

Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York on Tuesday, September 22, 1987 at 7:30 p.m.

Present: Joseph J. Janoski, Supervisor
John Lombardi, Councilman
Victor Prusinowski, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
(arrived late)

Also Present: Richard Ehlers, Town Attorney

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

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

RESOLVED, that the Minutes of Regular Board Meetings held on August 4, and September 1, 1987 are dispensed without objection and be approved.

The vote, Boschetti, yes, Pike, absent, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The department heads of town government are present should anyone have any question of them. Reports Mrs. Pendzick."

REPORTS

Vail-Leavitt Music Hall-Annual reports for the last three years. Filed

Jamesport Fire Department-Budget for 1988. Filed

Manorville Fire Department-Budget for 1988. Filed

Town Clerk-Report for month of September, 1987. Filed

Open Bid Report-Scavenger Waste Treatment Facility. Filed
(See Scavenger Waste District Minutes)

Open Bid Report-Riverside Pump Station. Filed
(See Sewer District Minutes)

OPEN BID REPORT - 4X4 PICK-UP - POLICE DEPARTMENT. Filed

Bid Date: September 17, 1987
1 Bid Submitted

REPORTS Continued

#1 NAME: PASTOR CHEVROLET, INC.
 ADDRESS: P.O. Box 174, Montauk Highway, Westhampton
 TOTAL BID: \$12,648.00

Supervisor Janoski, "Thank you. Applications."

APPLICATIONS AND PETITIONS

Petition-14 Baiting Hollow Lane residents request speed limit. Filed
 Site Plan-Alan Cardinale, change of building facade. Filed
 Site Plan-George Chekijian, building to manufacture cleaning compounds. Filed
 Change of Zone-Henry Lee (Malibu East) to be rezoned "Recreational", north side of Sound Avenue, Baiting Hollow. Filed

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Kinney Motors, Inc, 9/9/87-Objection to wording of Resolution #609 stating "refusal to honor bid". Town ordered vehicle too late in model year. Asks that wording be changed for the record. Filed
 S.C. Historical Society, 9/14/87-Urges Town Board to make L.I. Archeological Project report available for public review re: Bridgewater Estates. Filed
 North Fork Environmental Council, 9/10/87-Copy of letter to M. Fairley re: Union Avenue Associates. Filed
 Polish Town Civic Association, 8/30/87-Inviting public officials to re-dedication ceremony of Polish Town Clock on September 20, 1987 at 11:00 p.m. Filed
 N.Y.S. Dept. of D.E.C., 9/11/87-Advising that NYSDEC will not make final decision re: Bridgewater Estates DEIS until revised site plan is submitted for review. Filed
 Planning Department, 9/10/87-Resolutions approving minor subdivision of William Conklin and approves final plat of "Racquet Club on the Sound", with conditions. Filed

CORRESPONDENCE Continued

Sherry Johnson, 9/14/87-Copy of letter to Planning Board re: Mill Pond and to Councilman Pike Re: Union Avenue Associates.

Filed

Riverhead United Methodist Church, 9/19/87-Advising that 10-year lease for parking lot between Maple and East Avenue has expired and if not renewed by October 10, 1987, fence will be erected.

Filed

Allen Smith, 9/21/87-Comments that proposed site plan review Article XXVI, is unconstitutionally vague, impractical and too broad in scope. Suggests impact on future economic development be reviewed.

Filed

Planning Board, 9/21/87-Resolutions approving minor subdivision of Longwood Realty Corp. and R&M Cook; denying minor subdivision of Newark Allied Corp.; recommends approval of Special Permit of Suffolk Cement Products; and approves final plat of Hallock Luce, IV.

Filed

Supervisor Janoski, "Thank you.. The time for the first public hearing has not yet arrived. Under Unfinished Business we have a lengthy list. Some of which will be addressed this evening. I would recognize anyone wishing to be heard on any subject at this time. Hawk."

James Woodson, Riverhead, "Referring to the Town Board, I am a member of the Women's Softball League" even though I have retired as manager, I am still involved. But what I'm trying to get for Stotsky's Park is an electric scoreboard. I have gone around to four merchants and I've got four sponsors. I have Kinney Chevrolet. I have Rolle Brothers. I have Riverhead Building Supply and I have Suffolk County National Bank. An electric scoreboard costs roughly around two thousand dollars. And what I'd like to know is, can we have permission to put it up at Stotsky's Park on field I? And also, since I did this for the women's league, would the town fill the other field for us? Would they get another board for us for field number II?"

Supervisor Janoski, "We will discuss that. Right now we are in budget time for 1988. So you've come at the right time to meet that request. And I would say that with some confidence, that the Board would approve to budget that. But we are going through the budget procedure right now and I will certainly make sure that it's one of the things that we consider."

James Woodson, "And also on field I, the sponsors names would have to go on the board."

Supervisor Janoski, "I presumed that."

James Woodson, "That's all I have to say. Thank you."

9/22/87

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Is there anyone else who wishes to be recognized at this time? That being the case, why don't we take up the resolutions."

RESOLUTIONS

#639 MAKES ENVIRONMENTAL DETERMINATION PURSUANT TO SEQRA FOR THE ESTABLISHMENT OF EXTENSION 22A TO THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#640 MAKES ENVIRONMENTAL DETERMINATION PURSUANT TO SEQRA FOR THE ESTABLISHMENT OF EXTENSION 38 (ROLLING MEADOWS) FOR THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#641 ORDER ESTABLISHING EXTENSION 38 OF THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#642 ORDER ESTABLISHING EXTENSION 22A OF THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#643 ORDER CALLING PUBLIC HEARING FOR AN EXTENSION TO THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#644 AUTHORIZES SUPERVISOR TO EXECUTE EASEMENT FOR RIVERHEAD WATER DISTRICT TO INSTALL WATER MAIN THROUGH PROPERTY OWNED BY VIRGINIA SMITH.

(See Water District Minutes)

#645 AUTHORIZES SUPERVISOR TO SIGN EASEMENT RE: RIVERHEAD WATER DISTRICT (EELDREW INVESTORS CORP.)

(See Water District Minutes)

#646 NOTICE OF PUBLIC HEARING PURSUANT TO EMINENT DOMAIN PROCEDURE LAW RE: PROPERTY OF ARIEL ENTERPRISES, INC.

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

RESOLUTIONS Continued

RESOLVED, pursuant to Eminent Domain Procedure Law, a public hearing will be held on the 6th day of October, 1987, at 8:25 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons as to the condemnation by the Town of Riverhead, through the Riverhead Sewer District, being part of the premises known as Suffolk County Tax Map No. 0600-124-4-11, bounded on the East by Bohn, on the North by Route 25 (West Main Street) and on the West by Ariel Enterprises, Inc., owned by Ariel Enterprises, Inc., to be acquired for the construction of a sewer lift station; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and this resolution in its entirety in five (5) consecutive issues of Newday, a newspaper having general circulation in the Town of Riverhead, and two (2) consecutive issues of the Riverhead News-Review, the official town newspaper, which is published weekly.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#647 AUTHORIZES INCREASE AND IMPROVEMENTS FOR RIVERHEAD SEWER DISTRICT RE: RIVERSIDE DRIVE PUMP STATION.

(See Sewer District Minutes)

#648 ORDER CALLING PUBLIC HEARING RE: INCREASE AND IMPROVEMENT TO THE RIVERHEAD SEWER DISTRICT RE: WEST MAIN STREET LIFT STATION.

(See Sewer District Minutes)

#649 REJECTS BID AND AUTHORIZES TOWN CLERK TO READVERTISE NOTICE TO BIDDERS RE: 4-WHEEL RUBBER TIRE BUCKET LOADER FOR USE AT THE RIVERHEAD LANDFILL.

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

WHEREAS, a notice to bidders was published for a 4-wheel rubber tire bucket loader for use at the Riverhead Landfill, which bid was to be opened August 13, 1987, at 11:00 a.m.; and

WHEREAS, said bids were opened on said date at said time, and only one bid was received; and

WHEREAS, a letter in opposition to the bid specifications was received and on file in the Town Clerk's Office; and

WHEREAS, because of said letter in opposition, the Town Board desires to reject the bid received.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby rejects the bid for a 4-wheel rubber tire bucket loader for use at the Riverhead Landfill; and be it further

RESOLUTIONS Continued

RESOLVED, that the Town Clerk be and is hereby authorized to advertise the Notice to Bidders in the September 24, 1987 issue of the Riverhead News-Review and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to H.O. Penn and the Superintendent of the Riverhead Landfill.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#650 AWARDS BID FOR TRUCK WEIGH STATION AT RIVERHEAD LANDFILL.

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders regarding the construction of a truck weigh station at the Riverhead Landfill; and

WHEREAS, the bids were opened and read aloud and subsequent thereto awarded to Empire Scale & Systems, who has failed to obtain the proper bonds and insurances, which bid was rescinded by the Town Board under Resolution #775; and

WHEREAS, Cardinale Scale Manufacturing Company, by its letter dated September 14, 1987, has indicated its willingness to honor its previous bid.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the construction of a truck weigh station at the Riverhead Landfill be and is hereby awarded to the Cardinal Scale Manufacturing Company in the amount of \$117,485.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Cardinale Scale Manufacturing Company and the Riverhead Landfill.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#651 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS RE: REMOVAL OF DIESEL FUEL TANK AT RIVERHEAD LANDFILL.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the Notice to Bidders in the September 24, 1987 issue of the Riverhead News-Review.

NOTICE TO BIDDERS

Sealed bids for the removal of a diesel fuel tank will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 a.m. on October 8, 1987, at which time they will be opened and publicly read aloud.

RESOLUTIONS Continued

Instructions for bidders, specifications and bid forms may be obtained at the Town Clerk's Office at Town Hall, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#652 AUTHORIZES SMITH, FINKELSTEIN, LUNDBERG, ISLER & YAKABOSKI TO REPRESENT TOWN IN APPEAL (J. HUGHES).

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

RESOLVED, that the firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, Esqs., be and is hereby appointed to represent the Town in an appeal to be perfected in the matter of Jessie Hughes, said action being brought as a result of the recent decision rendered by the Hon. William L. Underwood, Jr.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#653 AUTHORIZES SUPERVISOR TO ACCEPT COVENANTS RE: MINOR APPLICATION OF ESTATE OF HARRY J. EDWARDS.

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

WHEREAS, the Planning Board, by their determination dated December 6, 1986, required that in the matter of the minor subdivision of the Estate of Harry J. Edwards that covenants be filed covering the property to be subdivided; and

WHEREAS, covenants have been prepared by the applicant and reviewed by the Town Attorney as to form.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to accept said covenants and execute any and all documents necessary to accept such covenants; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to Lawrence Storm, Esq., attorney for the applicant, and the Riverhead Planning Board.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 7:45 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, September 22, 1987 at 7:45 p.m. to hear all interested persons regarding the amendment to various sections of Chapter 108 of the Town Code.

Richard Ehlers, "Good evening. The proposal before the Board this evening is to do a housekeeping amendment. Chapter 108 is the zoning ordinance of the Town of Riverhead. In each zoning use classification district, we talk about site plan review. There was a hearing held (I believe) two Board meetings ago concerning a new site plan review procedure. And we would, by this housekeeping amendment, take all of the references, the old site plan section out of the Town Code."

Supervisor Janoski, "Thank you. Is there anyone present wishing to address the Town Board on this matter? Bill."

William Kasperovich, Wading River, "Since the house I live in, I built before the zoning period. And when the first zoning arrangement came to the Town Hall, my area and neighborhood was all chopped into small parcels of land that would fit none of these programs or zoning that were put forth. Consequently, just to include the area, a zoning "B" was established since there was considerable objection to zone "C". The explanation given was; well since none of the lots will meet the zoning approval, the Town Board will pass on it and watch out for problems. The Town Board will take care of it. Ok. Now, in revising the zoning or as the Town Attorney said, the housekeeping. I'd like to know what they're going to do about my home area and other similiar areas where the Town Board was given the job of special permits and variances and allowances which have (30 years later) turned to be passed off to one group and then to another group and possibly a third group. So I raise that question."

Richard Ehlers, "Site plans only concern industrial, commercial and business establishments. So this only effects how those site plans are processed through the town. That wouldn't effect a residential development in any way. Those are all applications to the Zoning Board of Appeals which they have been. That is the purpose of the Board of Appeals; to grant variances to the zoning ordinance."

William Kasperovich, "Well, the way you spoke, it seemed all inclusive. Now you're excluding residential."

Supervisor Janoski, "Bill, if I might, there are references to site plan in various areas of the code. We are adopting this evening a brand new site plan review process and putting it in one place so that it's easily understood. And so, those that make application for approval, can find everything they need to know in one place. In doing that, and that is what this hearing is about. We are removing all reference to site plan review from other places in the code where it is presently established and that's what the Town Attorney meant by housecleaning. We're cleaning up the code and putting it in one place."

PUBLIC HEARING Continued

William Kasperovich, "Ok. I didn't understand him expressing the cleaning up. Thank you."

Supervisor Janoski, Is there anyone else present who wishes to address the Board on this matter? That being the case and without objection, I declare this hearing closed. We have five minutes. Let's continue with the resolutions."

RESOLUTIONS (continued)

#654 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO SECTION 101-11 OF THE RIVERHEAD TOWN CODE.

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 following public notice regarding amending Section 101-11 of the Riverhead Town Code.

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of October, 1987, at 8:10 p.m. at the Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending Section 101-11 of the Riverhead Town Code as follows:

Sec. 101-11. No Parking certain hours.

Parking is hereby prohibited during the hours designated upon the following described streets or portions thereof on school days:

Street	Side	Hours	Location
North Griffing Avenue and school	<u>Both</u> <u>West</u>	7:30 a.m. to 3:30 p.m.	Between Pulaski Street & Harrison Ave.
<u>North Griffing Avenue and School Street</u>	<u>East</u>	<u>7:30 a.m. to 3:30 p.m.</u>	<u>Between Pulaski St. and Harrison Avenue</u> <u>450 feet North</u>

*running line represents deletions
*underscore represents additions

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

- #655 MAKES ENVIRONMENTAL DETERMINATION PURSUANT TO SEQRA FOR THE ESTABLISHMENT OF EXTENSION 40 (THISTLE DOWNS) TO THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

- #656 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO SECTION 101-26 AND 101-28 OF THE RIVERHEAD TOWN CODE.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following Public Notice regarding the amendment to Sections 101-26 and 101-28 of the Riverhead Town Code.

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of October, 1987 at 7:55 p.m. at the Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending Sections 101-26 and 101-28 of the Riverhead Town Code as follows:

Sec. 101-26. Parking time limited.

The parking of vehicles is hereby prohibited for a period longer than ~~one (1) hour~~ two (2) hours from 9:00 a.m. to 5:30 p.m. except Sundays and holidays, in all parking meter zones.

Sec. 101-28. Fees.

A fee of five cents (\$.05) ~~per hour~~ per one half hour, ten cents (\$.10) per hour and twenty-five cents (\$.25) for two hours or a portion thereof is hereby established for parking in all parking meter zones.

*running line indicates deletions.

*underscore indicates additions.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

- #657 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO SECTION 101-9 OF THE RIVERHEAD TOWN CODE.

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

RESOLUTIONS Continued

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following Public Notice with regard to amending Section 101-9 of the Riverhead Town Code.

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of October, 1987, at 8:05 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending Section 101-9 of the Riverhead Town Code as follows:

Sec. 101-9. Installation and maintenance.

Pursuant to authority granted by Sec. 1660 of the Vehicle and Traffic Law, traffic control signals shall be installed, maintained and operated at the following intersections and other locations:

Intersections

Second Street and Maple Avenue

Dated: Riverhead, New York
September 22, 1987.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

*overstrike represents deletion(s)
**underscore represents addition(s)

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

658 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO RIVERHEAD TOWN CODE

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 below Public Notice with regard to amending Section 101-10 of the Riverhead Town Code

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of October, 1987, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all intrested persons with regard to amending Section 101-10 of the Riverhead Town Code as follows:

101-10. Parking prohibited.

Street	Side	Location
<u>Osprey Avenue</u>	<u>Both</u>	<u>From the intersection with County Road 58 South 150 feet</u>

Dated: Riverhead, New York
September 22, 1987.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

*broken lines indicate deletion(s)
**underscore indicates addition(s)

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

9/22/87

1041

RESOLUTIONS Continued

659 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF ESTOPPEL RE: SALT STORAGE FACILITY (HIGHWAY DEPARTMENT)

Councilman Boschetti offered the following resolution, which was seconded by Councilman Pike.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice of Estoppel once in the Riverhead News-Review.

Dated: Riverhead, New York
September 22, 1987.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town of Riverhead, Suffolk County, New York on the 4th day of August, 1987, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. Such resolution was subject to a permissive referendum and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

Dated: RIVERHEAD, New York
SEPTEMBER 22, 1987.

IRENE J. PENDZICK

RESOLUTIONS Continued

BOND RESOLUTION DATED AUGUST 4, 1987.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$247,000 SERIAL BONDS AND \$13,000 CAPITAL NOTES OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF LAND AND THE CONSTRUCTION OF A SALT STORAGE FACILITY THEREON.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the specific objects or purposes of paying the cost of the acquisition of approximately 4 acres of land and the construction of a salt storage facility thereon in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$247,000 serial bonds of said Town, pursuant to the provisions of the Local Finance Law, and there are hereby authorized to be expended \$13,000 capital notes of said Town for such purposes, which serial bonds and capital notes shall be allocated as follows:

- a) The acquisition of approximately 4 acres of land, at a maximum estimated cost of \$180,000. It is hereby determined that \$171,000 of the serial bonds authorized by

RESOLUTIONS Continued

-2-

this resolution shall be allocated to such specific object or purpose, and that \$9,000 of the capital notes authorized to be issued by this resolution shall be allocated to such specific object or purpose. It is hereby further determined that the plan of financing thereof shall consist of the issuance of said bonds and the issuance of said capital notes. Further details concerning said bonds will be prescribed in a further resolution or resolutions of this Town Board. Said capital notes shall be sold at private sale and all further powers in connection with the details and the sale thereof are hereby delegated to the Supervisor, the chief fiscal officer, in accordance with the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, the proceeds from the sale of said capital notes will be provided prior to the issuance of the bonds herein authorized or bond anticipation notes. Said capital notes shall constitute the down payment required by Section 107.00 of the Local Finance Law.

- b) The construction of a salt storage facility, at a maximum estimated cost of \$80,000. It is hereby determined that \$76,000 of the serial bonds authorized by this resolution shall be allocated to such specific object or purpose, and that \$4,000 of the capital notes authorized to be issued by this resolution shall be allocated to such specific object or purpose. It is hereby further determined that the plan of financing thereof shall consist of the issuance of said bonds and the issuance of said capital notes. Further details concerning said bonds will be prescribed in a further resolution or resolutions of this Town Board. Said capital notes shall be sold at private sale and all further powers in connection with the details and the sale thereof are hereby delegated to the Supervisor, the chief fiscal officer, in accordance with the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, the proceeds from the sale of said capital notes will be provided prior to the issuance of the bonds herein authorized or bond anticipation notes. Said capital notes shall constitute the down payment required by Section 107.00 of the Local Finance Law.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid acquisition of land is thirty years, pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law, and that the period of

RESOLUTIONS Continued

-3-

probable usefulness of the aforesaid salt storage facility is thirty years, pursuant to subdivision 11(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

RESOLUTIONS Continued

-4-

Section 5. The validity of such bonds, capital notes and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 6. Upon this resolution taking effect, the same shall be published in full in Riverhead News-Review, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 7. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued# 660 AUTHORIZES BRENDA A. FILMANSKI TO ATTEND PLANNING AND ZONING INSTITUTE

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti.

BE IT RESOLVED, that Brenda A. Filmanski be and is hereby authorized to attend the New York Planning Federation's 49th Annual Planning and Zoning Institute on October 18 - 20, 1987, at the Nevele Country Club, Ellenville, New York, and that she be reimbursed for all expenses incurred pursuant thereto from the budget of the Planning Board.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

661 AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH & DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY OWNERS PURSUANT TO SECTION 96-1 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, Section 96-1 of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

WHEREAS, property located at Marine Street, Riverhead, New York, also known as Suffolk County Tax Map ID No. District 0600, Section 13, Block 3, Lot 57 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board desires to require the removal of the rubbish and debris and the cutting of the grass and weeds at the property above mentioned.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Grace K. Morano, North Country Road, Wading River, New York, 11792, by certified mail, return receipt requested, and by regular mail in a plain, unmarked wrapper, such notice to consist of a copy of this resolution and the attached Notice to Property Owner.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

NOTICE TO PROPERTY OWNER

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96, the Town of Riverhead hereby requires that you cause the property located at Marine Street, Riverhead, New York, known as Suffolk County Tax Map ID No. District 0600, Section 13, Block 3, Lot 57, to be cleaned of all rubbish, refuse and other debris and that the grass and weeds be mowed within ten (10) days from the date of this notice.

PLEASE TAKE FURTHER NOTICE, that your failure to respond by completing the work required will cause the Town of Riverhead to have the work done for you and you will be billed for the cost. If you fail to pay such bill, a lien will be placed against your property pursuant to Riverhead Town Code Section 96.

Dated: Riverhead, New York
September 22, 1987.

662 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS - LIQUID CALCIUM
CHLORIDE - HIGHWAY DEPARTMENT

COUNCILMAN Lombardi OFFERED THE FOLLOWING RESOLUTION WHICH
WAS SECONDED BY COUNCILMAN Prusinowski.

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED TO ADVERTISE FOR SEALED BIDS ON LIQUID CALCIUM CHLORIDE REQUIREMENTS FOR USE OF THE TOWN OF RIVERHEAD HIGHWAY DEPARTMENT FOR THE YEAR 1987- 1988.

AND BE IT RESOLVED, THAT SPECIFICATIONS AND FORMS FOR BIDDING BE PREPARED BY THE SUPERINTENDENT OF HIGHWAYS, AND BIDS BE RETURNABLE UP TO 11:00 AM ON OCTOBER 15, 1987 AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY DESIGNATED TO OPEN PUBLICLY AND READ ALOUD ON OCTOBER 15, 1987 AT 11:00 AM AT THE TOWN CLERK'S OFFICE, TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK ALL SEALED BIDS BEARING THE DESIGNATION "BID ON LIQUID CALCIUM CHLORIDE".

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#663 ACCEPTS RESIGNATION OF JOHN SCHWARZ.

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

WHEREAS, John Schwarz did submit to the Town Board his letter of resignation from his position of Automotive Equipment Operator with the Riverhead Highway Department.

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of John Schwarz from his position of Automotive Equipment Operator with the Riverhead Highway Department be and is hereby accepted effective September 1, 1987 and a copy of this resolution be forwarded to the Superintendent of Highways.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 7:55 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, September 22, 1987 at 7:55 p.m. to hear all interested persons regarding: The Addition to Section 108-56C of the Town Code.

Richard Ehlers, "Chapter 56 and Chapter 108 or I should say, Chapter 108 and Part 56 is the sign ordinance. The proposal is to prohibit interior light box type signs in the business "D" zoning use district. That would be what you would think of the downtown shopping zoning district."

Supervisor Janoski, "What this means is that in the downtown area, internally lit signs would no longer be permitted. It would carry out our goal of trying to control, in a traditional way, the business development of the downtown area. And many of the signs that you see such as the woodcarved signs, would become the rule. Is there anyone wishing to address the Town Board on this matter? That being the case and without objection, I declare the hearing closed."

7:55 PUBLIC HEARING CLOSED AT 7:56

RESOLUTIONS (continued)#664 DENIES SITE PLAN AND STIPULATES APPROVAL TIME.

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

RESOLUTIONS Continued

WHEREAS, a site plan and elevations were submitted by Parviz Farahzad, of 10 Lotowana Lane, Stony Brook, New York, for a shopping center to be located at Middle Country Road, (New York State Route 25) at Fresh Pond Road, at Calverton, in the Town of Riverhead, New York; which site plan and elevations were forwarded to the Town Board on August 27, 1987, and

WHEREAS, Parviz Farahzad has submitted a revised site plan and elevations for said shopping center, at Middle Country Road and Fresh Pond Road, at Calverton, in the Town of Riverhead New York, which revised site plan and elevations were forwarded to the Town Board on September 15, 1987.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Parviz Farahzad for a shopping center to be located at Middle Country Road (New York State Route 25) at Fresh Pond Road, at Calverton, in the Town of Riverhead, New York; site plan and elevations dated July 14, 1987, as prepared by Martin F. Sendlewski, AIA, Architect-Designer, be and are hereby denied, and be it further

RESOLVED, that the 60-day approval period for the resubmission be tolled from the date of the resubmission, September 15, 1987 and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Parviz Farahzad Martin F. Sendlewski, the Riverhead Planning Department, and the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#665 ADOPTES RESOLUTION RE: ADDITION OF ARTICLE XXVI TO THE RIVERHEAD TOWN CODE.

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice for a Public Hearing to be held on the 1st day of September, 1987, at 8:10 p.m. at the Town Hall for the purposes of hearing all interested persons with regard to the addition of Article XXVI to the Riverhead Town Code; and

WHEREAS, all persons wishing to be heard were heard on said date and at said time and place specified and for said purpose stated in said public notice.

NOW, THEREFORE, BE IT

RESOLVED, that the addition of Article XXVI to the Riverhead Town Code be and is hereby adopted as filed with the Town Clerk of the Town of Riverhead, 200 Howell Avenue, Riverhead, New York, and may be reviewed during normal business hours Monday through Friday from 8:30 a.m. to 4:30 p.m.; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News-Review and post same at the Town Hall.

RESOLUTIONS Continued

ARTICLE XXVI

Site Plan Review

108 - 128 Purpose

It is the purpose of this article to standardize requirements for site plan application and review, so as to assure that the design and layout of particular land uses on a lot, whether such use is a permitted, special permit, or accessory use, will ensure the public safety and convenience, will be compatible with certain man-made features on and off the lot and will, in all cases, comply with the letter and spirit of those provisions of this Code which pertain to such design or layout, and of those provisions pertaining to the use itself.

108 - 129 Review Authorized; Approval Required

A. Authorization

The Town Board is hereby authorized to review and approve site plans for the activities and land uses listed herein.

B. Land Clearing

No person shall undertake or carry out any such activity or use, including any grading, clearing, cutting and filling, excavating, or tree removal associated therewith, without first having obtained site plan approval therefor, pursuant to the provisions of this article. Any landowner found guilty of violating this ordinance shall be fined at the rate of one thousand dollars (\$1,000-) per day.

C. Permits

No permit required for any such activity or use, including clearing or regrading of land, or the erection, construction, alteration, demolition, or moving of any structure, shall be issued until the required site plan approval shall have been granted and the approved site plan thereafter shall have been signed by a majority of the Town Board. Such signing shall occur only after all those conditions contained in the resolution of approval, or imprinted on the site plan by or on behalf of the Town Board, which are required to be complied with by the applicant before issuance of a building or land clearing permit, have been met.

RESOLUTIONS Continued

D. Certificates of Occupancy

No certificate of occupancy shall be issued until all requirements and conditions of the site plan approval have been implemented, and an as-built survey, including the location of all buildings, structures, and curb cuts, has been submitted to the Building Inspector or his duly authorized representative. Any significant change to the approved site plan or elevations that affects the physical character of the building(s) and/or the site, in the absence of an approved amended site plan reflecting said changes, shall cause the certificate of occupancy to be withheld until such change is approved by the Town Board. The Planning Department shall determine the significance of any such change.

E. Expiration

Site plan approval shall remain in effect for as long as a building permit, or any authorized renewal thereof, is in effect. In the event that the building permit shall expire without a certificate of occupancy having been issued, or in the event that a valid building permit is not obtained within one year, the Town Board may elect to revoke the site plan. In either case, thirty (30) days prior to expiration, application may be made to the Town Board for one (1) additional one (1) year extension of the site plan approval.

108 - 130 Applicability

The following shall be subject to site plan review and require site plan approval by the Town Board:

A. Single-family residence or agricultural districts:

1. Any use other than single-family residential or agricultural, and their attendant accessory uses.
2. Any clearing or grading of a lot or land sufficient in size to require a building permit under 108 - 73 of this Chapter, unless said clearing or grading is a necessary and integral part of another activity, such as single-family residence construction, for which a building permit has been issued and which does not itself require site plan approval.
3. Any multiple residence or apartments created pursuant to any Section of this Chapter.
4. With respect to any existing, nonconforming commercial or industrial use, any activity, change, or use requiring a building permit, a special permit, or a variance hereunder, provided that all other needed prior

RESOLUTIONS Continued

approvals for the activity have first been obtained.

B. All other districts:

Any activity or land use, except single-family residential or agricultural, and their attendant accessory uses, requiring a building permit hereunder, including conversions and changes of uses, and all clearing and grading, except where the permit sought involves only a sign on a structure.

C. In every district:

Any activity or use made subject to site plan review as a condition of any permission or approval granted by any local agency.

108 - 131 Applications

A. Preliminary Review

The site plan process shall commence with the submission of preliminary plan(s) for review by the Planning Department to determine code compliance and aesthetic compatibility. Said review shall be a process between the Planning Department staff and the project designer(s), with no time limitation or fee imposed. The end result of the preliminary review shall be a site plan which shall be acceptable in concept for formal application.

B. Formal Application

Subsequent to preliminary review, an application for site plan approval shall be made on the form for same provided by the Planning Department. Ten (10) copies, plus additional copies as may be required by other levels of government with jurisdiction over the site, of the application, a current survey prepared by a licensed surveyor, the site plan (if separate from the survey), and any other submission or exhibit required by this Article shall be submitted, together with a receipt for the appropriate fee, to the Planning Department.

The Planning Department shall reject any application if it is not so complete or in conformance, and shall notify the applicant as to the reason for such rejection.

For each application for site plan approval submitted to the Planning Department under the provisions of this ordinance, the filing fee shall be one hundred dollars (\$100.), plus one cent (\$.01) per square foot of site improvements and/or altered area. The fee to review an application to amend a previously approved site plan shall be fifty dollars (\$50.). Revisions to a site plan or to elevations in excess of fifty (50) per cent or which significantly change the character of the project, shall

RESOLUTIONS Continued

constitute a re-submission, and shall be charged accordingly.

The site plan shall be drawn to the following minimum scales:

1. Overall development plan, sites of less than two (2) acres: one inch equals twenty feet (1" = 20')
2. Overall development plan, sites of two (2) acres or more: one inch equals forty feet (1" = 40')
3. Detailed portions of a site plan, sites of any size: one inch equals ten feet (1" = 10')

C. Further Processing

If the application is satisfactory, the Planning Department shall retain one (1) copy of the submission, and shall forward the remainder, within seven (7) days, to the Town Clerk. The Town Clerk shall clock all elements of a site plan application, shall retain one (1) copy for her file, and shall thereupon distribute the remaining copies, for review and comment, as follows:

- one (1) copy to the Office of the Supervisor;
- one (1) copy to the Building Department;
- one (1) copy to the Town Attorney;
- one (1) copy to the Town Board Coordinator;
- one (1) copy each to the Highway Superintendent, Sewer District Superintendent, and/or Water District Superintendent, as appropriate;
- ^{two (2) copies} ~~one (1) copy~~ to the Fire Marshal.

The Planning Department will, upon review and receipt of comments from those named herein, initiate any amendments or revisions to the Site Plan, or its component parts, through discussion with the developer or his representative, in accordance with the Town Code of the Town of Riverhead and the aesthetic standards desired by the Town Board. The Planning Department will then recommend approval or disapproval, and in a timely fashion such that within sixty (60) days of receipt of said application by the Town Clerk, the Town Board shall approve, modify, or disapprove said site plan and shall state its reason(s) for modifications or disapproval. If the Town Board takes no action within sixty (60) days of receipt of the application from the Town Clerk, the plan shall be deemed approved.

- D. The Building Department shall not issue a permit for any plan which does not have Town Board approval. In the event that the Town Board requires modifications, and the applicant agrees

RESOLUTIONS Continued

to same, the Building Department may thereupon issue a permit conforming to such modified plan without further submission to the Town Board.

E. Appeals

Where relief is required of the Zoning Board of Appeals, or any other body with jurisdiction over the site, the time utilized to obtain such relief shall not be tolled towards the sixty (60) day limitation imposed herein.

Should such relief be sought and obtained, said relief does not preclude denial of the site plan by the Town Board when appropriate cause for such denial is duly indicated.

108 - 132 Necessary Elements of Site Plan Applications

To be considered complete, a site plan for which approval is sought shall be dated and shall include at least the following elements:

- A. Property lines, showing directional bearings and distances, adjacent land ownership and streets, location with reference to identifiable street intersection, land uses, directional arrow, scale, tax map identifying number(s) of the parcel(s) involved, and zoning district in which located.
- B. Key map at a scale of one inch equals six hundred feet (1" = 600').
- C. Existing and proposed buildings, structures, and uses, and proposed additions thereto, including finished floor elevation(s) and ground elevation(s) at such building, structure, and use locations.
- D. Floor area for each floor of all existing and proposed buildings, structures, and uses.
- E. Dimensions of property line setbacks to, and dimensions between, each building, structure, or use.
- F. Location of all easements on, over, and adjacent to the site, including the location of all existing and proposed utility lines, hydrants, and fire wells.
- G. Layout of existing and proposed parking and loading areas, including dimensions of spaces, aisles, and street approaches, the general circulation pattern with directional movement shown, existing and proposed curb cuts, traffic safety devices, sidewalks, curbing, paving, drainage structures and their respective specifications. Methods used for computing parking and drainage requirements shall be included.
- H. Photographs of all faces of existing structures on the site.

RESOLUTIONS Continued

- I. Existing and proposed location(s) of outdoor lighting, signs, screen plantings, fences, and landscaping. Any existing woodlands, stand of or individual tree(s), or instance of unique or indigenous vegetation, and any other significant natural features, such as water bodies, drainage courses, fresh and salt marshes, coastal dunes, bluffs, beaches, escarpments, overlook areas, and wildlife habitats, must be included, and every good faith effort made to preserve, maintain, and enhance same. Schedule of all landscape plantings shall likewise be included.
- J. Existing and proposed sewage disposal and water supply systems.
- K. Existing topography of the site and immediately adjacent property, as revealed by contours or key elevations, and any proposed regrading of the site.
- L. Cultural features, such as paleontological and archaeological remains, old trails, agricultural fields, historic buildings and sites, or those that contribute to the rural character of the community or possess a unique and/or identifiable feature.
- M. Techniques by which features found in Subsections H, J, and K above may be preserved on the site, so as to maintain the prevailing character of the area.
- N. Elevations of all faces of buildings and structures, at an appropriate scale for the graphic representation of the materials employed. Such elevations must also indicate:
 - 1. Design character of buildings and structures;
 - 2. Specific materials existing/planned for use on buildings and structures, including colors of any and all materials employed, with their locations indicated on the elevations;
 - 3. Heights of buildings and structures;
 - 4. Roofs and overhangs;
 - 5. Special design features;
 - 6. Typical locations, shape(s), and type of signs.
- O. Models may be required if any building(s), or the site in general, is of a scale or nature that the Planning Department or the Town Board deems said model will substantially aid in the consideration of the site plan.

In reviewing a site plan submitted to it under this Article, the

RESOLUTIONS Continued

Town Board may call upon expert advice in varied disciplines to assist it in making the determination required of it. It shall seek to further the overall purposes and goals of this Chapter, and of other applicable provisions of the Town Code and state law. Moreover, it shall make certain that any development plan it approves hereunder conforms to the following:

A. Physical Compatibility

The rural character and open space environment of the Town shall be fostered by preserving, whenever possible, significant built and natural features of the site. Extensive clearing and grading shall be avoided. Screening with trees or other plantings may be required for parking and other disturbed areas which are created. Permitted coverage shall only be calculated based on buildable area of a site. Wetlands, slopes in excess of fifteen (15) per cent, and cross-easements for roads, and other such areas as shall be so deemed, shall be non-buildable.

B. Protection of Residential Areas

Appropriate buffer landscaping, natural screening, and fencing are to be provided in order to protect neighborhood tranquility, community character, and property values. Further, any exterior spotlighting of buildings or grounds shall be from shaded sources, and located so that light beams are not directed toward any residential lot.

C. Parking

Parking areas and driveways shall be sufficiently drained so as to prevent ponding. All drainage structures, paving, access driveways and parking areas shall be laid out and constructed in accordance with the standards for such facilities contained in this Chapter. Wherever feasible, parking areas shall be placed at the rear of buildings and/or screened by plantings so as not to be visible from the highway. No materials, merchandise, supplies, work in process, finished or semi-finished products, waste materials, commercial vehicles, construction or earth-moving equipment shall be permitted to be used for an industrial or commercial purpose outside of a building in such a way as to present an unsightly appearance when viewed from adjacent roads or properties. Such materials, merchandise, etc., must be kept in the rear or side yard and screened by landscaping or fencing which is in harmony with the principal structure and which has been approved by the Town Board. Vehicles being repaired shall be screened from adjacent properties.

D. Access

Vehicular ingress and egress, interior traffic circulation,

RESOLUTIONS Continued

parking space arrangement, loading facilities and pedestrian walkways shall be planned and built so as to promote safety and efficiency. Vehicular entrances and exits shall be clearly visible from access streets, and shall not be located within seventy-five (75) feet of any street intersection. Approvals for said ingress and egress shall be obtained from the governing body of higher jurisdiction, where applicable.

E. Lights

Lighting facilities and lighted signs shall be placed and shielded in such a manner, and of such a height and intensity, as not to cause direct light to shine on other properties, and shall not be permitted to create a hazard upon a public street.

F. Water Supply and Waste Disposal

Provisions for water supply and for sewage, garbage, and other waste disposal must be adequate to the use, must ensure the health and safety of persons on and off the site, and must not result in the avoidable depletion or degradation of the ground-water supply or harm surface water bodies, watercourses, wetlands, or other natural features or systems.

G. Utility Supplies

All utilities must be constructed underground.

H. Offer of Dedication of Cross-Easements

The applicant shall show cross-easements for use by adjoining lands for ingress and egress. Where site plan is approved with cross-easements, an offer of dedication shall be recorded with the County Clerk, and a copy of the recorded instrument filed with the Town Clerk.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

666 AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE TO BIDDERS
RE: SOUND AVENUE DRAINAGE PROJECT

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 in the September 24, 1987 issue of the Riverhead News-Review.

Dated: Riverhead, New York
September 22, 1987.

RESOLUTIONS ContinuedTOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for a drainage project on Sound Avenue, Riverhead, New York, will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on October 7, 1987, at which time they will be opened and publicly read aloud.

Instructions for bidders, specifications and bid forms may be obtained at the Town Clerk's Office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids if it believes such action to be in the best interest of the Town.

All bids must be submitted in a sealed envelope bearing the designation "SOUND AVENUE DRAINAGE PROJECT".

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#667 ORDER CALLING PUBLIC HEARING RE: ESTABLISHMENT OF EXTENSION 34 TO THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#668 ORDER CALLING PUBLIC HEARING RE: INCREASE AND IMPROVEMENT TO EXTENSION 34 OF THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

RESOLUTIONS Continued

#670 AUTHORIZES THE SOLICITATION FOR BIDS FOR - WATER DISTRICT.

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

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of One (1) 1988 4X4 Pick Up for use by the Riverhead Water District, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids at 11:00 a.m. on October 8, 1987 at Town Hall, 200 Howell Avenue, Riverhead, New York, and to make a report of said bids to the Town Board at the next public meeting following the opening of the bids.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#671 TRANSFER OF FUNDS.

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

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following:

<u>FRS BUDGET ADJUSTMENT</u>	<u>FROM</u>	<u>TO</u>
C70599 Appropriated Final Balance	\$80,000.00	
C73120.200 Police Vehicle Cap. Project.		\$80,000.00

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#672 TRANSFER OF FUNDS - SEWER DISTRICT.

(See Sewer District Minutes)

9/22/87

1060

RESOLUTIONS Continued

Date 9-22-87

#673 TRANSFER OF FUNDS.

COUNCILMAN Pike . offered the following resolution, which was seconded by COUNCILMAN Boschetti.

RESOLVED, that the Supervisor be, and hereby is, authorized to transfer the following:

<u>General Fund Budget Adjustments</u>	<u>FROM:</u>	<u>TO:</u>
A7180.110 Beaches - Lifeguards	\$ 1305.00	
A7180.120 Beaches - Beach Attendants	420.00	
A7620.105 Adult Recreation - Tennis Tournament	60.00	
A7620.108 Adult Recreation - Softball	400.00	
A7620.110 Adult Recreation - Touch Football	134.00	
A7620.200 Adult Recreation - Equipment	75.00	
A3120.411 Police Gasoline	1485.00	
A3120.227 Police Leather Goods	1500.00	
A3120.443 Police - Telephone	2310.00	
A1990.400 Contingency	35000.00	
A7140.120 Playgrounds & Recreation - Specialists & Instructors	\$ 500.00	
A7310.110 Youth Programs - Baseball	305.00	
A7620.109 Adult Recreation - Physical Fitness	500.00	
A7310.101 Youth Programs - Gymnastics	220.00	
A7310.110 Youth Programs - Little League	200.00	
A7620.111 Adult Recreation - Service Instructors	594.00	
A7140.200 Playgrounds - Equipment	75.00	
A3120.418 Police - Office Supplies	900.00	
A3120.231 Police - Law Library	85.00	
A3120.436 Police - Cleaning Supplies	100.00	
A3120.422 Police - Radio Maintenance	400.00	
A3120.429 Police - Uniform Replacement	1500.00	
A3120.434 Police - Scuba Gear Maintenance	2310.00	
A8160.415 Sanitation - Fuel Tank Installation	35000.00	

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#674 Resolution Providing the New Career Retirement Plan Under Section 75-i

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

At a meeting of the * Town Board of the Town of Riverhead held at Riverhead, New York, on September 22, 19 87, offered the following resolution:

"BE IT RESOLVED: that the * Town Board of the Town of Riverhead does hereby elect to provide the benefits of Section 75-i of the Retirement and Social Security Law as presently or hereafter amended; and

"BE IT FURTHER RESOLVED: that this election shall become effective on the 1st, ** day of October, 19 87."

STATE OF NEW YORK,)
) SS:
COUNTY OF)

I, _____, clerk of the * _____ of the _____ of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such _____ at a legally convened meeting held on the _____ day of _____, 19____ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full _____ consists of _____ members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the

(name of employer)

on this _____ day of _____, 19____

(signature of clerk)

*Legislative body.

The resolution must be adopted by the legislative body and be approved by any other body or officer required by law to approve resolutions of such legislative body.

**Elections cannot become effective until a certified copy of this resolution is filed with the Comptroller.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

9/22/87 RESOLUTIONS Continued

#675

Resolution Providing the Career Retirement Plan Under Section 75-g and the New Career Retirement Plan Under Section 75-i

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

At a meeting of the * Town Board of the Town of Riverhead held at Riverhead, New York, on September 22, 1987, offered the following resolution:

"BE IT RESOLVED: that the * Town Board of the Town of Riverhead does hereby elect to provide the Career Retirement Plan of Section 75-g of the Retirement and Social Security Law as presently or hereafter amended; and Section 75-i of the Retirement and Social Security Law, as presently or hereafter amended.

"BE IT FURTHER RESOLVED: that this election shall become effective on the 1st, ** day of October, 1987."

STATE OF NEW YORK,)
) SS:
COUNTY OF)

I, _____, clerk of the _____ of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such _____, at a legally convened meeting held on the _____ day of _____, 19____ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full _____ consists of _____ members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution. IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the

(name of employer)

on this _____ day of _____, 19____

(signature of clerk)

*Legislative body.

The resolution must be adopted by the legislative body and be approved by any other body or officer required by law to approve resolutions of such legislative body.

**Elections cannot become effective until a certified copy of this resolution is filed with the Comptroller.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

9/22/87 RESOLUTIONS Continued

#676

Resolution Providing the Career Retirement Plan Under Section 75-g and the New Career Retirement Plan Under Section 75-i

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

At a meeting of the * Town Board of the Town of Riverhead held at Riverhead, New York, on September 22, 19 87, offered the following resolution:

"BE IT RESOLVED: that the * Town Board of the Town of Riverhead does hereby elect to provide the Career Retirement Plan of Section 75-g of the Retirement and Social Security Law as presently or hereafter amended; and Section 75-i of the Retirement and Social Security Law, as presently or hereafter amended.

"BE IT FURTHER RESOLVED: that this election shall become effective on the 1st, ** day of October, 19 87."

STATE OF NEW YORK,)
COUNTY OF) SS:

I, clerk of the of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such, at a legally convened meeting held on the day of 19 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full consists of members, and that of such members were present at such meeting and that of such members voted in favor of the above resolution. IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the

(name of employer)

on this day of, 19

(signature of clerk)

*Legislative body.

The resolution must be adopted by the legislative body and be approved by any other body or officer required by law to approve resolutions of such legislative body.

**Elections cannot become effective until a certified copy of this resolution is filed with the Comptroller.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes. The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued# 677 EXEMPTS APPLICATION OF KENNETH WOYCHUCK FROM MORATORIUM

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

WHEREAS, this Town Board has declared a six-month moratorium in the southwest sector of the Town of Riverhead, and

WHEREAS, said moratorium was amended to permit the Town Board to review, on an individual basis, those applications for building permits and site plan review of either existing businesses or applications which were underway prior to the establishment of said moratorium, and

NOW, THEREFORE, BE IT RESOLVED, that the following application be and is hereby deemed exempt from the moratorium,

*Application of Kenneth Woychuck for the construction of an addition to residence located at Timber Driver, Calverton, New York.

BE IT FURTHER RESOLVED, that the adoption of this resolution does not necessarily grant the necessary building permits but only permits the applicant to proceed through the process of obtaining all necessary permits, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the above named individual and to the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

678 AUTHORIZES TOWN SUPERVISOR TO EXECUTE ADDENDUM TO PBA CONTRACT

Councilman Boschetti offered the following resolution, which was seconded by Councilman Pike.

WHEREAS, after several months of implementation, it is necessary that Article VIII, Section D of the PBA contract be clarified.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute an addendum to the PBA contract for the period of 1987 through 1988 which clarifies Article VIII, Section D which addresses the calculation of overtime, holiday pay, sicktime, recall and standby pay, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Robert Pecker and the Accounting Office.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued# 679 AMENDS SITE PLAN OF 633 ASSOCIATES

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti.

WHEREAS, site plan approval for 633 Associates was adopted on November 6, 1985, by resolution #778; and

WHEREAS, one of the conditions of said site plan approval was the approval of the curbcut by the Highway Superintendent; and

WHEREAS, an amended site plan showing the installation of curbing and the curbcut has been submitted by the applicant.

NOW, THEREFORE, BE IT

RESOLVED, that the amended site plan of 633 Associates dated August 13, 1987, prepared by Donald A. Denis, A.I.A., installing curbing and the curbcut as required by site plan approval dated November 6, 1985, be and is hereby approved subject to the applicant's obtaining a road opening permit from the Town Highway Department; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to 633 Associates, the Riverhead Planning Department, the Riverhead Building Department and the Riverhead Highway Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued# 680 APPROVES SITE PLAN OF GEORGE CHEKIJIAN

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

WHEREAS, a site plan and elevations were submitted by George Chekijian for the construction of a metal building for the manufacture of cleaning compounds to be located at Raynor Avenue, Riverhead, New York; and

WHEREAS, the Planning Department has reviewed the site plan dated August 14, 1985, most recently revised September 2, 1987, as prepared by Young & Young, Land Surveyors, and elevations dated May 4, 1987, as prepared by Young & Young, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved, and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned, dated August 14, 1985, most recently revised September 2, 1987 and elevations dated May 4, 1987, both prepared by Young & Young.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by George Chekijian for the construction of a metal building for the manufacture of cleaning compounds to be located at Raynor Avenue, Riverhead, New York, site plan dated August 14, 1985, most recently revised September 2, 1987, as prepared by Young & Young, Land Surveyors, and elevations dated May 4, 1987, as prepared by Young & Young, be and are hereby approved, as also amended by the Town Board and initialed by said Board on September 21, 1987, subject to the following:

1. That the provisions of the Riverhead 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 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 pursuant to the site plan process and the sign permit procedure prior to being installed at the property, that all signage so proposed shall be coordinated in appearance and design and

RESOLUTIONS Continued

that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

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

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, be maintained at the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

9. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, George Chekijian hereby authorizes the Town of Riverhead to enter premises at Raynor Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

11. The addition of brick pilasters, pursuant to the amended site plan as initialed by the Town Board on September 21, 1987, be incorporated into the elevations;

12. That the requirements of the Highway Superintendent in his memorandum to the Riverhead Building Department, dated May 26, 1987 (a copy of which is annexed to this approval) be complied with; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to George Chekijian, the Riverhead Planning Department and the Riverhead Building Department.

RESOLUTIONS ContinuedDECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of October, 1987, by GEORGE CHEKIJIAN, residing at 31 Roanoke Avenue, RD #1, Riverhead, New York, 11901, Declarant.

WHEREAS, Declarant is the owner of a 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, does 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:

1. That the provisions of the Riverhead 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 pursuant to the site plan process and the sign permit procedure, prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

RESOLUTIONS Continued

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 approved by the Planning Department prior to their installation at the site, shall be maintained at the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

8. 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 stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

9. That any and all landscaped areas shall be regularly maintained in a professional manner; and that any planters, planter boxes, window boxes or other container plantings shall be likewise maintained on a year-round basis.

Declarant has hereunto set his hand and seal the day and year above first written.

GEORGE CHEKIJIAN

STATE OF NEW YORK)
)ss.:
COUNTY OF SUFFOLK)

On this _____ day of October, 1987, before me personally came GEORGE CHEKIJIAN, the owner of certain real property located at Raynor Avenue, Riverhead, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued# 681 APPROVES SITE PLAN OF VICTOR PAFUNDI

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

WHEREAS, a site plan and elevations were submitted by Victor Pafundi for the alteration of a motel (Dreamer's Cove) to be located at Bay Avenue, Aquebogue, New York; and

WHEREAS, the Planning Department has reviewed the site plan and elevations July, 1987, as prepared by Peter T. Podlas, A.I.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved, and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned, dated July, 1987, prepared by Peter T. Podlas, A.I.A.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Victor Pafundi for the alteration to a motel (Dreamer's Cove) to be located at Bay Avenue, Aquebogue, New York, site plan and elevations dated July, 1987, as prepared by Peter T. Podlas, A.I.A., be and are hereby approved, subject to the following:

1. That the provisions of the Riverhead 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 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 pursuant to the site plan process and the sign permit procedure prior to being installed at the property, that all signage so proposed shall be coordinated in appearance and design and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

RESOLUTIONS Continued

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

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, be maintained at the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

9. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Victor Pafundi hereby authorizes the Town of Riverhead to enter premises at Bay Avenue, Aquebogue, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Victor Pafundi, the Riverhead Planning Department and the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS ContinuedDECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of October, 1987, by VICTOR PAFUNDI, residing at 2090 Jericho Turnpike, East Northport, New York, 11731, Declarant.

WHEREAS, Declarant is the owner of a 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, does 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:

1. That the provisions of the Riverhead 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 pursuant to the site plan process and the sign permit procedure, prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

RESOLUTIONS Continued

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 approved by the Planning Department prior to their installation at the site, shall be maintained at the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

8. 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 station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

9. That any and all landscaped areas shall be regularly maintained in a professional manner; and that any planters, planter boxes, window boxes or other container plantings shall be likewise maintained on a year-round basis.

Declarant has hereunto set his hand and seal the day and year above first written.

VICTOR PAFUNDI

STATE OF NEW YORK)
)ss.:
COUNTY OF SUFFOLK)

On this _____ day of October, 1987, before me personally came VICTOR PAFUNDI, the owner of certain real property located at Bay Avenue, Aquebogue, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

RESOLUTIONS Continued# 682 APPROVES SITE PLAN OF NEW YORK TELEPHONE COMPANY

Councilman Boschetti offered the following resolution, which was seconded by Councilman Pike.

WHEREAS, a site plan was submitted by New York Telephone Co. for the construction of a parking lot to be located at the corner of Sweezy Avenue and West Main Street (S.R. 25), Riverhead, New York; and

WHEREAS, the Planning Department has reviewed the site plan dated February 12, 1987, as prepared by William F. Collins, Architect, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved, and

WHEREAS, this Town Board has reviewed the site plan dated February 12, 1987.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by New York Telephone Co. for the construction of a parking lot to be located at the corner of Sweezy Avenue and West Main Street (S.R. 25), Riverhead, New York, site plan dated February 12, 1987, as prepared by William F. Collins, Architect, and amended and initialed by the Town Board be and is hereby approved, subject to the following:

1. That the provisions of the Riverhead 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 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 pursuant to the site plan process and the sign permit procedure prior to being installed at the property, that all signage so proposed shall be coordinated in appearance and design and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

RESOLUTIONS Continued

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

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, be maintained at the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

8. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

9. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, AD Enterprises, owner of the property, hereby authorizes the Town of Riverhead to enter premises at the corner of Sweezy Avenue and West Main Street (S.R. 25), Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to William F. Collins, agent for New York Telephone Co., the Riverhead Planning Department and the Riverhead Building Department.

RESOLUTIONS ContinuedDECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of October, 1987, by NEW YORK TELEPHONE CO., a domestic corporation with offices at C/o 901 Nesconset Highway, Nesconset, New York, 11767, Declarant.

WHEREAS, Declarant is the owner of a 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, as amended and initialed, 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, does 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:

1. That the provisions of the Riverhead 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 pursuant to the site plan process and the sign permit procedure, prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

RESOLUTIONS Continued

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 approved by the Planning Department prior to their installation at the site, shall be maintained at the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

8. 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 station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

9. That any and all landscaped areas shall be regularly maintained in a professional manner; and that any planters, planter boxes, window boxes or other container plantings shall be likewise maintained on a year-round basis.

Declarant has hereunto set his hand and seal the day and year above first written.

NEW YORK TELEPHONE COMPANY

STATE OF NEW YORK)
)ss.:
COUNTY OF SUFFOLK)

On this _____ day of October, 1987, before me personally came _____, to me known and known to be the individual who executed the foregoing instrument; that he is the _____ of the NEW YORK TELEPHONE COMPANY, the lessee of certain real property located at the corner of Sweezy Avenue and West Main Street (S.R. 25), Riverhead, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

683 APPOINTS ORDINANCE INSPECTOR

Councilman Pike offered the following resolution, which was seconded by Councilman Boschetti.

WHEREAS, the availability of the position of Ordinance Inspector has been advertised, and

WHEREAS, all applicants were thereafter interviewed.

NOW, THEREFORE, BE IT RESOLVED, that Gus Gillen be and is hereby appointed to the full-time, provisional position of Ordinance Inspector at the annual rate of compensation of \$21,885 as set forth in the Group 5, Step P of the CSEA Administrative Salary Schedule effective September 28, 1987, and

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to Gus Gillen and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#684 AWARDS BID FOR INSTALLATION OF WATER MAINS AND APPURTENANCES FOR EXTENSION 26 TO THE RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

Supervisor Janoski, "Let the record show that the hour of 8:05 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, September 22, 1987 at 8:05 p.m. to hear all interested persons regarding: The Addition of Section 101-20 "One Hour Parking".

Richard Ehlers, "There are two parking lots; the Griffing Avenue parking lot, there will be four stalls along the southerly side of the entrance from Griffing Avenue."

Councilman Lombardi, "No, no. Six."

Richard Ehlers, "The Board can change it after the hearing. The hearing is on whether it should be four, if there's comment for more. The second one is Roanoke Avenue parking lot and those are the three stalls along the southerly boundary line and three stalls in the center island."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you. What we are trying to do is; in the municipal parking lots, free up spaces so there will be a turnover, by imposing one hour parking instead of having cars park there all day in some cases. And we have selected actually six parking spaces at the two locations. Is there anyone present who wishes to address the Board on that matter? That being the case and without objection, I declare the hearing closed. I declare a recess until 8:20 p.m."

8:05 PUBLIC HEARING CLOSED AT 8:07

TOWN BOARD MEETING RECESSED AT 8:07

TOWN BOARD MEETING RECONVENED AT 8:20

Supervisor Janoski, "The meeting will return to order. We will complete our considerations of the resolutions."

RESOLUTIONS (continued)#685 ESTABLISHES AFFORDABLE HOUSING TASK FORCE.

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

WHEREAS, the cost of existing housing stock and the cost for individual building lots in the Town of Riverhead has more than doubled and tripled respectively within the last decade; and

WHEREAS, the cost of new home construction and the cost of rental housing has also substantially increased; and

WHEREAS, the members of this Town Board have become aware of the increasing number of its citizens who have lost or are about to lose the economic ability to adequately shelter themselves; and

WHEREAS, the traditional reliance on the housing industry's marketing forces to provide proper housing for our population has not produced a satisfactory result for the Town of Riverhead in recent years; and

WHEREAS, this Board recognizes the need for the establishment of more active and effective strategies to provide housing for its citizens.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead hereby establishes the Volunteer Task Force on Affordable Housing; and be it further

RESOLVED, that this Task Force shall be comprised of _____ members to be appointed by the Town Board to represent the interests of the community as reflected by consumers, large and small scale housing developers, financial institutions, environmental protection groups, the manufactured housing industry, mobile home park businesses the Cooperative Extension and other agencies and individuals concerned with solving the housing problem; and be it further

RESOLVED, that one of the members named to the Task Force will be selected by the Town Board to serve as Chairperson, who shall have the authority to call meetings of the Task Force, set its

RESOLUTIONS Continued

-2-

agenda and organize the Task Force in a manner which will cause the timely and desirable fulfillment of its objectives; and be it further

RESOLVED, that prior to _____ each member of this Town Board shall simultaneously first receive a complete copy of the Proposal for a Town of Riverhead Affordable Housing Policy, which shall contain, but not be limited to, the written recommendations and proposals of the Task Force which it believes will be of value in the solving of the housing problem; and be it further

RESOLVED, that the Proposal for a Town of Riverhead Affordable Housing Policy be structured to address the concerns and topics which include but are not limited to the following:

I. A definition of affordable housing, and a disclosure of the method used to derive such a definition;

A. Which definition is to be based upon an analysis of the present income distribution of the citizens of the Town;

1. Examination of projected Town income distributions for the years 1992, 1997 and 2002;

2. Examination of income criteria and definitions developed and currently in use by the Town and/or other programs and agencies (Riverhab, HUD, Section 8, Small Cities, etc.);

B. Which definition is to include the special needs and income range of Town citizens as categorized by various age groups such as but not limited to seniors and young families;

II. The result of consideration as to the degree to which the present housing situation is in need of a multiple-town (regional) and/or individual town solution;

III. Consideration of the degree to which the rental and/or ownership components of affordable housing are needed and should be made available to Town citizens;

A. Current need for affordable housing;

1. Present status of housing development in Town;

a. Review of supply and demand for rental units;

b. Review of supply and demand for units for purchase;

B. Future Town need for affordable housing;

1. Projections of need for years 1992, 1997 and 2002;

a. Anticipated rental units required;

b. Anticipated units for purchase required;

2. Recommendation of the most appropriate future mix of housing types;

IV. Review of the criteria used by public and private financial institutions for granting mortgage commitments;

A. Study of the possible positive or negative effects to mortgage commitments by housing types, such as, but not limited to solar homes, energy efficient homes, manufactured homes, townhouses, two family houses, multiple family houses, single family detached houses, modular houses and down-sized houses;

9/22/87

RESOLUTIONS Continued

-3-

V. Consideration as to whether increased opportunities for affordable housing should come from public and/or private entities;

A. Methods and degree of public sector involvement;

1. Advisability of creating or assisting in the creation of cost reduction programs;
 - a. Land cost reduction;
 - b. Construction loan cost reduction;
 - c. Passing cost reductions to consumers;
2. Evaluation of procedural and/or administrative changes within Town government;
3. Possible creation of higher density new building zones;

a. Potential location(s) of such district;

1. Possible receiving areas under a T.D.R. program;
 - i. Correlation with proposed Farm Preservation program;

* Manufactured housing (single and/or multiple unit) community zones;

* Floating Affordable housing District;

* Rental Unit Development Floating Zone;

B. Incentives for increased developer involvement in providing affordable housing;

1. Advisability of seeking a relaxation of development standards;
 - a. Housing standards;
 - b. Infrastructure requirements and standards;
2. Advisability of escalating density levels;
 - a. Correlated with proposed Farm Preservation program;
 1. Density bonuses;
 2. Zone change requests;
 3. Creation of new building zones;
 4. Identification of areas which may appropriately support increased density;

VI. Recommendations for the expeditious implementation of the program and proposals contained in the Proposal for a Town of Riverhead Affordable Housing Policy, including, if possible, sample legislation;

VII. Recommendation(s) for the most appropriate singular and/or combined approach(es) for this Town to provide affordable housing to its residents; and be it further

RESOLVED, that prior to _____ each member of this Town Board simultaneously receive a copy of the written report of the Task Force regarding its evaluation of suggested possibilities rendered by members of the Town Board, Planning Board, Planning Department and other local agencies, which evaluation shall include but is not limited to the following;

- I. Examination of ideas submitted prior to _____

RESOLUTIONS Continued

-4-

A. Ideas reviewed favorably to be targeted for integration into the Proposal for a Town of Riverhead Affordable Housing Policy;

1. Current suggestions to be examined;

a. The use of the transfer of development rights to increase density to the point of affordability;

1. Correlate with the proposed Farm Preservation program;

b. Allowing modular homes to be erected on building lots in all zones which presently permit single family dwellings, except Residential Zones A and B;

1. Allow modular homes to be erected on building lots in Residential Zones A and B, subject to architectural review and approval;

c. The use of the existing Residence C district, with the requirement that a fixed percentage (40%) of any density increase or 20% of the total density have unit prices fixed to create affordable housing;

d. The use of equity sharing between the developer and the purchaser and/or employer and employee in exchange for reduced purchase prices;

e. Enabling owner occupied upper floor homes in commercial zones in "hamlet" areas; and be it further

RESOLVED, that the members of the Task Force familiarize themselves with the elements of affordable housing work including but not limited to the following areas:

I. Work already done in various parts of the U.S.;

A. Christian County, Kentucky, Knox County, Tennessee, Lincoln, Nebraska, Mesa County, Colorado, Valdosta, Georgia, Santa Fe, New Mexico, Everett, Washington, Lacey, Washington, Phoenix, Arizona, Sioux Falls, South Dakota, Crittenden County, Arkansas, Elkhart County, Indiana, Owensboro, Kentucky, North Lauderdale, Florida and Atlanta, Georgia;

B. Local programs being proposed or in use in the Towns of Southampton, Southold and East Hampton; and be it further

RESOLVED, that the Volunteer Task Force on Affordable Housing shall first convene on the _____ day of _____, 1987, at the Riverhead Town Hall to assess the aptitudes and specialized talents of its membership, to determine the manner through which it shall achieve its objectives, to create a line of communication to those Town departments and/or agencies which may be able to assist the Task Force, and to begin the preparation of a timeline to ensure the timely completion of its work; and be it further

RESOLVED, that the Town Clerk shall be the custodian of a public file to be used by the Task Force as a depository for original

RESOLUTIONS Continued

-5-

copies of all its written documents, notes, correspondence, reports, policies, minutes of meetings, evidence researched, etc., but that such a public file does not preclude the existence of Task Force working files which will consist of photocopies of original documents; and be it further

RESOLVED, that the Town Clerk is authorized and directed to send to each member of the Task Force, upon his/her appointment, a copy of this resolution and all supporting documentation.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Boschetti, "Before voting, I'd just like to say that this particular resolution is a culmination of a couple of different ideas on affordable housing. And I'm happy to say that this particular version of it represents the joint effort of Councilman Pike and myself. I think it's a very comprehensive review of affordable housing and one that's going to go a long way in trying to establish consistent policy towards providing affordable housing for all of our residents we can possibly reach. So I am happy to say yes."

#686 AUTHORIZES TOWN JUSTICE TO ATTEND ASSOCIATION OF MAGISTRATES CONFERENCE.

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

WHEREAS, the Association of Magistrates shall be sponsoring a conference in Ellenville, New York, October 4, 1987, and

WHEREAS, Justice Robert Leonard has expressed a desire to attend said conference.

NOW, THEREFORE, BE IT

RESOLVED, that Justice Robert Leonard be and is hereby authorized to attend the Association of Magistrates Conference in Ellenville, New York, October 4 through 7, 1987, and

BE IT FURTHER RESOLVED, that all expenses are to be fully receipted upon his return.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#687 EXEMPTS APPLICATION OF JOYCE HETTRICK FROM MORATORIUM.

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

WHEREAS, this Town Board has declared a six-month moratorium in the southwest sector of the Town of Riverhead; and

RESOLUTIONS Continued

WHEREAS, said moratorium was amended to permit the Town Board to review, on an individual basis, those applications for building permits and site plan review of either existing businesses or applications which were underway prior to the establishment of said moratorium, and

NOW, THEREFORE, BE IT

RESOLVED, that the following application be and is hereby deemed exempt from the moratorium,

Application of Joyce Hettrick for the minor subdivision of a 2.23 acre parcel at Wading River Manor Road, Manorville.

BE IT FURTHER RESOLVED, that the adoption of this resolution does not necessarily grant the necessary building permits but only permits the applicant to proceed through the process of obtaining all necessary permits, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the above-named individual and to the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#688 AUTHORIZES TOWN CLERK TO COMPLETE FORM TE9a AND FORWARD SAME TO NYS DEPARTMENT OF TRANSPORTATION RE: SPEED LIMIT OF BAITING HOLLOW LANE.

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

WHEREAS, by petition dated August 17, 1987, the residents in the area of Baiting Hollow Lane have requested the Town Board to address the matter of speed limit on Baiting Hollow Lane.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to complete form TE9a and forward same to the New York State Department of Transportation which will cause New York State to investigate the speed limit of that area and make recommendation therefrom.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#689 APPROVES SPECIAL PERMIT AND SITE PLAN OF LITTLE FLOWER CHILDREN'S SERVICES.

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

WHEREAS, by application dated

RESOLUTIONS Continued

Richard Ehlers, "We have been asked to prepare a resolution concerning Little Flower Children Service. Unfortunately, it did not make it onto the agenda. So I will paraphrase the resolution which will be offered for the Board's consideration. Little Flower applied for expansion of their non-conforming use to construct a 5,000 square foot plus or minus residence at their property located in Wading River. It was determined to be a Type II action for SEQRA without a significant impact on the environment and that recommendation was made by the Environmental Quality Review Board. The Planning Board held a hearing recently. By resolution, forwarded to the Town Board, recommended the approval of the expansion of the non-conforming use. The expansion is less than 10% and therefore, it is not necessary for the Town Board to hold a public hearing. The site plan has been filed with the Town Board and reviewed by the Town Board yesterday and the resolution would go on to state the normal stipulations concerning maintaining the property and conformance with the site plan which means it must be built the way it is shown to be built. And that would be the resolution approving the special permit and granting the site plan."

WHEREAS, by application dated August 21, 1987, Little Flower Children's Services did apply to this Town Board for a special permit to construct a one-story detached masonry residence building, at premises located North Wading River Road, Wading River, New York, and submitted a site plan dated February 4, 1986, prepared by Donald L. Malm, Land Surveyor; and

WHEREAS, said application is an expansion of a pre-existing, non-conforming use for the construction of a residence of 5,000± square feet; and

WHEREAS, the Town Board determines that the non-conforming use is less than 10% of the lot coverage and determines that it is appropriate to waive the public hearing; and

WHEREAS, the construction of said building will not have a significant impact upon the environment pursuant to the State Conservation Environmental Law.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board determines that:

a. The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood;

b. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;

c. The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use;

d. Such use will be in harmony with and promote the general purposes and intent; and be it further

e.

RESOLVED, that the site plan prepared by Donald L. Malm, Land Surveyor, dated February 4, 1986, be and is hereby approved, subject to the following:

RESOLUTIONS Continued

1. That the provisions of the Riverhead 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 and filed with the Town Clerk;

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

4. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, be maintained at the premises;

5. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

6. That the parking area shall be provided pursuant to specifications outlined in the Riverhead Town Code;

7. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Little Flower Children's Services hereby authorizes the Town of Riverhead to enter premises at North Wading River Road, Wading River, New York, to enforce said handicapped parking regulations;

8. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other contained plantings shall likewise be maintained on a year-round basis; and be it further

RESOLVED, that the premises covered by this special permit and site plan approval shall be maintained in conformity with such site plan approved herein which may from time to time be approved by the Riverhead Town Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Little Flower Children's Services, the Riverhead Planning Department, the Riverhead Planning Board and the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#690 AUTHORIZES TOWN EXPENDITURES.

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

RESOLUTIONS Continued

RESOLVED, that the Supervisor be and hereby is authorized to pay the following:

<u>YOUTH SERVICES</u>			
Abstract #13	voucher 35	totalling \$	910.25
<u>SENIORS HELPING SENIORS</u>			
Abstract #13	voucher 62	totalling \$	1,490.56
<u>MUNICIPAL GARAGE</u>			
Abstract #13	voucher 137-160	totalling \$	8,338.70
<u>GENERAL TOWN</u>			
Abstract #13	voucher 6897-7019	totalling \$	257,958.13
<u>HIGHWAY</u>			
Abstract #13	voucher 493-494	totalling \$	35,483.58
<u>TOWN HALL CAP. PROJECTS</u>			
Abstract #13	voucher 47-59	totalling \$	57,523.64
<u>STREET LIGHTING</u>			
Abstract #13	voucher 196-201	totalling \$	1,775.87
<u>PUBLIC PARKING</u>			
Abstract #13	voucher 172-176	totalling \$	5,740.48
<u>SMALL CITIES</u>			
Abstract #13	voucher 294-300	totalling \$	5,099.27
<u>AMBULANCE</u>			
Abstract #13	voucher 14	totalling \$	353.80
<u>PARKING METER</u>			
Abstract #13	voucher 5	totalling \$	245.49

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

1991 Councilman Pike, "Supervisor, I'd like to add one on that I circulated upon arriving here tonight. Basically what this does is appoint the first ten members of the Affordable Housing Task Force. As Lou pointed out, the project that we are giving them is fairly comprehensive in scope. And we anticipate that the volunteer effort that these individuals will be putting in to delving into what is increasingly a difficult problem with the appreciation of land values what they are. But these following individuals have volunteered to join the task force and I would just like to mention their names in moving the next resolution. Their names are: Adam Gatz, Robert Dick, Dave Newton, Bill Cooper, Irwin Garsten, Joe Pufahl, Marjorie Lamb, and Charles Schull. I move that resolution."

RESOLUTIONS Continued

Councilman Boschetti, "Before seconded it, I would just ask that the Board remember that this is not a final list. That Councilman Prusinowski and myself still have one choice a piece."

#691 APPOINTS MEMBER TO VOLUNTEER TASK FORCE ON AFFORDABLE HOUSING.

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

WHEREAS, on September 22, 1987, the Town Board of the Town of Riverhead has established a Volunteer Task Force on Affordable Housing, and

WHEREAS, the membership of this Task Force is to be ten members to be appointed by the Town Board to represent various interests throughout the Town of Riverhead including consumers, housing developers, both large and small scale, financial institutions, the environmental protection community, the manufactured housing community, the Cooperative Extension, and other agencies and individuals interested in providing affordable housing,

NOW, THEREFORE, BE IT

RESOLVED, that the Task Force membership is to include the following individuals:

- | | |
|----------------|--------------------|
| 1. Adam Gatz | 5. Irwin Garsten |
| 2. Robert Dick | 6. Joe Pufahl, Jr. |
| 3. Dave Newton | 7. Marjorie Lamba |
| 4. Bill Cooper | 8. Charles Schell |

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:26 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:10 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, September 22, 1987 at 8:10 p.m. to hear all interested persons regarding: The Special Permit Application of Joseph Manzi, Jr. to erect a one-family dwelling on property zoned Business "C".

Supervisor Janoski, "Is there anyone present representing the applicant, Mr. Joseph Manzi. Well, does someone want to tell us what he's applying for, Mr. Town Attorney. And explain the application."

PUBLIC HEARING Continued

Richard Ehlers, "Well, Mr. Manzi is evidently not here. However, he is applying for a special permit to erect a one-family dwelling on property that is zoned business "C". Under the Town Code, if the zoning is business, you can not erect a dwelling in a business zone without first having a public hearing and the Town Board granting a special permit."

Supervisor Janoski, "Is there anyone present wishing to address the Town Board on this application?"

Margaret Witt, "We have a piece of property on Hill Street and I am concerned about how this is going to effect my property. I mean, he wants to change it from commercial to residential."

Supervisor Janoski, "We're not changing the zone. What it would be is a permission to build a single family residence."

Margaret Witt, "On commercial property. Could you tell me how big a property he has?"

Supervisor Janoski, "It is most unusual for an applicant not to be present."

Richard Ehlers, "It's a square parcel of 6,000 square feet which has 60 foot of frontage and 100 feet of depth. It's 156 feet of Wildwood Road on the north side of Hill Street. The residence proposed is 44 by 28 feet."

Margaret Witt, "Now, the reason I am asking is because my husband and I wanted to have a subdivision on our property and we were denied subdivision and we had 100 by 100 that we wanted to build a house on it for my son. I mean this was not for us to sell. We were denied that."

Supervisor Janoski, "I believe there's a number of things here. First of all, the Town Board does not deal with subdivisions. The Planning Board denied you. And I would think rightly so because the lots which you wanted to create, don't conform with an existing zoning which is in the code today. Your lot and this lot are pre-existing lots, so certainly if you wanted to, you could construct something on it; be it a residence or a business which would conform with the code. This is an existing lot. So that they have the right to develop that pre-existing probably existing prior to the zoning in the town. But to subdivide a 100 by 100, there is no zoning which exists in the town."

Margaret Witt, "No. The property is not 100 by 100. The property is 100 by 225. And we wanted to keep 125 for our property and split the back piece 100 by 100. That's the piece that we wanted to subdivide and they wouldn't pass it."

Supervisor Janoski, "It still wouldn't fit."

PUBLIC HEARING Continued

Margaret Witt, "And there's another thing I would just like to mention. Originally, that property was bought many years ago and it was bought at two different times and it was two separate pieces of property at one time. And the town automatically put it on one tax roll which nobody every thought of years ago. Who knows what is coming up in four years from now. So that was one thing they did which we never thought of stopping them from doing it."

Supervisor Janoski, "That happens automatically. It is done in the assessing office. If it was placed in two different names, it would not have taken place automatically. But really this is a public hearing on this application. And what I'm interpreting here is...."

Margaret Witt, "Well, is that man the original owner on that property or is that sold property and he's not the original owner."

Supervisor Janoski, "I have absolutely no idea what the case is. I would guess that he is not the original owner. But nevertheless, he is the owner of the pre-existing lot which does not meet the standards of today, would not be subdivided by the Planning Board in that configuration; 6,000 square feet. Nevertheless, it does exist and he wants to build a house on it. So how do you feel about that?"

Margaret Witt, "I don't care if he builds a house as long as it's not going to change anything for me." That's why I'm here."

Supervisor Janoski, "Is there anyone else wishing to address the Board on the application of Mr. Manzi? Yes sir."

John Huck, Wading River, "I'm a neighbor of this property. The property is quite unique. It runs off Hill Street about 20 feet and then drops severely downhill. So that the basement would be out of the ground. And part of my property is on the bottom of his property and I just feel that unless some provisions are made in the building permit for retaining walls and to hold rainwater, that I'm going to be the recipient of a lot of his dirt when the rains do come. So I would like to see something if he does get a permit to build, incorporated into that. And I was wondering whether that was a two-story house that he's applying for. Because if it is, we'll have about three stories exposed out of the ground facing North Wading River Road which would really be an eyesore to the community. I mean, we are all just about one story houses in the area. And to have a three-story building sticking out of the ground, I think would be detrimental to the area."

Supervisor Janoski, "It's unfortunate that the applicant or his representative is not here this evening but your concern is a legitimate one. We will certainly try to address that in our consideration of granting the special permit. As far as whether it's a one-story or a two-story, we can certainly talk with him about that. I don't know that we can..... Certainly

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

we can negotiate with him about whether it is one-story or two-story."

John Huck, "By the time he finishes, half of his basement will be out of the ground."

Supervisor Janoski, "If there is a severe slope, I understand what you're saying and of course, I've seen many homes like that in Wading River because it is one of the few hilliest parts of this town. The front is at ground level and the back or basement is exposed."

John Huck, "If half his basement is out of the ground, is that considered the first floor?"

Supervisor Janoski, "No. It's the main ground level. And still, three stories could be built in the town. The regulation is that no structure can be taller than 35 feet. So he would probably be able to build a three-story structure."

John Huck, "If he was going for a two-story and a basement, and I objected to that, could I object to the variance and have it stopped?"

Supervisor Janoski, "No variance. That's what this hearing is on; the granting of a special permit."

John Huck, "So this will not be the end of it as far as the neighbors having their say."

Supervisor Janoski, "The Town Board must consider the recommendations of the Planning Board who has already considered the application and the testimony that we hear tonight and that's what the purpose of this hearing is. To see what input we get on this application. He does have the legitimate right to develop a business use of that property, receiving no special permit from anyone because that's been given as far as the zoning is concerned. Housing, a residential development requires a special permit procedure."

John Huck, "Being in the construction line, I've seen it so often in Wading River with our hilly terrain, a builder will come in, drop a house in, pass it over to a homeowner. And the poor homeowner, to correct the problem, could spend 5,000 dollars for a retaining wall and such. I mean, it is their responsibility to maintain their ground and their rainwater."

Supervisor Janoski, "As I say, it is a legitimate concern and we will certainly look at that aspect of things."

John Huck, "Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Is there anyone else present who wishes to address the Board on this application? Yes."

John Peterson, Wading River, "First of all, I never got any kind of notification this was occurring. This fellow who just spoke told me. I didn't receive a certified letter. I just want to make that part of the record. My concern is multiple. My home and my property abutts up on the back of his. So I'm abutting his in the back. I have a stonewall in the back of my house. I'm concerned that during the process of building, that they may damage the stonewall, knock it down, etc. There is a slope in the land and it is sloping toward my property. So that's one concern. Another one is; we don't have town water in that area now. It is coming supposedly. I don't know what he's going to do in terms of cesspool and in terms of wells and I'd like to at least be able to get the information. I don't know, in fact, I object to the proposal. It's a piece of land. I'd much rather have it wooded. It's heavily wooded in the back of my property. That's nice. However, it's within zoning I guess.. All I can say is I'm not crazy about it. I don't have a huge objection other than things go correctly and things go as planned."

Supervisor Janoski, "The placement around the cesspool is a jurisdiction of the Suffolk County Health Department. We will attempt to find out what they're thinking is on this particular application." Can I ask you a question?"

John Peterson, "Is there any way I can find out further information? I've been pretty much in the dark. I received a phone call today that there was a meeting tonight."

Supervisor Janoski, "You live within 500 feet obviously." He is required to notify you."

John Peterson, "I can tell you the property is recently bought because the surveyors walked through my land back two months ago."

Supervisor Janoski, "He is required by our code to notify all property owners within 500 feet and he does then give to the Town Clerk, certification that he has done so. So in your case, obviously, he has not done so. The question I wanted to ask you because I was surprised that you stood up as a property owner. How old are you?"

John Petersen, "How old do you think I am?"

Supervisor Janoski, "I really thought that you were here with one of the other people."

John Petersen, "Twenty-six."

PUBLIC HEARING Continued

Supervisor Janoski, "Are you? Because you look younger to me."

John Petersen, "I guess that's a compliment, I'll take it as that." How can I obtain further information about this plan? It seems this organization is a little bit lacking. He's not here as representative. There was nothing posted on his property. I received nothing."

Supervisor Janoski, "It was not posted?"

Audience, "Yes it was."

John Petersen, "It was. I'm sorry. I saw nothing posted. I drove by it today twice."

Councilman Pike, "We're going to have to check whether compliance with notice procedure was followed. If it wasn't they've got to redo it. Secondly, you have an absolute right to full access of the file."

John Petersen, "I assume that. I didn't know his name. I didn't see it posted. That was my mistake."

Councilman Pike, "You'll have a small window of opportunity to do that now."

Supervisor Janoski, "We will certainly not be taking any action until the next Town Board meeting which is in October and if there are some questions that have not been resolved, we will not.... We're not rushing to complete this one. So you have plenty of time. The Town Clerk has the file."

John Petersen, "Can obtain copies this evening? Is that possible?"

Councilman Lombardi, "Mr. Manzi has to finish another project that he's already doing."

John Petersen, "Great. Thank you."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board on this application? That being the case and without objection, I declare the hearing closed."

8:10 PUBLIC HEARING CLOSED AT 8:43

Supervisor Janoski, "Let the record show that the hour of 8:43 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:20 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, September 22, 1987 at 8:20 p.m. to hear all interested persons regarding: The Proposed Rezoning of South Jamesport to Residence "D".

PUBLIC HEARING Continued

Rick Hanley, "I'm head of the Town Planning Department. The action which is the subject of tonight's hearing is a motion of the Riverhead Town Board to amend the zoning map on lands located in South Jamesport. Essentially, the amendment would remove zoning districts which presently exist which include residence "C", business "A", industrial "A", and agricultural "A" and replace those with residential "D". The residential "D" code provides for permitted uses which include agriculture, one-family dwellings, parks and playgrounds which are non-commercial and libraries. The most radical departure from the residence "D" code from what presently exists in terms of permitted uses is the fact that residence "D" does not provide for multi-family attached dwellings. I think that's it and thank you."

Supervisor Janoski, "Thank you. Is there anyone present who wishes to address the Board on this proposal? Bill."

Bill Welch, Jamesport, "I'm appearing tonight on behalf of the Jamesport/South Jamesport Civic Association to support this rezoning for South Jamesport. I have copies tonight for each Board member of a number of letters we have received supporting residential zoning for this area. Most of these letters also refer to the retention of the business zoning along the waterfront and urge that this area too, be included in residence "D". Your consideration of that is also asked for. Extensive waterfront development effects the quality of the Peconic Bay itself and also places more people and property in the path of coastal erosion. The rezoning of South Jamesport including the waterfront would better accommodate the needs of a community which is now largely residential and yet which is currently zoned for business. Our civic association's zoning review committee had proposed residence "D" district, more restrictive residential zoning for South Jamesport. This committee was composed of eight people in the community which included; retired persons, a builder, local working people and a person who's family owns local agricultural lands. These people made their views known to a number of you and to the Boards, code revisions, zoning and planning committee. The rezoning proposal therefore, has a background of community input and design and we feel that residential zone for South Jamesport is appropriate and necessary now and for future growth in our community. Thank you for the interest that you've shown throughout this entire process and I will now present these copies of these letters as well as copies of petitions bearing over 125 names opposing business zoning on the waterfront. Thank you very much."

Supervisor Janoski, "Do you have one for the Town Clerk? Thank you Bill. Is there anyone else present who wishes to address the Town Board on this?"

Otis Aldrich, "I'm president of the Sea Cove Estates Property Owners Association. I certainly echo what Mr. Welch had to say as president of our association. Our area is unique that we are immediately west of the Great Peconic Bay Marina. And we have 18 acres sitting there. Then next to us is a piece of land and then from there on is Lockitt Drive and on down. It would seem, at least

PUBLIC HEARING ContinuedOtis Aldrich, Continued

that our area, certainly if you're looking at particularly zoning, should be, and I agree, the whole thing should be upzoned to residence "D". But certainly ours which is a commercial zoning now, I believe."

Supervisor Janoski, "Well, it's not in the true sense, commercial."

Otis Aldrich, "You see, in our 18 acres we are by covenant and restriction, absolutely residential. The one next to us, the one piece of ground possibly is not and from there on it is. So it's kind of a little pot. That's all I want to say."

Councilman Prusinowski, "The piece next to you, though, is proposed to go to residence "D". Is that right?"

Otis Aldrich, "I do not know."

Councilman Prusinowski, "Rick is that correct? The piece next to his. The Wine's piece. That's scheduled to go to residence "D" isn't it? That's what our understanding was. That's what the Board wanted to."

Rick Hanley, "Proposed residence "D"."

Otis Aldrich, "I'm sorry. I did not know that."

Councilman Prusinowski, "I just wanted to clear it up for my own gratification because I assume that's..."

Supervisor Janoski, "Is there anyone else present wishing to be heard? Yes."

Betty Brown, "I am the Director of the North Fork Environmental Council - West. During the past year, the residents of South Jamesport have sought to determine the kind and quality of the neighborhood in which they wish to live. Recognizing that while it is technically possible to develop land almost anywhere, the social economic and physical results warrant such development to have a harmonious relationship with the natural environment. The North Fork Environmental Council feels strongly that through proper review, the residents have logically developed a residential zone that will handle the issues of land development before they become a problem. The general planning goal has been determined by the 1973 Master Plan to project the Town of Riverhead as a community of residential neighborhoods. This has also been the goal of the residents in this neighborhood. The Environmental Council supports the residence "D" zone for South Jamesport and wishes to make known its strong objection at this time to any consideration to continued allowed expanding or increasing any commercial or resort development zoning. This intense use of our coastline would not be a prudent measure in the face of our brown tide crisis. Thank you so much."

PUBLIC HEARING Continued

Supervisor Janoski, "Is there anyone else present who wishes to address the Board? Certainly. You have to come on up here. Who did you want to ask the question of?"

Unidentified Man, "I was just wondering about if it was something about the farmland preservation act."

Supervisor Janoski, "Not this evening, we are not considering that. No. Barbara."

Barbara Blass, Jamesport, "Good evening Mr. Supervisor, members of the Town Board, ladies and gentlemen. For the record, my name is Barbara Blass. I live on Peconic Bay Boulevard in Jamesport. I am a member of the Riverhead Town Planning Board and I'm speaking in that capacity this evening as an individual member not representing the entire Board. What I would like to say is that when this particular resolution came before the Planning Board I abstained because it was a little bit too close to home, literally and figuratively. I felt I could not be objective on this particular issue. I do strongly feel, however, that if the Planning Board recommendations and if the Town Board's contemplated action turns out not to be in the best interest of this area, then I would think that will come out in the planning study that will be undertaken very shortly. The hamlet study. This hamlet study, the consultant who will be awarded this bid is charged with recognizing and evaluating both regional and local concerns, planning concerns and objectives. And I feel that the members of the civic association, my neighbors, we urge you to remain ready, willing and able to participate in this up and coming study. Your input will be invaluable and it will be a very important part of the study. Thank you."

Supervisor Janoski, "Thank you Barbara." Is there anyone else who wishes to address the Board? Yes."

Barbara Kimmel, 6th Street, "I want to take this opportunity to thank you. Last year, the Jamesport Campground Association came to you with a difficult problem and you resolved it. And in the capacity as a member of the Board of Directors of that same organization, I would encourage you to vote for the residence "D". We have a historic site in our campgrounds. We have historic buildings throughout all of Jamesport. And to make Jamesport into a resort community as some would like to have it, would not enhance our environment at all and it would devastate some of those old buildings. Thank you."

Supervisor Janoski, "Is there anyone else who wishes to address the Board on this matter? That being the case and without objection, I declare the hearing closed. And without objection, this meeting is adjourned."

8:20 PUBLIC HEARING CLOSED AT 8:55

There being no further business on motion or vote, the meeting adjourned at 8:55 p.m.