

3/12/85

Minutes of a Special Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, March 12, 1985 at 3:21 P.M.

Present: Joseph F. Janoski, Supervisor  
 Louis Boschetti, Councilman  
 Vincent Artale, Councilman  
 Victor J. Prusinowski, Councilman  
 John Lombardi, Councilman

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York, at 3:00 P.M. on the 12th day of March, 1985, and do consent to the holding of such meeting for the purpose of Adopting a resolution authorizing publication of a Bid Notice regarding Peconic Bay Boulevard, and any other matters that may come before the Board.

DATED: March 12, 1985

TOWN BOARD MEMBERS  
 TOWN OF RIVERHEAD, NEW YORK

Joseph F. Janoski  
 Supervisor

John Lombardi  
 Councilman

Vincent Artale  
 Councilman

Louis Boschetti  
 Councilman

Victor J. Prusinowski  
 Councilman

FILED.

#202 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS  
RE: PECONIC BAY BOULEVARD STREET IMPROVEMENTS.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders with regard

RESOLUTIONS Continued:

to solícite bids for Peconic Bay Boulevard Street Improvements, to be published in News-Review and Suffolk Life.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that SEALED BIDS for the Street Improvements of Peconic Bay Boulevard in the Town of Riverhead, will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 A.M. prevailing time, on April 16, 1985, at which time and place they will be publicly opened and read for the following contract:

## Peconic Bay Boulevard Street Improvements

Plans and Specifications may be obtained at the Town Hall at 200 Howell Avenue, Riverhead, New York and Baldwin & Corneluis, P.C., 101 South Bergen Place, Freeport, New York upon deposit of fifty dollars (\$50.00) for each set furnished. Deposits shall be made by cash, certified check or bank money order. No exceptions shall be made.

Deposits for Plans and Specifications will be refunded to bidders who return Plans and Specifications within ten (10) days in good condition; other deposits will either be partially or not refunded if the plans and specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the total bid, made payable to Joseph F. Janoski, Supervisor, Town of Riverhead, as set forth in the Information to Bidders.

The Town Board reserves the right to reject any or all bids, to waive any informalities and to accept such alternate bids which, in the opinion of the Town Board, will be in the best interests of the Town of Riverhead.

BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD, SUFFOLK COUNTY,  
NEW YORK

ACTING AS THE GOVERNING BODY OF  
THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, TOWN CLERK  
TOWN OF RIVERHEAD  
RIVERHEAD, NEW YORK 11901

Dated: March 14, 1985

The Vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.  
The resolution was thereupon declared duly adopted.

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RESOLUTIONS Continued:#203 AUTHORIZES SUPERVISOR TO PAY BALANCE DUE ON CONDEMNATION PROCEEDINGS, RE: RIVERHEAD SCAVENGER WASTE IMPROVEMNET #1

Councilman Prusinowski offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, the Riverhead Scavenger Waste Improvement #1, Smith Finkelstein, Lundberg, Crimmins & Yakaboski, Esqs., have advised that the matter can be settled through payment of \$100,000, of which \$74,175.00 has been paid thus requiring an additional payment of \$25,825.00 plus interest of \$129.81 for a total of \$25,954.81 to be paid, which amount shall be divided equally between the Towns of Riverhead and Southampton,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to pay the balance of money due with regard to the condemnation proceedings brought by the Riverhead Scavenger Waste Improvement #1 in the amount of \$25,954.81, which amount shall be divided equally between the Towns of Riverhead and Southampton, subject to Town Board resolution by the Town of Southampton, and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute any and all documents necessary in this litigation, and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Accounting Department and Pierre Lundberg, Edq.

The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

#204 APPROVES SITE PLAN OF VALMONT HOMES

Councilman Artale offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, a site plan and elevations were submitted by Valmont Homes for a building permit for office building to be located at Roanoke Avenue and Franklin Avenue Riverhead, New York, and

WHEREAS, this Town Board has reviewed the site plan submitted as prepared by Donack Associates dated September 4, 1984, as well as the elevations dated December, 1984,

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Valmont Homes for a building permit for an office building to be located on Roanoke Avenue and Franklin Avenue, Riverhead, New York, as prepared by Donack Associates dated September 4, 1984, and elevations dated December, 1984, be and is hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk

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RESOLUTIONS Continued:

and filed with the Town Clerk.

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

4. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

5. Trash receptacles of a decorative design shall be maintained at the premises.

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stantion stating, "No parking, Handicap Only", and the universal symbol affixed thereto.

7. That the parking area shall be maintained pursuant to specificatons outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

8. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones.

9. Subject to Town of Riverhead Highway Department curb cut approval.

RESOLVED, that a certified copy of this resolution shall be forwarded by the Town Clerk to Valmont Homes and the Riverhead Building Department.

## DECLARATION AND COVENANT

THIS DECLARATION made the \_\_\_\_\_ day of \_\_\_\_\_, 1985, by Valmont Homes by \_\_\_\_\_ Declarant,

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in Schedule A annexed hereto as provided by the Declarant, and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office, and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel,

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed do hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors, and assigns, to wit:

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RESOLUTIONS Continued:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan.

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design.

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same.

4. Trash receptacles of a decorative design shall be maintained at the premises.

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stantion stating, "No parking, Handicap Only", and the universal symbol affixed thereto.

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness, and grade.

7. That the Town Board may designate fire zones as they may see fit and it is agreed that the owner of the premises shall sign any and all documents as may be required to designate fire zones, and be it further

8. Subject to Town of Riverhead Highway Department curb cut approval.

IN WITNESS WHEREOF, the Declarant has hereunto set his hand and seal the day and year above written.

Valmont Homes

\_\_\_\_\_  
BY:

STATE OF NEW YORK )

ss.:

COUNTY OF SUFFOLK )

On this \_\_\_\_\_ day of \_\_\_\_\_ 1985, before me personally came \_\_\_\_\_ owner of certain real property located on Roanoke Avenue and Franklin Avenue, Riverhead, New York the subject property of the declaration and covenant

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291.

RESOLUTIONS Continued:

herein; that he did read the above declaration and covenant and understands its contents; that he did swear to me that they executed same.

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The vote, Boschetti, Yes, Artale, Yes, Prusinowski, Yes, Lombardi, Yes, and Janoski, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the meeting adjourned at 3:23 P.M.

IJP:bg



Irene J. Pendzick  
Town Clerk