division line between the Towns of Riverhead and Brookhaven.

Between the Riverhead Post Office and the Riverhead depot of the Long Island Railroad Company and from those points along any connecting highways to Roanoke Avenue to its intersection with the North Country Road, thence along the North Country Road to and through Wading River to the intersection of the line dividing the Towns of Riverhead and Brookhaven.

Said grantee shall make not less than one round trip daily between the villages of Riverhead and Port Jefferson, in said county, at such time as may be most suitable to the public needs and in accordance with the schedule now being operated, but such schedule of operation may be modified and enlarged by said Town Board as it shall deem the public need and convenience require.

The maximum fare, charge or tariff for the transportation of one passenger over said routes shall be as follows:

Between the points in Riverhead village above mentioned and the concrete railroad bridge crossing the Riverhead-Port Jefferson Federal Aid Highway, fifteen cents.

From said concrete bridge to the Parker Road, so called, fifteen cents.

From the point last above mentioned to the intersection of the line dividing the Towns of Riverhead and Brookhaven, fifteen cents.

From the points in Riverhead village first above mentioned to the intersection of Roanoke Avenue and the North Country Road, fifteen cents.

From the point last above mentioned to the top of Fresh Pond Mill west side, fifteen cents.

From the point last mentioned to the line dividing the towns of Riverhead and Brookhaven, fifteen cents.

It is understood and agreed that the grantee herein will operate a motor bus line over one or both of said routes above mentioned between the village of Riverhead and the line dividing the towns of Riverhead and Brookhaven, as aforesaid, unless prevented by the act of God, rebellion, strikes, insurrections war or invasion, or for some other reason beyond his control



and the operation of said bus line along either of said routes shall be deemed a compliance herewith.

**FOURTH "A",**- And in the event of either of said routes not being operated by the grantee, and a demand for the operation of said routes being made by the persons interested in its operation, which appears reasonable to the Town Board of the Town of Riverhead, the said Town Board may give 10 days written notice to the grantee to operate said route and on the failure of the grantee to comply with said notice this franchise shall thereupon cease, determine and be cancelled so far as affecting said unoperated route.

**FIFTH:** It is hereby agreed, required and provided that said grantee shall prohibit smoking in each vehicle or bus operated by him hereunder and shall conspicuously place a suitable sign in each vehicle prohibiting the same and shall enforce such provision at all times and shall at all times comply with and enforce all public health laws of the State of New York, or of the Town of Riverhead, which shall be applicable thereto, whether now existing or subsequently enacted, and shall comply with and obey the laws and rules of the road and all other laws applicable thereto enacted by the State of New York.

**SIXTH.** It is further expressly stipulated and agreed and made a material part hereof that this consent, franchise or permission is granted to Ernest Naber only and is not assignable except upon the written consent and approval by the Town Board of the Town of Riverhead and that any attempt to assign or transfer this franchise without the written consent of said Town Board shall be a violation hereof and because thereof this franchise may be terminated and cancelled at the election of said Town Board.

**SEVENTH.** The grantee herein shall at all times submit his motor buses used hereunder for the inspection of the Town Board of the Town of Riverhead aforesaid or to any person appointed by said Town Board for that purpose whenever required, and said Town Board shall ascertain and determine whether the same are properly equipped and in proper condition for the convenience and protection for the traveling public.

**EIGHTH.** It is further agreed and required that all motor buses operated by the grantee hereunder shall be equipped with a rear door installed in such a manner that it may at any time be opened from the inside and afford means of exit to passengers in case of accident or fire.

**NINTH.** It is hereby expressly agreed that each provision and condition hereinbefore set forth is material and vital to this franchise and any violation thereof shall constitute a termination of this franchise and an abandonment thereof on the part of the grantee and a cancellation of the same by said Town Board at its election.

**TENTH.** It is further RESOLVED That this franchise be executed in duplicate, one duplicate copy to be filed in the office of the Town Clerk of the Town of Riverhead and one to be delivered to said grantee.



ELEVENTH. That the petitioner shall not be compelled to operate both routes, namely, the North Country Road so-called and the Federal Aid Highway so-called, but either at the option of the petitioner.

Twelfth. That petitioner is also granted right to carry baggage over said route.

Theodore Worona of Wading River, was present and protested against being taxed in the Wading River Lighting District and not receiving benefit from the street lights as his property being situated a long distance from the nearest street light.

On motion duly made, seconded and carried it was RESOLVED That the protest of Theodore Worona of Wading River against the light tax be and the same is hereby referred to the Lighting Committee for investigation and be it further RESOLVED That the Lighting Committee be and it hereby is authorized to employ counsel, if necessary, in connection with said investigation.

Justice Conklin submitted the name of William B. Walters, Jr. to fill the vacancy now existing in the office of Constable of the Town. This matter was laid over until the next meeting of the Town Board.

Charles O. Downs, Town Superintendent of Highways addressed the Board and presented a Supplement Sheet to the Agreement for Special Improvements under Section 105 of the Highway Law and requested the Board raise the sum of \$908.92 to be expended on the drainage system at the southerly end of Maple Avenue, across East Main Street and leading into McDermott Avenue, Riverhead.

The Supplement Sheet to the Agreement was thereupon approved and signed by the Board and on Motion duly made, seconded and carried it was RESOLVED That the Supervisor and the Town Clerk be and they hereby are authorized and directed to borrow upon certificates of indebtedness, the sum of \$908.92 for Special Highway Improvements on Maple Avenue, East Main Street and McDermott Avenue, Riverhead, N.Y.

Charles O. Downs, Town Sup't. of Highways advised the Board that the Highway Department should be authorized to purchase two Chevrolet Trucks and a Road Scraper.

On motion duly made, seconded and carried it was RESOLVED That Charles O. Downs, Town Sup't. of Highways, be and he hereby is authorized to purchase Two Chevrolet trucks and a road scraper.

On motion duly made, seconded and carried it was RESOLVED That the words " TOWN OF RIVERHEAD - HIGHWAY DEPARTMENT- NO. -- " be painted on the Town Trucks.

A request by Forrest G. Downs, Tax Receiver, for



an extension of time for his clerks having been received, on motion duly made, seconded and carried it was RESOLVED That Forrest G. Downs, Tax Receiver be and he hereby is authorized to employ one clerk for an additional four weeks and one clerk for an additional two weeks.

On motion duly made, seconded and carried, the meeting adjourned to meet January 30, 1929 at 2 P. M.

Milton L. Burns.

Town Clerk.