

Adopted

TOWN OF RIVERHEAD

Resolution # 608

AUTHORIZES ATTENDENCE OF BID MEMBER

COUNCILMAN PRUSINOWSKI offered the following resolution, which was

seconded by COUNCILMAN STARK:

WHEREAS, permission was requested by the Riverhead Business Improvement District for partial funding of attendance of their Board member Larry Oxman at a conference being convened in Nashville, Tennessee beginning September 11, 1995.

NOW THEREFORE BE IT RESOLVED, that BID member Larry Oxman be and is hereby authorized to attend the conference, sponsored by the Retail Value News, the leading publication of Factory Outlet Retailers/Developers; and be it further

RESOLVED, that the Town Board approves funding not to exceed \$500.00, which shall be repaid upon said BID members return; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Business Improvement District, 542 East Main Street, P.O. Box 271, Riverhead, New York 11901 and the Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

-2-

of a proposed extension to the Riverhead Water District in said Town, such extension to be known as Extension No. 49 (Middle Road and Harrison Avenue) to the Riverhead Water District of the Town of Riverhead; and

WHEREAS, said map, plan and report dated September, 1995, were prepared by Holzmacher, McLendon & Murrell, P.C., competent engineers, duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, said Extension No. 49 (Middle Road and Harrison Avenue) shall be bounded and described as set forth in Appendix A attached hereto and made a part hereof; and

WHEREAS, the improvements proposed for such extension will be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District; and

WHEREAS, in furtherance of said overall plan, only a proportionate amount of said improvements will be charged as the capital cost to said Extension, the remaining amount to be charged to the Riverhead Water District, including the proposed Extension referred to herein;

WHEREAS, said improvements consist of the acquisition and installation of new water mains ranging from 6 inches to 8 inches in diameter, and including hydrants, valves and other necessary furnishings, equipment and apparatus, and other incidental

-3-

improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report; and

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$160,310, of which amount 46.784%, or \$75,000, shall be allocated and charged as the capital cost of said Extension, and of which amount 53.216%, or \$85,310, shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District, which shall be borne by the entire District, as extended, including said proposed Extension; and

WHEREAS, the proposed method of financing such cost of said improvement to be allocated and charged to the Extension is by the issuance of serial bonds of said Town having a maximum maturity of not exceeding forty years; and the cost of said improvement shall be assessed, levied and collected from the several lots and parcels of land within such benefited area in just proportion to the amount of benefit which said water improvement shall confer upon said lots or parcels; and

WHEREAS, the estimated cost of hook-up fees to the typical property in the Extension is \$ 625.00 and the estimated cost of hook-up fees to the typical one or two family home in the Extension is \$ 625.00; and

WHEREAS, the estimated cost of the Extension to the typical property therein is \$ 394.78 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid, and the estimated cost of the Extension to the

-4-

typical one or two family home therein is \$ 394.78 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed explanation of the manner by which were computed said estimated costs of hook-up fees and first year costs to the typical property and typical one or two family homes in said Extension, has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, such overall improvements have been determined to be an "Unlisted Action" pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said Extension No. 49 (Middle Road and Harrison Avenue) to the Riverhead Water District of the Town of Riverhead in the manner aforesaid pursuant to Section 209-d of the Town Law as amended by Chapter 397 of the Laws of 1995 of the State of New York; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, shall be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on October 3, 1995, at 7:05 o'clock P.M., Prevailing Time, for the

-5-

purpose of holding a public hearing to consider the establishment of a proposed extension to the Riverhead Water District of said Town as described in the preambles hereof, to be known as Extension No. 49 (Middle Road and Harrison Avenue) to the Riverhead Water District of the Town of Riverhead, the estimated cost of the hook-up fees to, and the cost of said Extension to, the typical property and to the typical one or two family home, the proposed method of financing to be employed, and to consider the map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises. Such project has been determined to be an "Unlisted Action" pursuant to the regulations promulgated pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in Smiffick
County Life, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

-6-

Section 3. The Town Clerk is hereby authorized and directed to file a certified copy of this order, together with a certified copy of the published Notice of Adoption of Order Calling a Public Hearing, with the office of the State Comptroller, Bureau of Municipal Research and Statistics in Albany, New York, within fourteen days of the date of publication of said Notice.

Section 4. This order shall take effect immediately.

RIVERHEAD WATER DISTRICTDESCRIPTION OF PROPOSED EXTENSION NO. 49RIVERHEAD

Beginning at a point on the northwesterly corner of proposed Riverhead Water District Extension No. 49, said point being the northwesterly corner of Section 81, Block 3, lot 31.1.

From said point of beginning, running easterly along north line of Section 81, Block 3, lot 31.1 and continuing along the north line of Section 82, Block 1, lot 3.2.

Thence easterly, southerly and easterly along the north line of Section 82, Block 1, lot 9.6 to the northeast corner of lot 9.6.

Thence southerly, westerly and southerly along the east line of Section 82, Block 1, lot 9.6 to a point 450 \pm feet north of Middle Road.

Thence southeasterly through Section 82, Block 1, lot 11.3 to the west line of Section 82, Block 1, lot 12.

Thence southerly along the east line of Section 82, Block 1, lot 11.3 to the southeast corner of lot 11.3.

Thence across Middle Road to the northeast corner of Section 108, Block 3, lot 13.1.

Thence southerly along the east line of Section 108, Block 3, lot 13.1 to the southeast corner of lot 13.1.

Thence westerly along the south line of Section 108, Block 3, lot 13.1 to the southwest corner of lot 13.1.

Thence northerly along the west line of Section 108, Block 3, lot 13.1 to the southeast corner of Section 108, Block 3, lot 5.2.

Thence westerly along the south line of Section 108, Block 3, lot 5.2 and lot 5.3 to the southwest corner of lot 5.3.

Thence westerly across Harrison Avenue along the south line of Section 108, Block 1, lot 5 to the southwest corner of lot 5.

Thence northerly along the west line of Section 108, Block 1, lot 5 to the north line of Section 108, Block 1, lot 8.

Thence westerly and southerly along the north and west line of Section 108, Block 1, lot 8 to the northwest corner of Section 122, Block 1, lot 11.

Thence southerly along the west line of Section 122, Block 1, lot 11 to the southwest corner of lot 11.

Thence westerly across Woodcrest Avenue to the southeast corner of Section 122, Block 1, lot 21.1.

Thence westerly along the south line of Section 122, Block 1, lot 21.1 to the southwest corner of lot 21.1.

Thence northerly along the west line of Section 122, Block 1, lots 21.1, 9.1 and 10 and continuing northerly along the west line of Section 108, Block 1, lot 3 to the south line of Section 108, Block 1, lot 1.

Thence westerly along the south line of Section 108, Block 1, lots 1 and 2.3 to the southwest corner of lot 2.3.

Thence northerly and easterly along the west and north line of Section 108, Block 1, lot 2.3 to the west line of Section 101, Block 3, lot 10.1 (n/e/c of Section 108, Block 1, lot 2.3).

Thence northerly along the west line of Section 101, Block 3, lots 10.1, 10.4, 10.2 and 10.3 to the northwest corner of lot 10.3.

Thence northerly across Middle Road to the south line of Section 81, Block 3, lot 31.1, then westerly along the south line of lot 31.1 to the southwest corner of lot 31.1.

Thence northerly along the west line of Section 81, Block 3, lot 31.1 to the northwest corner of lot 31.1, said point being the place of BEGINNING.

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on September 19, 1995, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media Date given

Suffolk County Life-September 8, 1995

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of posting

Town Clerk's Bulletin Board

September 8, 1995

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on 9/19/95, 1995.

Town Clerk

(SEAL)

Adopted

09/19/95

TOWN OF RIVERHEAD

Resolution # 610

ORDER CALLING A PUBLIC HEARING IN ACCORDANCE
WITH SECTION 202-B OF THE TOWN LAW,
RE: EXTENSION NO. 49, RIVERHEAD WATER DISTRICT
MIDDLE ROAD AND HARRISON AVENUE

Adopted _____

COUNCILMAN STARK

_____ offered the following resolution
which was seconded by COUNCILMAN PRUSINOWSKI

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly authorized H2M to prepare a map, plan and estimate of cost relating to the increase and improvement of the facilities of the Riverhead Water District of said Town, specifically the installation of water mains and appurtenances at Middle Road and Harrison Avenue, to be known as Extension No. 49 of the Riverhead Water District, and

WHEREAS, the maximum amount proposed to be expended for the improvement is \$117,000 and which shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District and shall be borne by the entire District to be paid from existing funds; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the said Riverhead Water District as described above, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on the 3rd day of October, 1995, at 7:10 o'clock p.m., prevailing time, on the question of the increase and improvement of the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof,

and to hear all persons interested in the subject thereof, concerning the same, and to take such action as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the notice of public hearing to be published once in the Suffolk Life Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty days before the date designated for the public hearing.

Section 3. The project described in the preambles hereto is hereby determined to be an "unlisted action" under the State Environmental Quality Review Act, the implementation of which, as proposed, will not result in any significant environmental effects.

Section 4. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, 200 Howell Avenue, Riverhead, New York, at 7.10 o'clock p.m. prevailing time, on October 3, 1995, for the purpose of conducting a public hearing in relation to an increase and improvement of the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk County, New York, consisting of the installation of water mains and appurtenances at Middle Road and Harrison Avenue, to be known as Extension No. 49 of the Riverhead Water District, at a maximum estimated total cost of \$117,000, to be paid from existing funds.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
September 19, 1995

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

Section 5: This order shall take effect immediately.

and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Superintendent Pendzick; and Pierre G. Lundberg, Esq.

-2-

Town, such extension to be known as Extension No. 48 (West Main Street) to the Riverhead Water District of the Town of Riverhead; and

WHEREAS, said map, plan and report dated September, 1995, were prepared by Holzmacher, McLendon & Murrell, P.C., competent engineers, duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, said Extension No. 48 (West Main Street) shall be bounded and described as set forth in Appendix A attached hereto and made a part hereof; and

WHEREAS, the improvements proposed for such extension will be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District; and

WHEREAS, in furtherance of said overall plan, only a proportionate amount of said improvements will be charged as the capital cost to said Extension, the remaining amount to be charged to the Riverhead Water District, including the proposed Extension referred to herein;

WHEREAS, said improvements consist of the acquisition and installation of new water mains ranging from 6 inches to 12 inches in diameter, and including hydrants, valves and other necessary furnishings, equipment and apparatus, and other incidental

improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report; and

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$185,000, of which amount 40.568%, or \$75,050, shall be allocated and charged as the capital cost of said Extension, and of which amount 59.432%, or \$109,950, shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District, which shall be borne by the entire District, as extended, including said proposed Extension; and

WHEREAS, the proposed method of financing such cost of said improvement to be allocated and charged to the Extension is by the issuance of serial bonds of said Town having a maximum maturity of not exceeding forty years; and the cost of said improvement shall be assessed, levied and collected from the several lots and parcels of land within such benefited area in just proportion to the amount of benefit which said water improvement shall confer upon said lots or parcels; and

WHEREAS, the estimated cost of hook-up fees to the typical property in the Extension is \$ 625.00 and the estimated cost of hook-up fees to the typical one or two family home in the Extension is \$ 625.00; and

WHEREAS, the estimated cost of the Extension to the typical property therein is \$ 281.36 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid, and the estimated cost of the Extension to the

-4-

typical one or two family home therein is \$ 281.36 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed explanation of the manner by which were computed said estimated costs of hook-up fees and first year costs to the typical property and typical one or two family homes in said Extension, has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, such overall improvements have been determined to be an "Unlisted Action" pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said Extension No. 48 (West Main Street) to the Riverhead Water District of the Town of Riverhead in the manner aforesaid pursuant to Section 209-d of the Town Law as amended by Chapter 397 of the Laws of 1995 of the State of New York; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, shall be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on October 3, 1995, at 7:20 o'clock P.M., Prevailing Time, for the

-5-

purpose of holding a public hearing to consider the establishment of a proposed extension to the Riverhead Water District of said Town as described in the preambles hereof, to be known as Extension No. 48 (West Main Street) to the Riverhead Water District of the Town of Riverhead, the estimated cost of the hook-up fees to, and the cost of said Extension to, the typical property and to the typical one or two family home, the proposed method of financing to be employed, and to consider the map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises. Such project has been determined to be an "Unlisted Action" pursuant to the regulations promulgated pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in Smiffolk
County Life, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

-6-

Section 3. The Town Clerk is hereby authorized and directed to file a certified copy of this order, together with a certified copy of the published Notice of Adoption of Order Calling a Public Hearing, with the office of the State Comptroller, Bureau of Municipal Research and Statistics in Albany, New York, within fourteen days of the date of publication of said Notice.

Section 4. This order shall take effect immediately.

A

EXHIBIT 6RIVERHEAD WATER DISTRICTPROPOSED EXTENSION NO. 48WEST MAIN STREET

Beginning at a point located at the southwest corner of Section 125, Block 2, Lot 28 and the Peconic River shoreline;

Running easterly along the southern boundaries of Section 125, Block 2, Lot 42.3 and Section 124, Block 5, Lot 1.3;

Running northerly along the easterly line of Section 124, Block 4, Lot 8 across West Main Street to the easterly line of Section 125, Block 2, Lot 5.2;

Running northerly to the Long Island Railroad Right-of-Way;

Running westerly along the southerly border of the Long Island Railroad Right-of-Way to the northwesterly corner of Section 125, Block 2, Lot 8.2;

Running southerly along the westerly line of Section 125, Block 2, Lot 8.2 and Section 125, Block 2, Lot 8.4 to the northerly line of Section 125, Block 2, Lot 16;

Running westerly along the southerly line of Section 120, Block 2, Lot 9.1 and Lot 9.4, across West Main Street;

Running southwesterly along the northerly line of Section 125, Block 2, Lot 27.2 and Lot 27.3;

Running southerly along Section 125, Block 2, Lot 27.3 and Section 119, Block 2, Lot 53 to the Peconic River to the point of the beginning.

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on September 19, 1995, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
Suffolk County Life	September 8, 1995

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of posting

Town Clerk's Bulletin Board

September 8, 1995

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on 9/19/95, 1995.

Town Clerk

(SEAL)

Adopted

09/19/95

TOWN OF RIVERHEAD

Resolution # 612

ORDER CALLING A PUBLIC HEARING IN ACCORDANCE
WITH SECTION 202-B OF THE TOWN LAW,
RE: EXTENSION NO. 48, RIVERHEAD WATER DISTRICT
WEST MAIN STREET

Adopted _____

COUNCILWOMAN GILLIAM

_____ offered the following resolution
which was seconded by **COUNCILMAN CREIGHTON**

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly authorized H2M to prepare a map, plan and estimate of cost relating to the increase and improvement of the facilities of the Riverhead Water District of said Town, specifically the installation of water mains and appurtenances at West Main Street, to be known as Extension No. 48 of the Riverhead Water District, and

WHEREAS, the maximum amount proposed to be expended for the improvement is \$67,980, which shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District and shall be borne by the entire District to be paid from existing funds, and an additional \$42,000 to be paid from Community Development Funds; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the said Riverhead Water District as described above, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on the 3rd day of October, 1995, at 7:25 o'clock p.m., prevailing time, on the question of the increase and improvement of the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk

County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the notice of public hearing to be published once in the Suffolk Life Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty days before the date designated for the public hearing.

Section 3. The project described in the preambles hereto is hereby determined to be an "unlisted action" under the State Environmental Quality Review Act, the implementation of which, as proposed, will not result in any significant environmental effects.

Section 4. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, 200 Howell Avenue, Riverhead, New York, at _____ o'clock p.m. prevailing time, on October 3, 1995, for the purpose of conducting a public hearing in relation to an increase and improvement of the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk County, New York, consisting of the installation of water mains and appurtenances at West Main Street, to be known as Extension No. 48 of the Riverhead Water District, at a maximum estimated total cost of \$67,980, to be paid from existing funds, plus an addition \$42,000 to be paid from Community Development Funds.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
September 19, 1995

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

Section 5: This order shall take effect immediately.

and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Superintendent Pendzick; and Pierre G. Lundberg, Esq.

-2-

heretofore been determined by the Town Board of the Town of Riverhead, Suffolk County, New York, relating to the establishment of a proposed extension to the Riverhead Water District in said Town, such extension to be known as Extension No. 45 (Northville) to the Riverhead Water District of the Town of Riverhead; and

WHEREAS, said map, plan and report dated JULY 1992, were prepared by H2M Group, updated October 1994, competent engineers, duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, said Extension No. 45 (Northville) shall be bounded and described as set forth in Appendix A attached hereto and made a part hereof; and

WHEREAS, the improvements proposed for such extension will be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District; and

WHEREAS, in furtherance of said overall plan, only a proportionate amount of said improvements will be charged as the capital cost to said Extension, the remaining amount to be charged to the Riverhead Water District, including the proposed Extension referred to herein;

WHEREAS, said improvements consist of the acquisition and installation of new water mains ranging from 6 inches to 12 inches in diameter, and including tank and booster, hydrants, valves and

-3-

other necessary furnishings, equipment and apparatus, and other incidental improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report; and

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$3,770,000, of which amount 50.2%, or \$1,893,000, shall be allocated and charged as the capital cost of said Extension, and of which amount 49.8%, or \$1,877,000, shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District, which shall be borne by the entire District, as extended, including said proposed Extension; and

WHEREAS, the proposed method of financing such cost of said improvement to be allocated and charged to the Extension is by the issuance of serial bonds of said Town having a maximum maturity of not exceeding forty years; and the cost of said improvement shall be assessed, levied and collected from the several lots and parcels of land within such benefited area in just proportion to the amount of benefit which said water improvement shall confer upon said lots or parcels; and

WHEREAS, the estimated cost of hook-up fees to the typical property in the Extension is \$ 625.00 and the estimated cost of hook-up fees to the typical one or two family home in the Extension is \$ 625.00; and

WHEREAS, the estimated cost of the Extension to the typical property therein is \$ 407.18 in the first year in which operation, maintenance, debt service and other charges and expenses

-4-

are to be paid, and the estimated cost of the Extension to the typical one or two family home therein is 409.18 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed explanation of the manner by which were computed said estimated costs of hook-up fees and first year costs to the typical property and typical one or two family homes in said Extension, has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, such overall improvements have been determined to be an "Unlisted Action" pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, a public hearing has been previously held in relation to the establishment of said Extension No. 45 (Northville) to the Riverhead Water District prior to the adoption of Chapter 397 of the Laws of 1995 of the State of New York, which relates to the establishment of improvement districts and extensions thereto; and

WHEREAS, it is now desired to call a new public hearing upon the question of the establishment of said Extension No. 45 (Northville) to the Riverhead Water District of the Town of Riverhead in the manner aforesaid pursuant to Section 209-d of the Town Law as amended by said Chapter 397 of the Laws of 1995; NOW, THEREFORE, IT IS HEREBY

-5-

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

Section 1. A meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, shall be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on October 3, 1995, at 7:30 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the establishment of a proposed extension to the Riverhead Water District of said Town as described in the preambles hereof, to be known as Extension No. 45 (Northville) to the Riverhead Water District of the Town of Riverhead, the estimated cost of the hook-up fees to, and the cost of said Extension to, the typical property and to the typical one or two family home, the proposed method of financing to be employed, and to consider the map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises. Such project has been determined to be an "Unlisted Action" pursuant to the regulations promulgated pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in Suffolk County Life, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than

-6-

twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 3. The Town Clerk is hereby authorized and directed to file a certified copy of this order, together with a certified copy of the Notice of Adoption of Order Calling a Public Hearing, with the office of the State Comptroller, Bureau of Municipal Research and Statistics in Albany, New York, within fourteen days of the date of publication of said Notice.

Section 4. This order shall take effect immediately.

RIVERHEAD WATER DISTRICT
DESCRIPTION OF PROPOSED EXTENSION 45
NORTHVILLE

PARCEL I

BEGINNING at a point on the existing Riverhead Water District boundary line, said point being also the northeasterly corner of Ext. 36 Centerville and the northwesterly corner of Lot 5, Block 1, Section 18 at the Long Island Sound.

Running thence generally south easterly along the existing boundary line of the Riverhead Water District (Ext. 36) to a point approximately 500 feet south of Sound Avenue, said point being also the southeasterly corner of Ext No. 36, and on the westerly property line of Lot 5.1, Block 2, Section 43; running thence along the westerly line of Lot 5.1 crossing Reeves Avenue to a point on the westerly boundary of the Riverhead Water District (Ext. 19B), said point being also the southwest corner of Lot 5.1, Block 2, Section 43; running thence easterly and southeasterly along said boundary line of the Riverhead Water District (Ext. 19B), across Northville Turnpike to a point on the existing boundary line of the Riverhead Water District (Ext. 18); running thence generally easterly and

...easterly along the existing boundary line of the Riverhead Water
District (encompassing the area north and west of Extensions 18, 18A,
34, 34C, 27, 32J and 28) to a point on the northeasterly corner
of Main Avenue at the Long Island Sound, said point being also the
northeasterly corner of Lot 14.1, Block 4, Section 2.01; running
...easterly along the Long Island Sound and along the northerly
...y lines of all lots within Sections 2, 8, 7, 6, 19, 5, & 18 to
...point and place or BEGINNING.

PARCEL II

Beginning at a point on the existing boundary line of the Riverhead Water District (Ext. 28) said point being also the northeasterly corner of lot 15, Block 6, Section 8; running thence westerly, northerly, easterly and southerly along the existing boundary line of the Riverhead Water District (Ext. 28) to a point on the existing boundary line of the Riverhead Water District, said point being also the southwesterly corner of Lot 96.1, Block 1, Section 8; thence southeasterly along the westerly line of LOT 4, Block 3, Section 8 to the point or place of BEGINNING.

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on September 19, 1995, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

Suffolk County Life

September 8, 1995

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of posting

Town Clerk's Bulletin Board

September 8, 1995

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on 9/8 95, 1995.

_____ Town Clerk

(SEAL)

publish and post a Notice of Public Hearing, which shall be in the following form:

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 3rd day of October, 1995, at 7:35 P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the petition of Robert Strecker to construct a lateral water main in the realty subdivision known as Meadowcrest, Sections II and III.

By Order of the Riverhead Town Board
Barbara A. Grattan
Town Clerk

Dated: September 19, 1995

and it is further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to H2M, Pierre Lundberg, Esq., and the applicant.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**The Resolution is therefore
declared duly adopted**

Adopted

TOWN OF RIVERHEAD

Resolution # 615

ORDER CALLING A PUBLIC HEARING IN ACCORDANCE
WITH SECTION 202-B OF THE TOWN LAW,
RE: IMPROVEMENTS TO RIVERHEAD SEWER DISTRICT,
CHLORINE CONTACT TANK

Adopted September 19, 1995

COUNCILMAN CREIGHTON offered the following resolution
which was seconded by **COUNCILWOMAN GILLIAM**

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly authorized Malcolm Pirnie to prepare a map, plan and estimate of cost relating to the increase and improvement of the facilities of the Riverhead Sewer District of said Town, specifically the improvements to the chlorine contact tank and

WHEREAS, the maximum amount proposed to be expended for the improvements is \$ 99,000.00 and which shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Sewer District and shall be borne by the entire District to be paid from existing funds; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the said Riverhead Sewer District as described above, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on the 3rd day of October, 1995, at 7:40 o'clock p.m., prevailing time, on the question of the increase and improvement of the facilities of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof,

concerning the same, and to take such action as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the notice of public hearing to be published once in the Suffolk Life Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty days before the date designated for the public hearing.

Section 3. The project described in the preambles hereto is hereby determined to be an "unlisted action" under the State Environmental Quality Review Act, the implementation of which, as proposed, will not result in any significant environmental effects.

Section 4. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, 200 Howell Avenue, Riverhead, New York, at 7:40 o'clock p.m. prevailing time, on October 3, 1995, for the purpose of conducting a public hearing in relation to an increase and improvement of the facilities of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, consisting of the improvement to the chlorine contact tank at a maximum estimated total cost for both improvements of \$ 99,000.00 , to be paid from existing funds.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
September 19, 1995

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

Section 5: This order shall take effect immediately.

and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Superintendent Reichel; and Pierre G. Lundberg, Esq.

-3-

relating to the increase and improvement of the facilities of the Riverhead Water District in said Town; and

WHEREAS, the improvements proposed will be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District, whereby water distribution mains will be acquired and installed in Extension No. 44 of said District of a size and capacity greater than that required to serve only said Extension, and said additional size and capacity is to be constructed for the purpose of serving other areas of said Water District and future areas to be served by said Water District;

WHEREAS, in furtherance of said overall plan, only a proportionate amount of said improvements will be charged as the capital cost to the Riverhead Water District, including the proposed Extension, the remaining amount to be charged to Extension No. 44;

WHEREAS, said improvements consist of the acquisition and installation of new water mains ranging from 6 inches to 12 inches in diameter, including hydrants, valves and other necessary furnishings, equipment and apparatus, as more fully described in the aforesaid map and plan;

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$990,000, of which amount 75%, or \$742,500, shall be allocated and charged as the capital cost of said Extension, and of which amount 25%, or \$247,500, shall be allocated and charged as the cost of increasing and improving the facilities

-4-

of the Riverhead Water District, which shall be borne by the entire District, as extended, including the Extension; and

WHEREAS, at a meeting of said Town Board duly called and held on February 5, 1991, an order was duly adopted by it and entered in the minutes specifying that the said Board would meet to consider the increase and improvement of the facilities of the Riverhead Water District in said Town at a maximum estimated cost of \$247,500, as aforesaid, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 5th day of March, 1991, at 7:30 o'clock P.M., Prevailing Time; and

WHEREAS, the said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in the official newspaper of this Town, on Feb. 6th, 1991, and a copy of such order was posted on Feb 6, 1991, on the signboard maintained by the Town Clerk of the Town of Riverhead, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Riverhead

-5-

Water District in said Town consisting of the acquisition and installation of new water mains ranging from 6 inches to 12 inches in diameter, including hydrants and valves and other necessary furnishings, equipment and apparatus, a portion of which will serve the entirety of said Riverhead Water District and a portion of which will serve only the proposed Extension No. 44 to said Riverhead Water District, at a maximum estimated cost to the entirety of said Water District of \$247,500.

Section 2. This order shall take effect immediately.

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on September 5, 1995, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
Suffolk County Life	September 8, 1995

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice _____

Date of Posting

Town Clerk's Bulletin Board

September 8, 1995

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on September 8th, 1995.

Town Clerk

(SEAL)

ORDER ESTABLISHING THE INCREASE AND IMPROVEMENTS TO THE RIVERHEAD WATER DISTRICT KNOWN AS EXTENSION 44

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by COUNCILMAN STARK

Adopted

1719/0399

72113-381P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on September 19, 1995, at 2:00 o'clock P.M., Prevailing Time.

PRESENT:

- JAMES R. STARK
Supervisor Deputy Supervisor
Victor Prusinowski
Councilman
Frank Creighton
Councilman
Harriet Gilliam
Councilman
Councilman

In the Matter of the establishment of a proposed extension to the Riverhead Water District in the Town of Riverhead, Suffolk County, New York, to be known as Extension No. 44 to the Riverhead Water District, of the Town of Riverhead, Suffolk County, New York : FINAL ORDER

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has heretofore duly caused a map, plan and report to be prepared by a competent engineer, duly licensed by the State

-2-

of New York, which have been filed in the office of the Town Clerk of said Town in relation to the establishment of an extension to the Riverhead Water District in said Town, to be known as Extension 44 to the Riverhead Water District;

WHEREAS, the improvements proposed for said Extension will be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District, whereby water distribution mains will be constructed in such Extension of a size and capacity greater than that required to serve only said Extension, and said additional size and capacity is to be constructed for the purpose of serving other areas of said Water District and future areas to be served by said Water District;

WHEREAS, in furtherance of said overall plan, only a proportionate amount of said improvements will be charged as the capital cost to said Extension, the remaining amount to be charged to the Riverhead Water District, including the proposed Extension herein;

WHEREAS, said improvements consist of the acquisition and installation of new water mains ranging from 6 inches to 12 inches in diameter, including hydrants, valves and other necessary furnishings, equipment and apparatus, as more fully described in the aforesaid map, plan and report;

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$990,000, of which amount 75%, or \$742,500,

-3-

shall be allocated and charged as a capital cost of said Extension, and of which amount 25%, or \$247,500, shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District and shall be borne by the entire District, as extended, including the proposed Extension;

WHEREAS, an order was duly adopted by said Town Board on February 5, 1991, reciting a description of the boundaries of said proposed Extension No. 44 to the Riverhead Water District, the improvements proposed therefor, the maximum amount proposed to be expended for said improvements, the proposed method of financing to be employed, the fact that said map, plan and report were on file in the Town Clerk's office for public inspection, and specifying the 19th day of February, 1991, at 8:10 o'clock P.M., Prevailing Time, at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning the same;

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law and proof of such publication and posting has been duly presented to said Town Board;

WHEREAS, said public hearing was duly held at the time and place set forth in said order, as aforesaid, at which time all persons desiring to be heard were duly heard;

WHEREAS, following said public hearing, and based upon the

-4-

evidence given thereat, said Town Board on March 5, 1991, duly adopted a resolution determining in the affirmative all of the questions set forth in subdivision 1 of Section 209-e of the Town Law and approving the establishment of said Extension No. 44 to the Riverhead Water District, such order being adopted subject to permissive referendum;

WHEREAS, notice of the adoption of said resolution was duly published and posted in the manner provided by applicable provisions of the Town Law, and proof of said publication and posting has been duly presented to this Town Board;

WHEREAS, the period of time for the submission and filing of a petition against said resolution and requesting a referendum in connection therewith elapsed without such a petition being submitted and filed; and

WHEREAS, in response to an application duly made pursuant to subdivision 3 of Section 209-f of the Town Law, the State Comptroller has duly made an order, in duplicate, dated August 17, 1995, granting permission for the establishment of said Extension No. 44 to the Riverhead Water District, one copy of which has been filed in the office of the Town Clerk and which has been submitted to said Town Board; NOW, THEREFORE, IT IS HEREBY

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

Section 1. Extension No. 44 to the Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, in accordance

-5-

with the aforesaid order of the State Comptroller, is hereby established, to be bounded and described as set forth in Appendix attached hereto and made a part hereof.

Section 2. The acquisition and installation of new water mains ranging from 6 inches to 12 inches in diameter, including hydrants, valves and other necessary furnishings, equipment and apparatus, to be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District, whereby water distribution mains will be constructed in such Extension of a size and capacity greater than that required to serve only said Extension, and said additional size and capacity is to be constructed for the purpose of serving other areas of said Water District and future areas to be served by said Water District, as more fully described in the aforesaid map, plan and report, is hereby authorized and approved. The maximum amount to said Extension No. 44 pursuant to these proceedings for said construction shall not exceed \$742,500. Said cost of said improvements for said Extension shall be financed by the issuance of serial bonds of said Town maturing in annual installments over a period not exceeding forty years, payable in the first instance from assessments levied upon and collected from the several lots and parcels of land within said Extension No. 44 to the Riverhead Water District, which the Town shall determine and specify to be especially benefited by the improvement, in an amount sufficient to pay the principal and interest on said bonds as the same become

-6-

due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 3. The Town Clerk is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Suffolk County, New York, within ten days after the adoption of this order by this Town Board and to file a certified copy thereof within that time in the office of the State Department of Audit and Control, in Albany, New York, both pursuant to subdivision 1 of Section 209-g of the Town Law.

Section 4. This order shall take effect immediately.

Appendix A

~~EXHIBIT D~~
~~(1 of 2)~~RIVERHEAD WATER DISTRICTPROPOSED EXTENSION NO. 44, SOUTH WADING RIVER

BEGINNING at a point on the Riverhead-Brookhaven Town-line at the south side of New York State Route 25A, said point also being on the southerly boundary of Extension No. 35, Wading River of the Riverhead Water District.

Running thence generally easterly along the southerly boundary of Extension No. 35 and Extension No. 35A to the northeast corner of Section 75, Block 3, Lot 10.1 (Boy Scout property);

Thence southerly along the east line of Lot 10.1 to the north side of New York State Route 25 (Middle Country Rd.) and along said line extended to the center line of New York State Route 25;

Thence westerly along the center line of New York State Route 25 to the west side of Wading River-Manorville Rd.;

Thence southerly across New York State 25 and then southerly along the west line of Wading River-Manorville Rd. and the east lot line of Section 134, Block 1, Lot 9.2 to the southeast corner of Lot 9.2;

Thence westerly and northerly along the south and west lines of Lot 9.2 to the south side of New York State Route 25 and continuing to the north side of New York State Route 25;

Thence westerly along the north side of New York State Route 25 and the southerly line of Section 134, Block 1, Lot 3.2 to the southwest corner of Lot 3.2;

Thence northerly along the west line of Lot 3.2 to the northwest corner of Lot 3.2, said point also being the southwest corner of Section 115, Block 1, Lot 5;

Thence northerly along the west line of Lot 5 and Section 115, Block 1, Lot 4 to the northwest corner of Lot 4, said point also being on the south line of Lot 2;

Thence westerly along the south line of Lot 2 and Section 115, Block 1, Lot 1.1 to the southwest corner of Lot 1.1, said point also being on the east line of Section 114, Block 1, Lot 39;

Thence southerly and westerly along the east and south line of Lot 39 to the Riverhead-Brookhaven Town-line;

Thence northerly along the Riverhead-Brookhaven Town-line along the west line of Sections 114, 95 and 73 to the south side of New York State Route 25A, the point of BEGINNING.

This described area includes approximately 1,350 acres or 2.1 square miles.

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on September 5, 1995, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media Date given

Suffolk County Life

September 8, 1995

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice _____

Date of Posting

Town Clerk's Bulletin Board

September 8, 1995

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on September 8th, 1995.

Town Clerk

(CORPORATE
SEAL)

9/19/95

TOWN OF RIVERHEAD

1108

Resolution # 618

RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS FOR THE COST AND IMPROVEMENT OF THE RIVERHEAD WATER DISTRICT (EXTENSION 44)

Adopted

72113-381P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on September 19, 1995, at 2 o'clock P.M., Prevailing Time.

The meeting was called to order by Dep. Supervisor Stark and upon roll being called, the following were

PRESENT:

Deputy Supervisor James R. Stark
Councilman Victor Prusinowski
Councilman Frank Creighton
Councilwoman Harriet Gilliam

ABSENT:

The following resolution, which was offered by COUNCILMAN STARK
who moved its adoption, seconded by COUNCILMAN PRUSINOWSKI: to wit,

BOND RESOLUTION DATED SEPTEMBER 19, 1995.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$247,500 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT IN SAID TOWN.

WHEREAS, pursuant to the proceedings heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated September 19 1995, said Town Board has determined it to be in the public interest to increase the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk County, New York, at a maximum estimated cost of \$247,500; and

WHEREAS, all other conditions other 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; and NOW, THEREFORE, BE

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

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk County, New York, consisting of the acquisition and installation of new water mains ranging from 6 inches to 12 inches in diameter, including hydrants and valves and other necessary furnishings, equipment and apparatus, a portion of which will serve the entirety

-2-

of said Riverhead Water District and a portion of which will serve only the proposed Extension No. 44 to said Riverhead Water District, at a maximum estimated cost to the entirety of said Water District of \$247,500, there are hereby authorized to be issued \$247,500 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of the aforesaid specific object or purpose is by the issuance of the \$247,500 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law; and that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. 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 5. 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

-3-

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.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile

-4-

signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 159.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents

-5-

as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond issue or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this resolution is to give the Supervisor sufficient authority to execute those agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or notes without resorting to further action of this Town Board.

Section 12. The validity of such bonds 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,

-6-

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 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Sections 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This resolution which takes effect immediately shall be published in full in the Suffolk County Life, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on September 5, 1995, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

Suffolk County Life

September 8, 1995

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice _____

Date of Posting

Town Clerk's Bulletin Board

September 8, 1995

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on September 8th, 1995.

Town Clerk

(SEAL)

Adopted

9/19/95

TOWN OF RIVERHEAD

Resolution # 619

RESOLUTION APPROVING SUPPLEMENTAL INCREASE TO PREVIOUSLY AUTHORIZED IMPROVEMENT, EXTENSION NO. 44, RIVERHEAD WATER DISTRICT, PURSUANT TO SECTION 202-B OF THE TOWN LAW

Adopted _____

COUNCILMAN CREIGHTON

_____ offered the following resolution which was seconded by _____ **COUNCILWOMAN GILLIAM**,

WHEREAS, subsequent to public bidding and upon the recommendation of the consulting engineer, additional funds are necessary in the amount of \$110,500 for Extension No. 44 of the Riverhead Water District, and

WHEREAS, an order was duly adopted by said Town Board specifying September 5, 1995, prevailing time, at the Town Hall, 200 Howell Avenue, Riverhead, New York, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all interested persons in the subject thereof concerning the same, and

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by Section 209-b of the Town Law, and proof of publication and posting has been duly presented to said Town Board, and

WHEREAS, said public hearing was duly held at the time and place in said order, as aforesaid, at which all persons desiring to be heard were heard,

NOW, THEREFORE, BE IT

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

Section 1. The expenditure of additional funds in the amount of \$110,500 for the extension of the Riverhead Water District known as Extension No. 44 be and is hereby approved.

RESOLVED, that the Town Clerk forward a certified copy of the resolution to Pierre Lundberg, Esq., H2M; Superintendent Gary Fendzick.

Adopted

09/19/95

TOWN OF RIVERHEAD

Resolution # 620AWARDS BID FOR EXTENSION NO. 44
RIVERHEAD WATER DISTRICT

COUNCILWOMAN GILLIAM offered the following resolution which was seconded by ~~COUNCILMAN CREIGHTON~~

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for the installation of water mains and appurtenances for extension No. 44 of the Riverhead Water District, and

WHEREAS, bids were received, opened and read aloud on July 6, 1995, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders, and

WHEREAS, the bids have been reviewed by H2M, consulting engineers for the Riverhead Water District, and by letter dated August 10, 1995, they have recommended that the contract be awarded to Grimes Contracting of Montauk, New York, the lowest responsible bidder, for the sum of \$369,849.90,

NOW, THEREFORE, BE IT

RESOLVED, that the contract for the installation of water mains and appurtenances for Extension No. 44 of the Riverhead Water District, be and is hereby awarded to Grimes Contracting of Montauk, New York, in the amount of \$369,948.90, and subject to the estoppel notice and period published pursuant to resolution adopted this day regarding Extension No. 44, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the above mentioned contractor, the Riverhead Water District, H2M, and Pierre G. Lundberg, Esq., and be it further

RESOLVED, that the Town Clerk is hereby authorized to return to all unsuccessful bidders their respective bid security, and it is further

RESOLVED, that upon the completion of fully executed contracts and the filing of said contracts with the Town Clerk, the Town Clerk is hereby authorized to release to the successful bidders the bidder's bid security.

9/15/95

TOWN OF RIVERHEAD

Adopted

Resolution # 621

RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS FOR THE COST OF ACQUISITION AND INSTALLATION OF NEW WATER MAINS FOR EXTENSION 44 TO THE RIVERHEAD WATER DISTRICT

473/0399

72113-370P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said County, on September 5, 1995, at 2:00 o'clock 5.M., Prevailing Time.

The meeting was called to order by Deputy Supervisor Stark, and upon roll being called, the following were

PRESENT:

- Deputy Supervisor James R. Stark
- Councilman Victor Prusinowski
- Councilman Frank Creighton
- Councilwoman Harriet Gilliam

ABSENT:

The following resolution was offered by **COUNCILMAN PRUSINOWSKI** who moved its adoption, seconded by **COUNCILMAN STARK** to-wit:

Handwritten red marks on the left margin, possibly initials or a list of names.

19th

BOND RESOLUTION DATED SEPTEMBER , 1995.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$742,500 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION AND INSTALLATION OF NEW WATER MAINS FOR EXTENSION NO. 44 TO THE RIVERHEAD WATER DISTRICT OF SAID TOWN.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 12-A of the Town Law, and more particularly an order dated September 5, 1995, the Town Board of the Town of Riverhead, Suffolk County, New York, has established Extension No. 44 to the Riverhead Water District of the Town of Riverhead;

WHEREAS, the improvements proposed for such Extension will be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District, whereby water distribution mains will be acquired and installed in such Extension of a size and capacity greater than that required to serve only said Extension, and said additional size and capacity is to be constructed for the purpose of serving other areas of said Water District and future areas to be served by said Water District;

WHEREAS, in furtherance of said overall plan, only a proportionate amount of said improvements will be charged as the capital cost to said Extension, the remaining amount to be charged to the Riverhead Water District, including the proposed Extension;

WHEREAS, said improvements consist of the acquisition and

-2-

installation of new water mains ranging from 6 inches to 12 inches in diameter, including hydrants, valves and other necessary furnishings, equipment and apparatus, as more fully described in the aforesaid Order establishing said Extension No. 44 to the Riverhead Water District;

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$990,000, of which amount 75%, or \$742,500, shall be allocated and charged as the capital cost of said Extension, and of which amount 25%, or \$247,500, shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District, which shall be borne by the entire District, as extended, including the Extension; and

WHEREAS, all conditions precedent to the financing of such improvements, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying the share of the cost charged as the capital cost to Extension No. 44 to the Riverhead Water District, of the acquisition and installation of new water mains ranging from 6 inches to 12 inches in diameter, including hydrants, valves and other necessary furnishings, equipment and apparatus, as described in the preambles hereof, there are hereby authorized to be issued \$742,500 serial

-3-

bonds of the Town of Riverhead, Suffolk County, New York pursuant to the provisions of the Local Finance Law.

Section 2. The maximum estimated cost to Extension No. 44 to the Riverhead Water District of the aforesaid improvements is \$742,500 and the plan for the financing thereof shall consist of the issuance of the \$742,500 serial bonds of said Town, authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 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 4. 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 5. 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 bonds as the same respectively become due and payable. There shall be annually

-4-

assessed upon and collected from the several lots and parcels of land within said Extension No. 44 deemed benefited by the improvement, so much upon and from each as shall be in just proportion to the amount of the benefit which the improvement shall confer upon the same, an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such

-5-

bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Sections 1.150

-6-

2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds 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 11. This resolution, which takes effect immediately, shall be published in full in Suffolk County Life, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on September 5, 1995, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
--	-------------------

Town Clerk's Bulletin Board	September 8, 1995
-----------------------------	-------------------

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice _____

Date of Posting

Town Clerk's Bulletin Board

September 8, 1995

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on September 8th, 1995.

Town Clerk

(CORPORATE
SEAL)

Adopted

9/19/95

TOWN OF RIVERHEAD

Resolution # 622

AMENDMENTS TO CHAPTER 108 OF THE TOWN CODE TO IMPLEMENT THE RECOMMENDATIONS OF THE CENTRAL PINE BARRENS COMPREHENSIVE LAND USE PLAN

COUNCILMAN STARK

offered the following

resolution, which was seconded by COUNCILMAN PRUSINOWSKI:

WHEREAS, on June 28, 1995 the Riverhead Town Board ratified the Central Pine Barrens Comprehensive Land Use Plan pursuant to Article 57 of the New York State Environmental Conservation Law, and

WHEREAS, on June 28, 1995 the Central Pine Barrens Joint Planning and Policy Commission did adopt such plan, and

WHEREAS, Section 57-0121(9) of Article 57 of the New York State Environmental Conservation Law requires that the Town Boards of the Towns of Brookhaven, Riverhead, and Southampton adopt those zoning regulations necessary to implement the provisions of the Plan, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to publish the attached notice of public hearing in the September 20th, 1995 edition of the official newspaper of the Town of Riverhead, and

BE IT FURTHER

RESOLVED, that the Town Clerk refer the proposed amendments to the Riverhead Planning Board, the Suffolk County Pine Barrens Review Commission, the Suffolk County Planning Commission, the Town of Brookhaven and the Town of Southampton and the Central Pine Barrens Joint Planning & Policy Commission.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

**TOWN OF RIVERHEAD
PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 3rd day of October, 1995 at 7:15 p.m. o'clock at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all persons regarding the inclusion of Article XXXV and Article XXXVI amending Chapter 108 (Zoning) of the Code of the Town of Riverhead to implement the recommendations of the Central Pine Barrens Comprehensive Lane Use Plan". Copies of the proposed amendments are on file in the Office of the Town Clerk Monday through Friday from 8:30 a.m. to 4:30 p.m.

DATED: Riverhead, New York
September 19, 1995.

By Order of the Town Board of the
Town of Riverhead

Barbara Grattan, Town Clerk

ARTICLE XXXV
PINE BARRENS OVERLAY DISTRICT

Findings and Purpose:

The Town Board finds that the Central Pine Barrens are a unique ecosystem of particular value to the Town and the region and that the natural resource should be protected.

It is the purpose of this Article to provide consistency with the goals of the Central Pine Barrens Comprehensive Land Use Plan adopted by the Town Board on June 28, 1995 pursuant to the provisions of Article 57 of the New York State Environmental Conservation Law, as follows:

- (1) To protect, preserve and enhance the functional integrity of the pine barrens ecosystem and the significant natural resources thereof.
- (2) To protect the quality of surface water and groundwater.
- (3) To discourage piece meal and scattered development.
- (4) To promote active and passive recreational and environmental educational uses that are consistent with the Land Use Plan.
- (5) To accommodate development in a manner consistent with the long term integrity of the pine barrens ecosystem and to ensure that the pattern of development is efficient and orderly.

The particular objectives for land use with respect to the Central Pine Barrens Core Preservation Area include:

- (1) Preserving the pine barrens in their natural state thereby ensuring the continuation of the unique and significant ecologic, hydrogeologic, and other resources representative of such environments.
- (2) Promoting compatible agricultural, horticultural and open space recreational uses within the framework of maintaining a pine barrens environment and minimizing the impact of such activities thereon.
- (3) Prohibiting or redirecting new construction of development.
- (4) Accommodating specific pine barrens management practices such as prescribed burning, necessary

to maintain the special ecology of the preservation area.

- (5) Protecting and preserving the quality of surface and groundwaters.

The particular objectives for land use with respect to the Central Pine Barrens compatible growth area include:

- (1) Preserve and maintain the essential character of the existing pine barrens environment, including plant and animal species indigenous thereto and habitats thereof.
- (2) Protect the quality of surface and groundwaters.
- (3) Discourage piece meal and scattered development.
- (4) Encourage appropriate patterns or compatible residential, commercial, agricultural and industrial development in order to accommodate regional growth influences in an orderly way while protecting the pine barrens environment from the individual and accumulative adverse impacts thereof.
- (5) Accommodate a portion of the development redirected from the Core Preservation Area.
- (6) Allow appropriate growth consistent with stated natural resource goals.

Applicability

The provisions of this Article shall apply to those lands in the Town located within the boundaries of the "Central Pine Barrens Area" as defined in Section 57-0107(10) of the New York State Environmental Conservation Law as same may be amended from time to time.

Definitions

The terms and words used in this Article shall be ascribed the meaning and uses generally attributable to them in the other sections of this Chapter unless otherwise specifically interpreted or defined. As used in this Chapter, the following terms shall have the meanings as indicated:

CENTRAL PINE BARRENS AREA - The area of the Town in Section 57-0107(10) of the New York State Environmental Conservation Law as same may be amended from time to time.

COMPATIBLE GROWTH AREA - The area within the Pine Barrens Area, but outside the Core Preservation Area, as defined in 57-0107(10) of the New York State Environmental Conservation Law as same may be amended from time to time.

CORE PRESERVATION AREA - The area within the Central Pine Barrens Area which contains the largest intact areas of undeveloped pine barrens as defined in 57-0107(11) of the New York State Conservation Law as same may be amended from time to time.

DEVELOPMENT - The performance of any building or mining operation, the making of any material changes in the use or intensity of use of any structure or land and the creation or termination of rights of access or riparian rights, as defined in 57-0101(13) of the New York State Environmental Conservation Law as same may be amended from time to time.

DEVELOPMENT RIGHT - The legal interest and rights permitted to a lot, parcel or area of land under this Chapter respecting permissible use, area, density, bulk or height improvements executed thereon.

PINE BARRENS CREDIT - A development right allocated for lands within the central pine barrens area.

PINE BARRENS CREDIT CERTIFICATE - An instrument issued on the behalf of the Central Pine Barrens Joint Planning and Policy Commission which indicates the number of Pine Barrens Credits associated with a particular parcel of land and which attests that development rights have been severed from such real property by the recording of a conservation easement and that such rights are available for sale or use.

PLAN - The Central Pine Barrens Comprehensive Plan ratified by the Town Board on June 28, 1995 and adopted by the Central Pine Barrens Joint Planning and Policy Commission, pursuant to the provisions of Article 57 of the New York State Environmental Conservation Law.

RECEIVING AREA - One or more designated districts or areas of land to which development rights or Pine Barrens Credits generated from one or more sending districts or areas may be transferred to and which increased development is permitted to occur by reason of such transfer.

SENDING AREA - One or more designated districts or areas of land in which development rights or Pine Barrens Credits are designated for use in one or more receiving districts or areas.

TRANSFER OF DEVELOPMENT RIGHTS - The process by which development rights or Pine Barrens Credits are transferred

from a lot or parcel located in any sending district to another lot or parcel located in one or more receiving districts.

Development Within the Core Preservation Area

- A. Development within the Core Preservation Area shall be prohibited unless a hardship exemption or waiver from the application of strict compliance of this requirement is issued by the Central Pine Barrens Joint Planning and Policy Commission pursuant to Section 57-0121 of the New York State Environmental Conservation Law. Land uses which do not constitute development may be permitted provided that the use complies with all other applicable provisions of this Chapter.
- B. Notwithstanding the provisions of the aforementioned subsection A, any legally existing, expanded or new activity involving agricultural production may be permitted in the Core Preservation Area, provided that the agricultural production does not involve the material alteration of native vegetation and that the land use complies with all other applicable provisions of this Chapter. The erection of accessory agricultural buildings or structures required for agricultural production may be permitted provided that said buildings or structures comply with all other applicable provisions of this Chapter. Uses, buildings or structures that require the material alteration of native vegetation shall be prohibited as provided in subsection A.
- C. A land use in the Core Preservation Area that lawfully exists at the effective date of this article or any amendment thereto may be continued in its present form except that the aforementioned regulations shall apply to any change, alteration, expansion, restoration or modification to said land use constituting development as defined herein.
- D. Those economic development activities to occur upon those lands within the fence of the Calverton Naval Weapons Industrial Reserve Plant as contemplated by Public Law 103-c337, the Plan and its attending Generic Environmental Impact Statement shall not constitute development as defined by Section 57-0121 of the New York State Environmental Conservation Law and by this Article.

Development Within the Compatible Growth Area

- A. Development within the compatible growth area shall comply with the following standards:

- (1) All development subject to the provisions of Article 6 of the Suffolk County Sanitary Code shall meet the applicable requirements of the Suffolk County Department of Health.
- (2) To the greatest extent practical as deemed by the Town Board, sewage treatment plant discharge shall be outside of the Core Preservation Area and shall be located down gradient of the Central Pine Barrens Area.
- (3) All development shall comply with the provisions of Article 7 and 12 of the Suffolk Sanitary Code.
- (4) All development involving significant discharges to groundwater and located proximate to public water supply wells shall require measures to mitigate impacts upon water quality as required under Article 17 of the New York State Environmental Conservation Law.
- (5) Development proposals for sites containing or abutting freshwater wetlands shall be separated by a non-disturbance buffer area which shall be in accordance with Article 24 of the New York State Environmental Conservation Law, the Wild, Scenic and Recreational Rivers Act and Section 107 of this Chapter. Buffer areas shall be delineated on development plans with conditions imposed to assure the preservation of the freshwater wetland resource. Said conditions shall be set forth in a declaration of covenants, conservation easement or similar instrument.
- (6) Development proposals for sites within the regulated area of the New York Wild, Scenic and Recreational Rivers Act shall conform to the standards of the Act. Variances from the Act shall meet all requirements imposed by the State of New York in order to be deemed to have met the requirements of this standard. Relief from the Town of Riverhead Zoning Board of Appeals shall not be required.
- (7) All stormwater generated by development shall be retained on site unless surplus capacity exists in and off site drainage system. In the review of development plans, the Town Board shall encourage the use of natural recharge areas or drainage system design which result in minimal disturbance of native vegetation with the use of natural swales and depressions as an alternative to excavated recharge basins where feasible. Development plans should include the use of ponds

only if such ponds are designed to retain stormwater and are not merely constructed for aesthetic purposes. Adequate measures shall be employed to control soil erosion and stormwater runoff during construction.

- (8) The disturbance to natural vegetation shall conform to the following clearance standards:

<u>Zoning Use District</u>	<u>Maximum Site Clearance</u>
Residence A Use District	53%
Agriculture A Use District	52%
Industrial A Use District	65%
Business CR Use District	65%

The applicable clearance percentage shall be calculated over the area of the entire parcel including but not limited to that clearing necessary for the construction of public highways, roadways, building sites, parking areas, drainage areas and recharge areas. Development plans shall contain calculations for the amount of disturbance of native vegetation and indicate the limits thereof.

- (9) Land subdivision maps and site plans shall be designed to encourage the preservation of large unbroken blocks that provide for contiguous open spaces to be established when adjacent parcels are developed.
- (10) Development projects shall place no more than fifteen percent (15%) of the entire site in non-native vegetation. Development designs shall consider native planting suggestions made part of the Plan.
- (11) Development which will have a significant negative impact upon a habitat considered essential to those species identified on the New York State maintained lists as rare, threatened or of special concern, or upon the communities classified by the New York State Natural Heritage Program as G1, G2 or G3 or as S1, S2 or S3 or upon any federal listed endangered or threatened species, appropriate mitigation measures shall be imposed to protect such species.
- (12) Development projects shall minimize disturbance of the natural grade and/or natural vegetation where slopes exceed ten percent (10%). Construction in areas with slopes exceeding ten percent (10%) may be approved if the site design incorporates adequate soil stabilization and erosion control measures so as to mitigate

negative environmental impacts. Where applicable, clearing envelopes or non-disturbance buffers shall be placed on those portions of the site where slopes exceed ten percent (10%). Development plans shall include a slope analysis depicting existing slopes in the ranges of 0-10%, 11-15% and 15% or greater. Erosion and sediment control plans and details of retaining walls and erosion control structures shall be required for construction in areas where slopes exceed fifteen percent (15%) and for roads and driveways traversing slopes of ten percent (10%).

- (13) In order to provide for orderly development and the efficient provision of infrastructure, applications for development projects depicting either open space or reserve areas shall specify the conditions of ownership and the use of such lands, and such conditions shall be set forth in the deed of dedication, declaration of covenants, conservation easement or similar instrument.
- (14) Where applicable, the use of a planned residential development or use of cluster design pursuant to Article XIX of this Chapter shall be encouraged to preserve open space. Further the use of planned industrial park development pursuant to the provisions of Article XX of this Chapter shall be encouraged to preserve open spaces.
- (15) Any existing, expanded or new activity involving agricultural production or horticulture shall comply with "best management practices" as set forth in the Plan as may be amended from time to time.
- (16) Development plans shall indicate established recreational and educational trails and trail corridors, active recreational sites, scenic corridors, sites of historical or cultural significance, sensitive archeological sites within five hundred (500) feet of the proposed development, and shall provide adequate measures to protect such natural resources. The use of existing natural buffers or the restoration of degraded buffer areas, the use of signs or other man made structures, consistent in style and scale with the community character, or other similar measures shall be taken to protect roadside areas as well as scenic and recreational resources.

(17) All commercial or industrial development shall comply with the applicable provisions of the Suffolk County Sanitary Code and all other applicable federal, state or local laws.

- B. A land use within the Compatible Growth Area that lawfully exists at the time of the effective date of this article or any amendment thereto may be continued in its present form except that the aforementioned standards shall apply to any change, structural alteration, expansion, restoration or modification to said land use constituting development as defined herein.

Transfer of Development Rights, Pine Barrens Credit Program

A. It is the purpose of the pine barrens credit program to provide for the preservation of land within the Core Preservation Area while maintaining the value of those lands by providing for the transfer of Pine Barrens Credits. Development rights shall be transferable from the Core Preservation Area to approved receiving sites outside the Core Preservation Area pursuant to Chapter 95A of the Town Code, and the transfer of development rights standards of Article 6 of the Suffolk County Sanitary Code. Additionally, a landowner may obtain a Pine Barrens Credit Certificate from the Pine Barrens Credit Bank and Clearinghouse (the "Bank") as set forth in the Plan, which pine barrens credit may be sold or used in accordance with the procedures set forth in the Chapter.

B. General Regulations:

1. A pine barrens credit shall be allocated for each parcel of land established as a separate tax lot as of the effective date of this Chapter.
2. One pine barrens credit shall be allocated for each single family dwelling permitted on a parcel of land based upon the development yield established by multiplying the gross lot area (acres) of the parcel by the following development yield factor; such factor predicated upon that zoning use district in existence upon the adoption of the Plan. A fractional allocation of a Pine Barrens Credit shall be rounded to the nearest one hundredth of a Pine Barrens Credit.

<u>Zoning Use District</u>	<u>Minimum Lot Area</u>	<u>Development yield factor</u>
Natural Resources Protection	120,000 sq. ft.	0.27

3. One nonresidential pine barrens credit shall be allocated for each acre of gross lot area of real property within the Open Space Conservation Zoning Use District and the Defense Institutional District. A fractional allocation of a Pine Barrens Credit shall be rounded to the nearest one hundredth of a Pine Barrens Credit.
4. Notwithstanding the aforementioned provisions, the Planning Board, upon the written request of the land owner, may elect to increase the allocation of development Pine Barrens Credits for a parcel of land if it can be demonstrated to the satisfaction of the Planning Board that the potential development yield of the property, pursuant to Article XX, Section 108-95c is greater than the yield set forth herein.
5. No Pine Barrens Credit shall be allocated for property owned or held by a public agency, municipal corporation or governmental subdivision, including property held by reason of tax default. Real property owned or held by the Redevelopment Authority established to implement those economic development activities contemplated by Public Law 103-c337 shall retain Pine Barrens Credits for allocation.
6. No Pine Barrens Credit shall be allocated for property for which the development rights have previously been used or acquired, now for lands which are encumbered by easement, covenant or other deed restriction for the purpose of land protection, preservation or conservation.
7. No Pine Barrens Credits may be transferred into the Core Preservation Area. Pine Barrens Credits originating in the Core Preservation Area may be transferred out of the Central Pine Barrens Area pursuant to the establishment of receiving areas. Pine Barrens Credits shall not originate from lands within the Compatible Growth Area.

ARTICLE XXXVI
INDUSTRIAL RECEIVING AREA DISTRICT

Findings and Purpose

- A. It is the purpose of this article to establish the Industrial Receiving Area District in order to establish receiving sites for Pine Barrens Credits which may be transferred pursuant to the procedure set forth herein, Chapter 95A of the Town Code and Section 261-a of the Town Law of the State of New York.
- B. It is the further intent of this Article to set forth the procedure upon which the Town Board may establish an Industrial Receiving Area District; such District to be established on a floating zone basis with the necessary controls and provisions necessary to accomplish the aforementioned purpose.
- C. It is the purpose of the Industrial Receiving Area District legislation to provide for more desirable development and more efficient use of real property than is achievable under existing zoning and environmental regulation consistent with the recommendations of the Central Pine Barrens Comprehensive Land Use Plan and the Town's Master Plan.
- D. The Planning Board is hereby authorized to increase the intensity of lands proposed for development and is further authorized to consider and approve the transfer of Pine Barrens Credits under this section.

Definitions

The terms and words used in this article shall be ascribed the meaning and uses generally attributable to them in the other sections of this Chapter unless otherwise interpreted or defined.

Procedure

The Town Board may amend the Zoning Use District Map of the Town to provide for an Industrial Receiving Area District upon its own motion or upon the petition of a property owner pursuant to the provisions of this Article, Chapter 95-A of the Town Code and Article 16 of Town Law of the State of New York. The procedure for the establishment of an Industrial Receiving Area District shall be in accordance with the procedure for zoning amendment pursuant to Article XVIII of this Chapter.

Criteria for Establishing an Industrial Receiving Area District

- A. An industrial receiving area district may be authorized where the Town Board finds that the receiving area contains adequate transportation, water supply, waste disposal and fire protection and that there will be no significant environmentally damaging consequences due to increased development intensity.
- B. An industrial receiving district shall be established in accordance with the recommendations of the Central Pine Barrens Comprehensive Land Use Plan.
- C. A Generic Environmental Impact Statement pursuant to Article 8 of the New York State Environmental Conservation Law shall be prepared prior to the establishment of such district.
- D. That the industrial receiving area district is consistent with a comprehensive plan pursuant to Section 263 of the Town Law of New York State.
- E. That where the transfer of development rights affects two (2) or more school districts, the sending district does not unreasonably transfer the tax burden among the taxpayers of such districts.
- F. The recommendation of the Planning Board.

Development Standards

Upon the establishment of an Industrial Receiving Area District by the Town Board, a property owner may apply to the Planning Board for approval in accordance with the applicable provisions of the Zoning Ordinance. The transfer or redemption of Pine Barrens Credits shall allow the property owner to increase the "as of right" building intensity without further zoning approvals. Development of an industrial receiving area shall be in accordance with the following standards:

- A. No land clearing, construction or development shall occur on any real property within the Industrial Receiving Area District prior to the approval of a site plan approved by the Planning Board in accordance with this Article and pursuant to Section 108-100 of this Chapter,
- B. Approval of the site plan shall be conditioned upon the maximum allowable sanitary discharge level acceptable to the Suffolk County Department of Health Services pursuant to Article 6 of the Suffolk County Sanitary Code.
- C. Approval of the site plan shall be conditioned upon the landowner providing the necessary legal

instruments (i.e. conservation easement, deed, covenants, and title certification) to affect the redemption of Pine Barrens Credits.

- D. The maximum allowable sanitary discharge at the site upon the use of Pine Barrens Credits may not exceed twice that discharge provided by Article 6 limits.
- E. Public water must be provided to the development site within the industrial receiving area district and, where applicable, public water shall be available down gradient of the development protect.
- F. All principal and accessory use provided as permitted or special permit uses in the underlying industrial zoning use district shall be permitted in the industrial receiving area. There shall be no residence or dwelling as a principal use within the industrial receiving area.

Industrial Receiving Area Classification

The area described shall be the industrial receiving area district in accordance with the recommendations of the Central Pine Barrens Comprehensive Land Use Plan.

BEGINNING on the south side of Middle Country Road (known as State Road 25) in the Hamlet of Calverton at a point located at the southeast corner of the intersection of Edwards Ave. and Middle Country Rd.

RUNNING THENCE in a easterly direction on the south side of Middle Country to a point located at the easterly property line of 0600-117-2-11.

RUNNING THENCE in a southeast direction along the property line south of Splish Splash Drive, continue running southeast along property to a point located at the northeast corner of Parcel 0600-118-1-3.1.

RUNNING THENCE in a southerly direction along property line approx. 1,405' to the southeast corner of parcel 0600-118-1-3.1 at this point proceed southwest along the north side of the Long Island Expressway property line to a point located at the southwest corner of the parcel 0600-138-1-23.1. Continue running in a southwest direction along the north property line of the Long Island Railroad to a point located at the southwest corner of parcel 0600-137-1-8 intersecting Edwards Avenue.

RUNNING THENCE in a northerly direction along the east side of Edwards Avenue to a point approx. 3,100'.

RUNNING THENCE in a westerly direction crossing over Edwards Ave. following the south property line of parcel 0600-117-1-8.4 for approx. 2,695', continue in a westerly direction along the south property line of parcel 0600-116-2-7.4 for approx. 1,687' to a paper street known as Peconic Ave.

RUNNING THENCE cross over Peconic Ave. and to the southeast corner of parcel 0600-116-1-7.1.

RUNNING THENCE in a westerly direction along property line 1,721', then north on said property line for approx. 500' then east on property line approx. 266' then north along property line approx. 1,656'.

RUNNING THENCE in a westerly direction along property line approx. 1,629' (southern property lines of parcels 0600-116-1-1, 2, 3.1).

RUNNING THENCE in a northerly direction approx. 504'. At this point.

RUNNING THENCE west 325' to a point.

RUNNING THENCE north approx. 1,958' to a point south side of Middle Country Road.

RUNNING THENCE in a easterly direction on the south side of Middle Country Road to the point of BEGINNING.

Adopted

9/19/95

TOWN OF RIVERHEAD

Resolution # 623

APPROVES SITE PLAN OF BOMEL RIVERHEAD CORP. - FACADE ALTERATION

COUNCILMAN CREIGHTON offered the following

resolution, which was seconded by **COUNCILWOMAN GILLIAM**

WHEREAS, a survey and elevations were submitted by William H. Immel, as agent for Bomel Riverhead Corp., for the renovation of building facades located at 114-126 West Main Street (two buildings at the northwest corner of West Main Street and Griffing Avenue), Riverhead, located at 114-126 West Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-3-45; and

WHEREAS, the Planning Department has reviewed the elevations dated last August 18, 1995, as prepared by Gary Pedersen, R.A., 310 Delaware Avenue, Bayshore NY 11706, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Exempt Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, a copy of the site plan has been marked and initialled by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 95-2043 of the Office of the Supervisor of the Town of Riverhead; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the elevations submitted by William H. Immel, as agent for Bomel Riverhead Corp., for the renovation of building facades located at 114-126 West Main Street (two buildings at the northwest corner of West Main Street and Griffing Avenue), Riverhead, located at 114-126 West Main Street, Riverhead, New York, elevations dated last August 18, 1995, as prepared by Gary Pedersen, R.A., 310 Delaware Avenue, Bayshore NY 11706, be and are hereby approved by the Town Board of the Town of Riverhead, 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 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's Office and filed with the Riverhead 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 **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

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 the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

6. 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;

7. That all new utilities shall be constructed underground;

8. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

9. That this approval is subject to the submission, and approval by the Town of Riverhead Architectural Review Board, of final color selections for the exterior stucco material on the one-story building;

10. That this approval is subject to the applicant completing any necessary repairs, including replacement of surrounding concrete, of the basement access(es) located in the street rights-of-way, as permitted by the Building Department and/or the Superintendent of Highways; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to William H. Immel, as agent for Bomel Riverhead Corp., Gary Pedersen, R.A., the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1995 made by Bomel Riverhead Corp., residing at P.O. Box 372, 992 South End, Woodmere NY 11598, Declarant.

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by 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 and 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 **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. 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;
6. That all new utilities shall be constructed underground;

7. Pursuant to Section 108-133I of the Code of the Town of Riverhead, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

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

BOMEL RIVERHEAD CORP.

BY: _____

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

On the _____ day of _____, 1995, before me personally came _____, who, being sworn by me, did depose and say: that (s)he is the _____ of _____; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

NOTARY PUBLIC

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

9/19/95

TOWN OF RIVERHEAD

Resolution # 624

DECLARES TARRA DEVELOPMENT CORP. IN DEFAULT REGARDING TALL OAKS ESTATES SUBDIVISIONS

COUNCILWOMAN GILLIAM offered the following resolution, which was

seconded by **COUNCILMAN CREIGHTON**

WHEREAS, the Riverhead Planning Board, by resolutions, approved the subdivision maps of Tarra Development Corp. entitled "Tall Oak Estates"; and

WHEREAS, Tarra Development Corp. posted letters of credit in connection with said subdivision covering the costs of "road and drainage improvements, park and recreation fees and water key money"; and

WHEREAS, those letters of credit will expire on October 3, 1995 and North Fork Bank has elected not to renew said letters of credit (copy annexed hereto).

WHEREAS, Tarra Development Corp. has failed or neglected to post current letters of credit and Tarra Development has failed or neglected to perform all the road and drainage improvements at Tall Oaks Estates; and

WHEREAS, said failure or neglect to perform places Tarra Development Corp. in default under the terms and conditions of the Letters of Credit.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby declares Tarra Development Corp. in default and calls upon Tarra Development Corp. to perform all obligations regarding the Tall Oaks Estates subdivision or reimburse the Town for the costs and damages which the Town may sustain by reason of failure or default, and for any and all costs associated with corrective action the Town takes in the interest of protecting the health, safety and wellbeing of the community and its residents; and be it further

RESOLVED, that the Town Board hereby calls upon Letters of Credit No.'s M-89121, M-89122 and M-89123 and authorizes the Town Attorney to draw upon said letters of credit at North Fork Bank & Trust, 9025 Route 25, Mattituck, New York, as provided in said letters of credit; and be it further

RESOLVED, that the Town Attorney be and is hereby directed to commence litigation against Tarra Development Corp.; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution by certified mail, return receipt requested, to Tarra Development Corp., Anthony Cinque, President, P.O. Box 299, Quogue, New York 11959; North Fork Bank & Trust, Attn: John Mac Culley, 532 Broad Hollow Road, Melville, New York, 11747; the Town Attorney; the Planning Board and the Highway Department.

September 19, 1995

Adopted

TOWN OF RIVERHEAD

Resolution #625
Adopted September 19, 1995

AUTHORIZING SUBMISSION OF APPLICATION

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by COUNCILMAN STARK.

WHEREAS, the federal Clean Vessel Act of 1992 establishes a five-year \$40 million matching grant program for the construction, renovation and operation of pumpout and dump facilities for marine waste holding tanks and portable toilets;

WHEREAS, the New York State Department of Environmental Conservation has solicited proposals for projects to be included in its fourth year grant application (1996); and

WHEREAS, it is the policy of the Riverhead Town Board to encourage those practices which minimize hazardous influences on the Peconic Estuary system; and

WHEREAS, the construction of a marine pumpout station on the waterfront in downtown Riverhead will reduce outflow of effluent to the bay and support the efforts of the Peconic Estuary program.

THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Deputy Supervisor to execute and the Community Development Director to submit an application in the amount of \$15,000 to the New York State Department of Environmental Conservation for the construction of a pumpout station to serve transient vessels and reduce boat discharge to the Peconic Estuary.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Andrea Lohneiss, Community Development Director; Ken Testa, Town Engineer; Thomas Wolpert, Young and Young; Michael Reichel, Sewer District Superintendent.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Vote
No
No
No
No
therefore adopted

Adopted

09/19/95

TOWN OF RIVERHEAD

Resolution # 626

APPOINTS RECREATION AIDES
TO THE RECREATION DEPARTMENT

COUNCILMAN STARK offered the following
resolution, which was seconded by COUNCILMAN PRUSINOWSKI

RESOLVED, That Rose Sanders, James Sanders, Kelly Sheehan, Christine Janecek, La Tesha Smith and Lynn Mastelli are hereby appointed to serve as Recreation Aides for the purpose of being Basketball Leaders, effective September 20, 1995, to be paid at the rate of \$ 5.00 per hour upon completion of each program and to serve at the pleasure of the Town Board

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore
declared duly adopted

Adopted

09/19/95

TOWN OF RIVERHEAD

Resolution # 627

APPOINTS RECREATION AIDE TO THE RIVERHEAD

RECREATION DEPARTMENT

COUNCILMAN STARK

_____ offered the following resolution, which was seconded by **COUNCILMAN PRUSINOWSKI**

RESOLVED, That Karen Gadzinski is hereby appointed to serve as a Recreation Aide, effective September 20, 1995, to be paid biweekly at the rate of \$7.17 per hour and to serve at the pleasure of the Town Board.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

9/5/95

Adopted

AWARDS BID FOR EMS PROTECTIVE CLOTHING

RESOLUTION # 628

ADOPTED: _____

COUNCILWOMAN GILLIAM

offered the following resolution,

which was seconded by **COUNCILMAN CREIGHTON**.

WHEREAS, the Town Clerk was authorized to publish and post a Notice To Bidders for EMS PROTECTIVE CLOTHING; and

WHEREAS, Bids were received, opened and read aloud on the 28th day of August, 1995, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time and place given in the Notice To Bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the Bid for EMS PROTECTIVE CLOTHING be awarded to ALL AMERICAN AWARDS & UNIFORMS, INC. and; be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to return any and all Bid Bonds received in connection with the above and; be it further

RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a Certified Copy of this Resolution to ALL AMERICAN AWARDS & UNIFORMS, INC., 331 Knickerbocker Avenue, Bohemia, New York, 11716 and to all Town Hall Departments.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

TB 9/19/95

TOWN OF RIVERHEAD

RESOLUTION # 629
ADOPTED SEPTEMBER 19, 1995

AWARDS BID FOR 1995 60 HP TRACTOR WITH REAR AND SIDE MOUNTED FLAIL MOWERS

COUNCILWOMAN GILLIAM

seconded by COUNCILMAN CREIGHTON offered the following resolution which was

WHEREAS, the Town Clerk was authorized to advertise for bids for one 1995 60 HP Tractor with Rear and Side Mounted Flail Mowers for the use of the Riverhead Highway Department, and

WHEREAS, on August 30, 1995 all bids were received, opened and read aloud, and

WHEREAS, three bids were received, and

NOW, THEREFORE BE IT RESOLVED, that the alternate bid of \$26,060.00 received from Malvese Equipment Company, 232 Old Country Road (Route 58), Riverhead, New York 11901 be and is hereby awarded and that the award be broken down as follows: ONE 1995 60 HP Tractor will be supplied by New Holland North America, Inc. for \$14,774.00 and the Rear and Side Mounted Flail Mowers will be supplied and installed by Malvese Equipment Company, Inc. for \$11,286.00, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Malvese Equipment Company, Inc., the Riverhead Highway Department and the Riverhead Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Resolution # 630

Adopted

9/19/95

Authorizes Publication

COUNCILMAN STARK

offered the following resolution,

which was seconded by COUNCILMAN PRUSINOWSKI :

WHEREAS, the Town of Riverhead has sponsored an application to the New York State Department of Transportation which has been approved in the amount of \$89,600 for restoration and transportation enhancement activities at Hallockville Museum Farm; and

WHEREAS, said funding requires a match in the amount of \$17,920 as 20% of the project cost to be provided by the Town of Riverhead; and

WHEREAS, the Town of Riverhead proposes to utilize community development funds for this eligible historic preservation;

THEREFORE, BE IT RESOLVED that the Town Clerk is hereby authorized to publish the attached public notice in Suffolk Life on Wednesday, September 20, 1995.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to Suffolk County Community Development Director Joe Sanseverino and Riverhead Community Development Director Andrea Lohneiss.

The Vote

Gilliam	Yes <u> </u>	No <u> </u>
Creighton	Yes <u> </u>	No <u> </u>
Stark	Yes <u> </u>	No <u> </u>
Prusinowski	Yes <u> </u>	No <u> </u>

abstain

The Resolution is therefore
declared duly adopted

**Town of Riverhead
Public Notice**

The Town of Riverhead proposes the following amendments to its 1991, 1992 and 1993 CDBG Program in order to provide a match in the amount of \$17,920 for federal grant funding allocated to the preservation and enhancement of the Hallockville Museum Farm.

<u>Year</u>	<u>Transfer From</u>	<u>Current Budget</u>
1991	administration	\$3,030.57
1992	administration	\$5,937.24
1992	water mains	\$2,623.00
1993	planning	\$6,000.00
1993	administration	\$ 329.52

<u>Transfer To</u>	
Historic Preservation	\$17,920.33
Hallockville Museum Farm	

Written Comments may be submitted to the Town of Riverhead, Attn: Town Clerk, 200 Howell Avenue, Riverhead, NY 11901. The Town Board is expected to act on the amendment at the Oct 3, 1995 meeting.

Adopted

SEPTEMBER 7, 1995

TOWN OF RIVERHEAD

Resolution # 631

1995 CHLORINE CONTACT TANK CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN CREIGHTON

OFFERED THE FOLLOWING RESOLUTION WHICH

WAS SECONDED BY **COUNCILWOMAN GILLIAM**

BE IT RESOLVED, THAT THE SUPERVISOR BE, AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

		FROM:
06.099010.482100.20003	TRANSFER FOR SEWER DISTRICT	\$100,000
		TO:
06.081300.523011.20003	CONSTRUCTION	\$90,000
06.081300.543504.20003	ENGINEERING	10,000

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

9/19/95

TOWN OF RIVERHEAD

Resolution # 632

APPOINTS VALERIE ANN MARVIN, ESQ. AS HEARING OFFICER IN THE MATTER OF A DISCIPLINARY PROCEEDING AGAINST A TOWN EMPLOYEE

COUNCILWOMAN GILLIAM offered the following resolution, was seconded by

COUNCILMAN CREIGHTON :

BE IT HEREBY RESOLVED, that the Deputy Supervisor be authorized to appoint Valerie Ann Marvin, Esq. as the Hearing Officer in the matter of the Disciplinary Proceedings against a Town employee; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Valerie Ann Marvin, Esq., P.O. Box 653, New Suffolk, New York, 11956-0653; the Office of the Town Attorney and the Accounting Office.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

TB - 9/19/95

TOWN OF RIVERHEAD

RESOLUTION # 633

Adopted September 19, 1995

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR ONE (1) NEW 1996 4WD 2-DOOR CHEVY TAHOE OR EQUAL

COUNCILMAN PRUSINOWSKI

OFFERED THE FOLLOWING RESOLUTION WHICH WAS

SECONDED BY COUNCILMAN STARK

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED TO ADVERTISE FOR SEALED BIDS FOR ONE (1) NEW 1996 4WD 2-DOOR CHEVY TAHOE OR EQUAL FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THE SPECIFICATIONS AND BID FORMS BE PREPARED BY THE SUPERINTENDENT OF HIGHWAYS, AND ALL BIDS BE RETURNABLE UP TO 11:00 A.M. ON OCTOBER 2, 1995 AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED TO OPEN PUBLICLY AND READ ALOUD ON OCTOBER 2, 1995 AT 11:00 A.M. AT THE TOWN CLERK'S OFFICE, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK ALL SEALED BIDS BEARING THE DESIGNATION "BID FOR ONE (1) NEW 1996 4WD 2-DOOR CHEVY TAHOE OR EQUAL".

CBB/sb

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

NOTICE TO BIDDERS

SEALED BIDS FOR THE PURCHASE OF ONE (1) NEW 1996 4WD 2-DOOR CHEVY TAHOE OR EQUAL FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT WILL BE RECEIVED BY THE TOWN CLERK OF THE TOWN OF RIVERHEAD AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901 UNTIL 11:00 A.M. ON OCTOBER 2, 1995.

INSTRUCTIONS FOR BIDDERS, SPECIFICATIONS AND FORMS MAY BE OBTAINED AT THE OFFICE OF THE TOWN CLERK AT THE TOWN HALL MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:30 A.M. AND 4:30 P.M..

ALL BIDS WILL BE SUBMITTED ON THE BID FORM PROVIDED. ANY AND ALL EXCEPTIONS TO THE SPECIFICATIONS WILL BE LISTED ON A SEPARATE SHEET OF PAPER 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 OR WAIVE ANY FORMALITIES IF IT BELIEVES SUCH ACTION TO BE IN THE BEST INTEREST OF THE TOWN.

ALL BIDS WILL BE SUBMITTED IN A SEALED ENVELOPE BEARING THE DESIGNATION "BID ON ONE (1) NEW 1996 4WD 2-DOOR CHEVY TAHOE OR EQUAL".

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA A. GRATTAN, TOWN CLERK

DATE: SEPTEMBER 19, 1995

September 19, 1995

Adopted

Town of Riverhead

Resolution # 634
Adopted _____

PUBLICATION OF REQUEST FOR PROPOSALS

COUNCILMAN STARK

offered the following

resolution, which was seconded by

COUNCILMAN PRUSINOWSKI

WHEREAS, the Town of Riverhead Community Development office has obtained grant funds in the amount of \$10,000 for historic preservation activities at the Hallockville Museum Farm, specifically replacement of roof systems and related improvements; and

WHEREAS, it is necessary and appropriate to solicit proposals for said improvements.

THEREFORE, BE IT RESOLVED, that the Town Board, as project sponsor, directs the Town Clerk to publish the attached public notice on Wednesday, September 20, 1995 in the Suffolk Life.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Henry Amick, Hallockville Museum Farm; Olga Turner, Suffolk County Community Development and Andrea Lohneiss, Community Development Director.

The Vote

Gilliam	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Abstain

**The Resolution is therefore
declared duly adopted**

TOWN OF RIVERHEADPUBLIC NOTICE

The Town of Riverhead, as project sponsor, will receive bids for a project known as Roofing and Related Repairs, Hallockville Homestead, Sound Avenue, Riverhead, New York. The work includes demolition of existing roof systems and installation of a single-ply roofing system and related details.

Plans and specification may be obtained from the Town Clerk, Town of Riverhead, 200 Howell Avenue, Riverhead, New York 11901 on or after September 25, 1995. Sealed bids will be received until 11:00 A.M., Tuesday, October 10, 1995.

BY ORDER OF THE TOWN CLERK
BARBARA GRATTAN

9/20/95

Adopted

9/19/95

TOWN OF RIVERHEAD

Resolution # 635

APPROVES APPLICATION OF APPLE CHEVROLET OLDS, INC.

COUNCILMAN CREIGHTON offered the following resolution, which was seconded by

COUNCILWOMAN GILLIAM

WHEREAS, Apple Chevrolet Olds, Inc. has submitted an application for the purpose of conducting a tent sale to be held at the north side of Route 25 at East Main Street, Riverhead, New York to be held from September 11, 1995 to November 11, 1995, between the hours of 9:00 a.m. to 8:00 p.m.; and

WHEREAS, certificates of insurance have been received naming the Town of Riverhead as Additional Insured; and

WHEREAS, the Town Board of the Town of Riverhead has reviewed all documents regarding said application.

NOW THEREFORE BE IT RESOLVED, that the application submitted by Apple Chevrolet Olds, Inc. for the purpose of conducting a tent sale to be held at the north side of Route 25, Riverhead, to be held from September 11, 1995 to November 11, 1995 between the hours of 9:00 a.m. to 8:00 p.m. be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Apple Chevrolet Olds, Inc., P.O. Box 728, Riverhead, New York 11901 and the Riverhead Police Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**The Resolution is therefore
declared duly adopted**

Adopted

SEPT 19, 1995

TOWN OF RIVERHEAD

Resolution # 636

APPOINTS PART-TIME CLERK TYPIST TO TOWN CLERK OFFICE

COUNCILWOMAN GILLIAM OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY COUNCILMAN CREIGHTON

WHEREAS, due to the granting of parentage leave to Donna Zaweski, the Town Board published and posted a notice for a part-time clerk typist and interviews were held,

NOW, THEREFORE, BE IT RESOLVED, that Melissa White be, and hereby is, appointed to as part-time clerk typist in the Office of the Town Clerk at an hourly rate of \$9.4049 effective Sept 18, 1995; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this Resolution to Melissa White, 139 Duryea Street, Riverhead, New York, and the Accounting Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore
declared duly adopted

Adopted

9/15/95

TOWN OF RIVERHEAD

Resolution # 637

AMENDS RESOLUTION #584 APPROVING APPLICATION OF AQUEBOGUE FARMS, INC.

COUNCILMAN PRUSINOWSKI offered the following resolution,

which was seconded by **COUNCILMAN STARK**:

WHEREAS, on September 5, 1995, the Town Board of the Town of Riverhead adopted Resolution #584 approving the application of Aquebogue Farms, Inc., to conduct hayrides at property located on the South side of Route 25 in Aquebogue, New York, on Thursdays, Fridays and Saturdays; and

WHEREAS, said resolution should have also included Sundays; and

WHEREAS, the Town Board wishes to correct this inadvertent error.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Riverhead hereby amends Resolution #584 adopted September 5, 1995, to include Sundays as a day of operation for hayrides at the above premises; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Allen M. Smith, Esq., as agent for Aquebogue Farms, Inc., P. O. Box 1240, Riverhead, New York, 11901; and the Riverhead Police Department.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

9/15/95

TOWN OF RIVERHEAD

Resolution # 638

REQUESTS DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO DELAY OPENING OF SCALLOP SEASON

COUNCILMAN STARK

offered the following resolution,

which was seconded by COUNCILMAN PRUSINOWSKI:

WHEREAS, the tidal waters in and surrounding the Town of Riverhead support a rich scallop fauna vital to the shellfish industry of the Town of Riverhead and the surrounding towns; and

WHEREAS, excessively high levels of "brown tide" during June and July of 1995 have stunted major scallop spawns that normally occur during these months; and

WHEREAS, the delay of the opening of scallop season will allow additional time for the completion of fall spawning and recovery of adult scallop meat weights; and

WHEREAS, the Town Board of the Town of Riverhead, by letter dated September 11, 1995, urged the New York State Department of Environmental Conservation to delay the opening of scallop season in State waters until the end of October 1995.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead, for the foregoing reasons, urges the New York State Department of Environmental Conservation to delay the opening of scallop season in State waters until the end of October 1995; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Commissioner and Regional Director of the New York State Department of Environmental Conservation and the Towns of East Hampton, Southold, Shelter Island, Southampton and Brookhaven.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

SEPTEMBER 19, 1995

TOWN OF RIVERHEAD

Resolution # 639

WATER DISTRICT EXTENSION #44 CAPITAL PROJECT BUDGET ADOPTION

COUNCILMAN CREIGHTON

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY

COUNCILWOMAN GILLIAMBE IT FURTHER RESOLVED, THAT THE SUPERVISOR BE, AND IS HEREBY
AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET:

406.095031.482220.30008	TRANSFER FROM REPAIR & MAINT.	\$200,500
406.095731.494200.30008	PROCEEDS FROM SERIAL BONDS (75/25)	990,000
406.083200.523002.30008	WATER MAIN CONSTRUCTION	\$370,000
406.083200.523000.30008	SHOREWOOD WATER ACQUISITION	680,000
406.083200.543501.30008	ENGINEERING EXPENSES	50,500
406.083200.570000.30008	INTEREST EXPENSE	90,000

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore
declared duly adopted

Adopted

SEPTEMBER 19, 1995

TOWN OF RIVERHEAD

Resolution # 640

SEWER/SCAVENGER WASTE BUDGET ADJUSTMENT

COUNCILWOMAN GILIAM OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY COUNCILMAN CREIGHTON.

BE IT RESOLVED, THAT THE SUPERVISOR BE, AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING TRANSFER:

SCAVENGER WASTE DISTRICT

		FROM:
918.081890.543504	ENGINEERING	\$3,700
		TO:
918.081890.541400	EQUIP. REPAIR/MAINTENANCE	\$2,500
918.081890.546100	UTILITIES	200
918.081890.549000	MISCELLANEOUS	1,000

SEWER DISTRICT

		FROM:
114.081100.543000	PROFESSIONAL SERVICES	\$30,000
		TO:
114.081300.541100	BUILDING REPAIR/MAINT.	\$ 1,000
114.081300.541103	PUMP STATION MAINT.	1,000
114.081300.542506	PLANT SUPPLIES	1,000
114.081300.543504	ENGINEERING	20,000
114.081300.541416	REPLACEMENT & IMPROVEMENTS	6,000
114.081300.549000	MISCELLANEOUS	1,000

Adopted

11/19/95

TOWN OF RIVERHEAD

Resolution # 641

APPROVES CERTIFICATE OF DEPOSIT RE: SOUNDBREEZE SUBDIVISION, SECTION 2

COUNCILMAN PRUSINOWSKI

offered the following resolution, which was

seconded by **COUNCILMAN STARK** :

WHEREAS, the Riverhead Planning Board has granted final plat approval for the realty subdivision known as **Soundbreeze**, Wading River, New York, by resolutions dated August 8, 1994 and January 19, 1995; and

WHEREAS, it is necessary that the owner(s) of the subdivision post financial security for improvements to the subdivision as more particularly set forth in the resolution of the Planning Board; and

WHEREAS, the owner(s) have submitted Suffolk County National Bank Certificate of Deposit No 90052921, with Allen M. Smith, as escrow agent and Allen M. Smith has delivered an escrow agreement running in favor of the Town of Riverhead as set forth herein.

NOW THEREFORE BE IT RESOLVED, that subject to the conditions set forth herein, Suffolk County National Bank Certificate of Deposit be and hereby is accepted as financial security for the conditions and requirements set forth in the Planning Board resolutions covering Section 2 of the realty subdivision known as **Soundbreeze**; and be it further

RESOLVED, that Suffolk County National Bank Certificate of Deposit in the sum of \$87,000.00 covering all obligations relating to section 2 of the **Soundbreeze** subdivision be and is hereby accepted, subject to the following conditions; That so long as such Certificate of Deposit is automatically renewed pursuant to its terms, such park & recreation fees in the amount of \$2,000.00 per lot, such Water District Key Money in the amount of \$2,500.00 per lot and the road and drainage improvements required by Planning Board resolution dated 8/8/94 in Section 2 shall be owed and payable upon the earlier of either the application for a certificate of occupancy (in the case of the park & recreation fees and the Water District Key Money) or two years from the date of the filing of Section 2; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Allen M. Smith, Esq., 737 Roanoke Avenue, P.O. Box 1240, Riverhead, New York 11901; Pierre G. Lundberg, Esq., 456 Griffing Avenue - P.O. Box 389, Riverhead, New York 11901; Suffolk County National Bank, 6 West Second Street, P.O. Box 269, Riverhead, New York 11901; Gary Pendzick; Riverhead Building Department; Riverhead Planning Department; Riverhead Highway Department and Kenneth Testa, P.E.

Adopted

9/19/95

TOWN OF RIVERHEAD

Resolution # 642

APPROVES FINDINGS STATEMENT ON THE PETITION OF STANLEY K. TANGER AND ASSOCIATES

COUNCILMAN STARK

offered the following

resolution, which was seconded by **COUNCILMAN PRUSINOWSKI**:

WHEREAS, the Riverhead Town Board by resolution #526 of 1995 adopted August 1, 1995 has accepted the Final Environmental Impact Statement of the change of zone and special permit petition of Stanley K. Tanger and Associates, and

WHEREAS, the period of time required for the consideration of the FEIS by involved agencies and parties of interest has elapsed, and

WHEREAS, the Town Board has carefully considered the DEIS, the commentary of involved agencies and parties of interest, the public hearing record, the response to commentary and the report of the Planning Department, now

THEREFORE, BE IT

RESOLVED, that in the matter of the change of zone and special permit petitions of Stanley K. Tanger and Associates, the Riverhead Town Board hereby adopts the Findings Statement as attached hereto and made part of this resolution, and

BE IT FURTHER

RESOLVED, that the Planning Director be authorized to publish those notices as required by Article 8 of the Environmental Conservation Law, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to Shephard Scheinberg, Esq. as agent of the applicant.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Statement of Findings on the
Final Environmental Impact Statement
Regarding the Change of Zone and
Special Permit Petition of Stanley K. Tanger
and Associates

Lead Agency: The Town Board of The Town of Riverhead

Name of Action: Change of Zone and Specific Permit Petition of Stanley K. Tanger
and Associates

Pursuant to Article 8 (State Environmental Quality Review Act - SEQRA) of The Environmental Conservation Law and 6NYCRR Part 617.9, the Town Board of the Town of Riverhead makes the following findings:

Description of Action: The referenced action is a petition to the Riverhead Town Board to provide for the Business F Zoning Use District to the exclusion of the existing Industrial A Zoning Use District on real property located on Route 58, Riverhead. The attending special permit would allow the construction of 525,000 square feet of manufacturers outlet center and attending parking, drainage and landscaping.

SEQRA History

A positive declaration was issued for the project on March 15, 1995. A draft environmental impact statement was accepted on April 15, 1995 with the statutory comment period ending on May 13, 1995. A final environmental impact statement was accepted on August 1, 1995, by resolution of the Town Board and circulated to other involved agencies and interested parties in accordance with SEQRA on August 22, 1995.

POTENTIAL SIGNIFICANT IMPACTS

The following is a compilation of the potential significant impacts which the project poses to the natural, physical and social environment. These impacts emerged from the scoping meeting held and from comments received from involved agencies and parties of interest.

1. Potential impacts on important wildlife habitat including that of an endangered species.
2. Potential impacts with regard to the loss of significant vegetation and upon a New York State regulated freshwater wetland.

3. Potential impacts to groundwater and the dynamics of the identified surface water existing on the site.
4. Potential impacts to land formations existing upon the site with particular regard to sloped areas and the potential for excavation activities to impact upon wetlands.
5. Potential impacts upon air resources.
6. Potential impacts upon cultural resources.
7. Potential impacts upon existing transportation systems.
8. Potential impacts upon community growth and character.
9. Potential impacts upon the economic and fiscal environment of the Town of Riverhead.

These findings summarize the facts and conclusions of the FEIS as well as independent environmental reviews of the project. The FEIS has been seminal in the identification of those activities considered to have significant impacts and in the establishment of those measures designed to mitigate such impacts. The commentary received from involved agencies and parties of interest were used in the analysis of impacts to the environment and in the formulation of lead agency findings.

Facts, Conclusions and Mitigation Measures Contained Within the EIS Relied Upon To Support the Decision

The following is a synopsis of the conclusions of the lead agency with regard to the environmental impacts of the proposed Stanley K. Tanger manufacturers outlet center. These conclusions are based upon review of the DEIS, FEIS, public commentary and all other planning, zoning and environmental information.

1. Wildlife

The project site provides an important wildlife habitat. A number of significant species have been observed on the project site including white tailed deer, spotted turtle, and eastern tiger salamander. Other species, though not confirmed through observation, are also thought to be present on the site. The eastern tiger salamander is listed by the State of New York as an endangered species. The tiger salamander has been documented by the New York State Department of Environmental Conservation as utilizing the on site wetland as a breeding habitat and, therefore, the project site contains upland habitat for this species. Currently, the NYSDEC maintains a policy of preserving 50% of the upland habitat within 1,000 feet of the wetland boundary. In an effort to identify a site specific non-disturbance area in order to optimize the protection of the species, the NYSDEC approved the protocol for a field research project to confirm and assess the distribution and abundance of the species at the subject property.

The study confirmed the existence of tiger salamanders within the project site identifying an adult breeding population of fifteen (15) animals. In addition to the adult population, two juvenile animals were discovered.

NYSDEC approved the protocol for a field research project to confirm and assess the distribution and abundance of the species at the subject property. The report entitled, Population, Abundance, and Distribution of the Tiger Salamander at Kroemer Avenue Pond, Riverhead, New York, was submitted as part of the final environmental impact statement. The study confirmed the existence of tiger salamanders within the project site identifying an adult breeding population of fifteen (15) animals. In addition to the adult population, two juvenile animals were discovered.

The study concluded that due to 75% of the individual animals sharing a limited range (150 feet to the east and west) each individual tiger salamander is using just over one-third of an acre of upland and wetland habitat combined. Given this area calculation, and given an upland habitat range of significantly less than 1,000 feet, it is the finding of the Lead Agency that the carrying capacity for the tiger salamander at the subject site is a minimum of five (5) acres, and that a fully undeveloped preserve at this level is more beneficial to the species than a partially developed preserve allowable under existing New York State DEC policy as described in the relevant Draft Environmental Impact Statement.

The proposed development will result in some impacts to wildlife and a reduction in populations of some species. The proposed project, with the open space necessary to protect the tiger salamander, will optimize the preservation of wildlife habitat (spotted turtle) and will minimize impacts when compared to conventional design. The measures to mitigate impacts to the identified endangered species involve the creation of a 12.6 acre preserve surrounding the wetland with a maximum distance of 150 feet from the edge of the pond used by turtles and salamanders. The preserve will be a requirement of the specific permit approval issued by the Town Board and will be made part of the relevant site plan approval of the Lead Agency. In addition, the final configuration of the preserve will be the decision of the NYSDEC implemented via the Article 24 permit process. The site plan to be approved by the Riverhead Town Board for the project will integrate the results of the Article 24 permit review and will not be issued prior to such permit approval.

2. Wetlands

The project site contains a New York State regulated wetland system formally designated as Freshwater Wetland Number R-39. The system is considered to be comprised of one (1) permanent and one (1) intermittent pond with two (2) areas classified as vernal ponds. The system is further considered to be an expression of groundwater as opposed to being a natural basin which collects local stormwater runoff. Further, the wetland is considered to be an important habitat for wildlife including reptiles and amphibians. The benefit of the system for flood retention is considered to be limited. The system is considered to have significant value in the cleansing of stormwater runoff from the north of the site prior to its introduction to the Peconic River system due to the nature of subsurface soils. The system's southern end has been seriously impacted by sedimentation to the extent that invasion of fragmites threatens to degrade the system.

The development of the project site requires mitigation of potential impacts to the functional integrity of the identified wetland system, with respect to hydrodynamics, groundwater and surface water chemistry, and habitat. An appropriate mitigation of these potential impacts will be achieved through the creation of a preserve area as well as through the implementation of a stormwater management program pursuant to the Spedes general permit for stormwater discharge Article 17, Titles 7 and 8, Article 70 New York State Environmental Conservation Law. Further, through the Article 24 permit and through local site plan approval the restoration of the degraded portion of the wetland system will be required. This restoration plan shall be designed to enhance the stormwater management potential of the wetland to provide for retention and the creation of a habitat which biologically mitigates the impacts of constituents upon ground and surface water, particularly upon the Peconic River system. The effect of such restoration will be the increased capacity of on-site wetlands as biological filters for stormwater.

3. Groundwater

The project site is located within a deep recharge groundwater area with the majority aquifer acting as the receiver of water recharge. The depth to groundwater for the site is considered to be greater than 20 feet, without particular shallow groundwater conditions. The subject property lies within hydrogeologic Zone III which affords specific protection to insure groundwater resource quality pursuant to Article VI of the Suffolk County Sanitary Code. Suffolk County observation wells proximate to the project site confirm the groundwater quality as being within accepted standards as by the New York State Department of Health.

The Tanger Factory Outlet Center II has been designed to be in compliance with the Suffolk County Health Department requirements for development within hydrogeologic Zone III; such requirements providing for a maximum sanitary water recharge of no more than 300 gallons per day per acre. The center 525,000 square feet will generate no more than 20,000 gallons of sanitary wastewater per day based upon the proposed distribution of dry and wet retail facilities. The application of expected wastewater flow from the wastewater flow as compared to residential equivalents (burbs model) resulted in an overall nitrogen concentration of 2.9 mg/l, well below accepted standards of 10mg/l. Further, the projected nitrogen loading from the site is considered to be less than 0.25% of the total nitrogen loading to the Peconic River watershed representing a negligible impact to the resource.

The project site is located within the proposed Riverhead commercial sewer district extension. Upon the creation of the extension district and upon the availability of sewer facilities the project will be required to connect to the collection and treatment network.

4. Topography

The terrain of the project site exhibits a certain amount of relief and is constituted by a variety of soil types. The overall topography of the site grades from the north downhill to the railroad right-of-way at a slope of less than ten (10) percent overall. The area at the edge of the wetland exhibits slopes of fifteen (15) percent.

The proposed project would require a clearing of the property with ultimate grading to provide a level building and parking area; except for that preserved area required to mitigate against impacts

to wetlands and endangered species. The proposed site improvements are predicted upon a balanced cut and fill grading plan without significant exportation or importation of fill material.

The proposed site development will necessarily increase the potential for erosion of existing soils and will require the implementation of measures to mitigate impacts of erosion. The Storm Water Pollution Prevention Plan as required to mitigate impacts to wetlands integrates erosion control measures in the construction stage. It is the finding of the Lead Agency that the Storm Water Pollution Prevention Plan will adequately mitigate environmental impacts due to erosion; such prevention plan to be required to site plan approval of the Riverhead Town Board.

5. Air Resources

The air quality of the project site, as measured by the Air Quality Monitoring Station located in Babylon, New York, is considered to be within the New York State and Federal Ambient Air Quality Standards (AAQS) for all constituents with the exception of ozone.

The most important air quality parameter associated with the proposed project is that of fugitive dust resulting from excavation and grading. This impact can be significantly reduced pursuant to proper construction techniques and which will be made part of the special permit and site plan approval conditions.

6. Cultural Resources

The project site does not contain any historic buildings or structures as archived by the New York State Historic Preservation Office or by the Town of Riverhead. Evidence of prehistoric occupation of the site is lacking, however, prehistoric use of land is generally considered to have occurred along the banks of streams, inland ponds and kettle lakes, as well as marshes.

The site exhibits environmental characteristics which suggest prehistoric occupation within the low elevations and slopes around the wetland corridor. The preservation area required to maintain the habitat of the tiger salamander is expected to mitigate the impacts upon archeological resources.

7. Transportation Systems

The motor vehicle trip ends to be generated by the project is considered to have significant impacts upon existing roadway networks and intersections particularly upon County Route 58 and State Route 25. The total number of trips per hour to be generated by the proposed development summed with the existing outlet center is expected to be 1,667 trips per hour at peak time (Saturday afternoon).

In order to mitigate the impacts of increased motor vehicle traffic and avoid congestion, the applicant shall secure those permits required by the Suffolk County DPW and the State Department of Transportation.

1. The development of a central Route 58 access a minimum of 1,000 feet east of the LIE exit ramp terminus. The precise location of the intersection shall be determined by the County of Suffolk

and shall recognize the potential development of vacant property located on the north side of Route 58.

2. The signalization of the proposed Route 58 access to be phased with the signalization of the intersection of Kroemer Avenue and Route 58.
3. The provision of a highway channelized deceleration lane for east and west bound traffic on Route 58.
4. The provision of internal access between the existing Tanger Development and the proposed project over lands of others.

8. Impacts Upon Community Growth and Economics

The project is to occur on real property located within the Industrial A Zoning Use District within the general vicinity of real property located within the Business F Zoning Use District improved with manufacturers outlet center use. The proposed project is considered to be a tourist destination which will attract large numbers of visitors from beyond the immediate vicinity and which supports the established Town Board policy of encouraging both tourist attractions and regional recreational uses within industrially zoned areas. It is the finding of this Town Board that manufacturers outlet center use is supportive of tourist industry and is not considered to be general retail use as traditionally defined by accepted land use principles and is found to be in conformance with the Master Plan of the Town of Riverhead as implemented.

The Project is found to have significant impacts upon the economic environment of the Town of Riverhead in terms of employment, total dollars introduced into the economy and total real property and sales tax revenues. Economic impact projections forecast an employee payroll of \$29 million annually, real property tax of \$1,349,250 and an annual sales tax of approximately \$11 million. Given the limited demand on public services by the project, a significant surplus is expected to be enjoyed by both the Town and the Riverhead School District.

In 1994, the existing Tanger Outlet Center attracted an average of approximately 70,000 shoppers in 25,000 automobiles each week. Extrapolating this data to the proposed project, a total of 10 million customers per year are expected to be attracted to the project site with forty percent (40%) originating from a point greater than fifty (50) miles distant. The 1994 data indicated further than twenty percent (20%) of visitors originated less than fifteen (15) miles from the project site, illiciting the comment that the Tanger Center has had a negative impact upon existing retail operations. In this regard, it is the finding of this Board that there exist a number of variables which affect the volumes of retail sales and that the empirical analysis necessary to establish a causal relationship between the proposed project and other retail stores in either the positive or the negative is not the responsibility of the Lead Agency and that the total economic impact anticipated through the attraction of a great number of visitors from outside the general area is expected to have a positive economic impact upon the community.

In the Urban Renewal Plan for the Central Business District of the Town of Riverhead, the Lead Agency concluded that the revitalization of the Central Business District hinges upon the

attraction of individuals from outside the general vicinity and that this could be best achieved through the development of a tourist destination facility within the downtown area. The Town Board re-iterated this economic development policy in the Findings Statement adopted with regard to the Okeanos Aquarium Petition as implemented through the financing of Phase I of the Okeanos Aquarium. In order to support the development of the expanded aquarium project and to realize the identified revitalization of the Central Business District, Stanley K. Tanger and Associates has offered a measure designed to mitigate project impacts upon the Riverhead Downtown, pursuant to the East Main Street Urban Renewal Plan, as adopted October, 1993 (The Urban Renewal Plan). Specifically, the measure involves the cash payment of \$1 million to the Riverhead Community Development Agency upon the issuance of the contemplated project building permit to be held in escrow, without residual interest to Tanger Associates, as a portion of that equity needed to be raised to allow the bond financing of the Okeanos Aquarium Project, or similar tourist destination as envisioned by the Urban Renewal Plan. This financial commitment to the CDA has been found to be preferable to the inclusion of the subject property in the Riverhead Business Improvement District resulting from the Town Board's policy to encourage Okeanos as a critical destination within the Central Business District. In addition, the applicant shall develop a formal procedure by which those tenants which cannot be accommodated within the outlet center will be identified and submitted to the Town of Riverhead Community Development Agency in order to encourage their location as tourist destinations pursuant to the Urban Renewal Plan.

A significant portion of the Project site lies within the recreational area of the New York State Wild, Scenic and Recreational Rivers Program. The land uses contemplated in the general vicinity by the Town of Riverhead Master Plan and its amendments are considered to be inconsistent with existing New York DEC Policy. In order to provide for the economic development of the recreational area while protecting Peconic River values, the applicant has completed a River Management Plan which would allow the Commissioner of the New York State DEC to consider an amendment of The Recreational River Boundary to allow for appropriate development of the vicinity. It is the finding of this Town Board that the Peconic Recreational River Corridor Management Plan includes specific land use regulation which would adequately protect the river resource and that a petition to the DEC Commissioner to amend the northerly boundary of the recreational area shall be made; such petition to include the Management Plan as well as certain zoning amendments which would remove industrial land uses as permitted in the general vicinity, and which would enhance river resource conservation in the broadest sense.

9. Project Alternatives

It is the finding of this Town Board that there exist two alternatives to the proposed project identified pursuant to this environmental review. The first is the No-Action Alternative which would result in the site remaining undisturbed and undeveloped, and zoned for industrial use. The effect of this approach would be the construction of the outlet center outside of the community, the non-realization of the economic benefits identified, a significant reduction in the number of individuals visiting the community and the inefficient use of real property presently served by transportation and municipal services.

The second is the use of the property for traditional industrial development as currently zoned. This type of development is considered to have significant negative impacts upon the natural resources existing at the site as well as upon the Peconic River watershed. Given the extensive environmental regulation restricting this type of development, it is not considered feasible by the Lead Agency. Based upon the aforementioned, the proposed project is considered to be the preferred alternative.

Certification of Findings to Approve

In accordance with Part 617.9 of The New York State Environmental Quality Review Act Regulations, the Town Board of the Town of Riverhead has considered the final Environmental Impact Statement for the change of zone and Special Permit Petition of Stanley K. Tanger and Associates which have met the requirements of this part. These findings contain the facts and conclusions in the final Environmental Impact Statement relied upon to support the Town Board's decision and indicate the social, economic and other factors, standards and policies which formed the basis of its decision.

Furthermore, this Town Board finds that consistent with the social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects identified in the Environmental Impact Statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as necessary and practicable.

Adopted

1172

9/19/95

TOWN OF RIVERHEAD

Resolution # 643

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE
TO BIDDERS FOR THE PROCESSING AND DISPOSAL OF BULK
WASTE/WHITE GOODS

COUNCILMAN CREIGHTON

offered the following resolution, which was

seconded by

COUNCILWOMAN GILLIAM

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders for the processing and disposal of bulk waste/white goods from the Town of Riverhead Transfer Facility at Youngs Avenue, Riverhead, New York.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Separate sealed proposals will be received by the Town Clerk until **11:10 a.m.** prevailing time on **October 10, 1995**, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will publicly be opened and read for:

Processing and disposal of bulky waste/white goods from the Town of Riverhead Transfer Facility at Youngs Avenue, Riverhead, New York.

Instruction to Bidders, Proposal Form, Contract Form, General Conditions, Supplemental General Conditions, Special Conditions, Plans and Specifications may be obtained and examined at the office of the Town Clerk at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, tel. (516) 727-3200.

The Deposit for a complete set of Plans and Specifications is \$50. Checks shall be made payable to the Town of Riverhead. A refund in full will be made to the bidders returning the documents in good condition within ten (10) days of the opening of the bids, provided a formal proposal has been submitted by the bidder. All deposits shall be returned to unsuccessful bidders subsequent to the awarding of the bid for said project.

Security for each bid must be submitted with each bid in an amount not less than five percent (5%) of the Base Bid in the form and subject to the conditions set forth in the "Instructions to bidders".

The successful bidder shall be required to furnish a Performance and Payment Bond in the amount of One Hundred Percentum (100%) of the accepted bid guaranteeing the completion and the payment of all obligations arising thereunder in the form and subject to the conditions set forth in the "Instructions to Bidders".

The Town Board reserves the right to reject any and all bids and solicit for new bids and/or to waive any informalities in the Proposals and to accept or reject any and all Alternatives or Unit Prices if, in its opinion, the best interests of the Town will thereby be promoted.

No Bid shall be withdrawn pending the decision of the Town Board which shall be made within forty-five (45) days after the date of the bid opening.

DATED: Riverhead, New York
September 19, 1995

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

The Vote

Gillam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**The Resolution is therefore
declared duly adopted**

Adopted

1174

RESOLUTION # 644
COUNCILMAN PRUSINOWSKI

ABSTRACT #39-95 SEPTEMBER 7, 1995 (TBM 9/19/95)

offered the following resolution, which was seconded by DEPUTY SUPERVISOR STARK

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

ACCOUNTS	TOTALS
GENERAL TOWN 001	\$0.00
PARKING METER 002	\$0.00
AMBULANCE FUND 003	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00
TEEN CENTER 005	\$0.00
RECREATION PROGRAM 006	\$5,888.56
SENIOR NUTRITION SITE COUNCIL 007	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00
CHILD CARE BUILDING FUND 009	\$0.00
HIGHWAY 111	\$0.00
WATER 112	\$1,302.00
REPAIR & MAINTENANCE 113	\$0.00
SEWER 114	\$6,208.62
REFUSE & GARBAGE COLLECTION 115	\$1,180.80
STREET LIGHTING 116	\$0.00
PUBLIC PARKING 117	\$0.00
BUSINESS IMPROVEMENTS DISTRICT 118	\$169.00
T.O.R. URBAN DEV CORP TRUST A/ 119	\$0.00
WORKER'S COMPENSATION FUND 173	\$0.00
HOSPITALIZATION SELF INSURANCE 174	\$0.00
RISK RETENTION FUND 175	\$0.00
UNEMPLOYMENT INSURANCE FUND 176	\$0.00
HAIN STREET REHAB PROGRAM 177	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00
RESIDENTIAL REHAB 179	\$0.00
DISCRETIONARY/SMALL CITIES 180	\$0.00
CDRG CONSORTIUM ACCOUNT 181	\$0.00
URBAN DEVEL CORP WORKING 182	\$0.00
RESTORE 184	\$0.00
PUBLIC PARKING DEBT 381	\$0.00
SEWER DISTRICT DEBT 382	\$0.00
WATER DEBT 383	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00
SCAVANGER WASTE DISTRICT DEBT 385	\$0.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$0.00
EIGHT HUNDRED SERIES 408	\$12,320.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00
MULTI-PURPOSE CAPITAL IMPROVEMENTS 441	\$0.00
CHIPS 451	\$0.00
YOUTH SERVICES 452	\$0.00
SENIORS HELPING SENIORS 453	\$0.00
EISEP 454	\$0.00
SCAVANGER WASTE CAP PROJECT 470	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00
MUNICIPAL GARAGE 626	\$945.11
TRUST & AGENCY 735	\$587.01
SPECIAL TRUST 736	\$0.00
COMMUNITY DEVELOPMENT AGENCY 915	\$0.00
JOINT SCAVENGER WASTE 918	\$6,147.51
PAYROLL CLEARING ACCOUNT 998	\$0.00
CENTRAL CLEARING ACCOUNT 999	\$0.00
TOTALS	\$14,748.61

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

RESOLUTION # 644 ABSTRACT #40-95 SEPTEMBER 14, 1995 (TMM 9/19/95)

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by DEPUTY SUPERVISOR STARK

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

ACCOUNTS	TOTALS
GENERAL TOWN	001 \$405,654.64
PARKING METER	002 \$0.00
AMBULANCE FUND	003 \$0.00
POLICE ATHLETIC LEAGUE	004 \$1,918.00
TEEN CENTER	005 \$75.00
RECREATION PROGRAM	006 \$1,701.61
SENIOR NUTRITION SITE COUNCIL	007 \$0.00
D.A.R.E. PROGRAM FUND	008 \$300.65
CHILD CARE BUILDING FUND	009 \$0.00
HIGHWAY	111 \$51,154.53
WATER	112 \$38,056.67
REPAIR & MAINTENANCE	113 \$0.00
SEWER	114 \$19,699.91
REFUSE & GARBAGE COLLECTION	115 \$152,836.29
STREET LIGHTING	116 \$7,718.22
PUBLIC PARKING	117 \$2,550.03
BUSINESS IMPROVEMENTS DISTRICT	118 \$193.11
T.O.R. URBAN DEV CORP TRUST A/	119 \$0.00
WORKER'S COMPENSATION FUND	173 \$8,726.33
HOSPITALIZATION SELF INSURANCE	174 \$0.00
RISK RETENTION FUND	175 \$6,999.70
UNEMPLOYMENT INSURANCE FUND	176 \$0.00
MAIN STREET REHAB PROGRAM	177 \$0.00
REVOLVING LOAN PROGRAM	178 \$2,506.21
RESIDENTIAL REHAB	179 \$0.00
DISCRETIONARY/SMALL CITIES	180 \$0.00
CDBG CONSORTIUM ACCOUNT	181 \$588.40
URBAN DEVEL CORP WORKING	182 \$0.00
RESTORE	184 \$0.00
PUBLIC PARKING DEBT	381 \$0.00
SEWER DISTRICT DEBT	382 \$0.00
WATER DEBT	383 \$0.00
GENERAL FUND DEBT SERVICE	384 \$3,350.00
SCAVANGER WASTE DISTRICT DEBT	385 \$0.00
COMM DEVEL AGENCY CAP PROJECT	405 \$0.00
TOWN HALL CAPITAL PROJECTS	406 \$38,476.00
EIGHT HUNDRED SERIES	408 \$3.92
WATER IMPROVEMENT CAP. PROJECT	409 \$0.00
NUTRITION CAPITAL IMPROVEMENTS	441 \$0.00
CHIPS	451 \$0.00
YOUTH SERVICES	452 \$1,528.53
SENIORS HELPING SENIORS	453 \$2,047.25
EISEP	454 \$1,135.88
SCAVANGER WASTE CAP PROJECT	470 \$0.00
MUNICIPAL FUEL FUND	625 \$2,145.47
MUNICIPAL GARAGE	626 \$7,844.50
TRUST & AGENCY	735 \$484,461.18
SPECIAL TRUST	736 \$0.00
COMMUNITY DEVELOPMENT AGENCY	915 \$0.00
JOINT SCAVENGER WASTE	918 \$17,133.40
PAYROLL CLEARING ACCOUNT	998 \$0.00
CENTRAL CLEARING ACCOUNT	999 \$0.00
*****GRAND TOTAL*****	\$1,260,805.43

The Vote

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Gilliam
Creighton
Stark
Prusinowski

The Resolution is therefore declared duly adopted

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 645

AUTHORIZES THE RIVERHEAD TROLLEY CORP. TO
OPERATE A SIGHTSEEING SERVICE PURSUANT TO
SECTION 151 (5) OF THE NEW YORK STATE TRANSPORTATION LAW
COUNCILWOMAN GILLIAM

OFFERED THE FOLLOWING RESOLUTION,
WHICH WAS SECONDED BY **COUNCILMAN CREIGHTON**

WHEREAS, ON AUGUST 15, 1995 BY RESOLUTION #568 THE
RIVERHEAD TROLLEY CORP. WAS AUTHORIZED TO OPERATE A SIGHT-
SEEING SERVICE WITHIN THE TOWNSHIP OF RIVERHEAD, AND

WHEREAS, THE RIVERHEAD TROLLEY CORP. DESIRES TO
OPERATE SUCH SIGHTSEEING SERVICE BOTH WITHIN AND WITHOUT THE
TOWNSHIP OF RIVERHEAD, BUT WHOLLY WITHIN SUFFOLK COUNTY, AND

WHEREAS, SUCH SIGHTSEEING SERVICE IS PERMITTED UNDER
SECTION 151 (5) OF THE TRANSPORTATION LAW WHERE SUCH
SIGHTSEEING SERVICE IS CONDUCTED PURSUANT TO THE JURISDICTION
OR REGULATORY CONTROL OF A CITY, VILLAGE OR TOWN WHEN SUCH
SERVICE IS OPERATED WHOLLY WITHIN THE COUNTY IN WHICH THE CITY,
TOWN OR VILLAGE IS LOCATED,

NOW,

IT IS HEREBY RESOLVED THAT The Riverhead Trolley Corp. is
hereby authorized to operate a sightseeing service pursuant to Section 151 (5) of the
Transportation Law, both within and without the Township of Riverhead, provided such
service is operated wholly within Suffolk County, New York.

THE VOTE

GILLIAM	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
CREIGHTON	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
STARK	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
PRUSINOWSKI	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

THE RESOLUTION IS THEREFORE
DECLARED DULY ADOPTED

Adopted

9/19/95

TOWN OF RIVERHEAD

Resolution # 646

**AMENDS SPECIAL PERMIT AND APPROVES PRELIMINARY SITE
PLAN OF SPLISH SPLASH AT ADVENTURE ISLAND, INC.**

COUNCILMAN STARK

_____ offered the following

resolution, which was seconded by **COUNCILMAN PRUSINOWSKI**

WHEREAS, a site plan and elevations were submitted by Allen M. Smith, as agent for Splish Splash at Adventure Island, Inc. for the construction of a new parking lot, with attendant drainage, curbing, and structures, located at the south side of Splish Splash Drive, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-118-1-2.1; and

WHEREAS, an amendment to the special permit approval of the water park facility (resolution #552, dated August 7, 1990) has been submitted by the applicant; and

WHEREAS, the Town Board has carefully considered the preliminary site plan and the merits of the special permit amendment, as well as other relevant planning, zoning, and environmental information; and

WHEREAS, the Planning Department has reviewed the site plan dated March 1995, consisting of three sheets,, as prepared by Holzmacher, McLendon & Murrell, P.C., 575 Broadhollow Road, Melville NY 11747, and planting plan dated March 1995, as prepared by Holzmacher, McLendon & Murrell, P.C., 575 Broadhollow Road, Melville NY 11747, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved with conditions; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type I Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, a copy of the preliminary site plan has been marked and initialled by the Town Board to show changes that are further set forth in this resolution, which preliminary site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number _____ of the Office of the Supervisor of the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board determines that:

- (i) the use will not impair the orderly use or the orderly development of other properties in the neighborhood;

- (ii) the disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained by the Town;
- (iii) the health, safety, welfare and order of the Town will not be adversely affected by such use;
- (iv) such use will be in harmony with and promote the general purpose and intent of the zoning ordinance.

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board, based upon its determination, hereby amends the special permit of Splish Splash at Adventure Island (resolution #552, dated August 7, 1990), to provide for a parking area use upon the real property denoted herein; and be it further

RESOLVED, that the preliminary site plan and planting plan submitted by Allen M. Smith, as agent for Splish Splash at Adventure Island, Inc., for the construction of a new parking lot, with attendant drainage, curbing, and structures, located at the south side of Splish Splash Drive, Riverhead, New York, site plan dated March 1995, consisting of three sheets, as prepared by Holzmacher, McLendon & Murrell, P.C., 575 Broadhollow Road, Melville NY 11747, and planting plan dated March 1995, as prepared by Holzmacher, McLendon & Murrell, P.C., 575 Broadhollow Road, Melville NY 11747, be and are hereby approved by the Town Board of the Town of Riverhead, 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 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's Office and filed with the Riverhead 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 **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
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 the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, 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, shall be maintained on 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 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. Further, by execution and filing of this document, Splish Splash at Adventure Island, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at the south side of Splish Splash Drive, 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. That all utilities shall be constructed underground;

12. Pursuant to Section 108-133I of the Code of the Town of Riverhead, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

15. That the preliminary site plan shall be amended to include the following information prior to the issuance of a building permit:

- Suffolk County tax map number;
- provision of landscaped islands at the rate of 20 square feet per parking stall shown. Islands shall be staggered and shall be landscaped in accordance with accepted landscape design;
- indication of curbing around the parking lot islands and the entirety of the parking lot perimeter, with expansion joints shown every 20 feet;
- drainage calculations with the capacity of each identified drainage structure;

- specification for asphalt in accordance with Town Code requirements, to include curbing detail;
- lighting plan, including location and type of fixtures, mounting height(s), specifications, and isolux diagrams;

16. That the planting plan shall be amended to include the following information prior to the issuance of a building permit:

- street trees in accordance with Town Code requirements;
- planting schedule to include both common and botanical names, number, and size for each specie;
- buffer plantings along the entirety of the property lines, and to buffer the view of asphalt from the street, to include three varieties of evergreens;
- planting plan for all islands;
- planting plan and schedule shall include both large and small canopy shade trees, as well as ornamentals, throughout the parking area;
- irrigation shall be provided around the perimeter.

17. That said revised plans shall be subject to review and approval by the Planning Department for conformance with this resolution; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, as agent for Splish Splash at Adventure Island, Inc., Holzmacher, McLendon & Murrell, P.C., the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1995 made by Splash Splash at Adventure Island, Inc., residing at Route 110, Melville NY, Declarant.

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by 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 and 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 **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on 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 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;

10. That all utilities shall be constructed underground;

11. Pursuant to Section 108-133I of the Code of the Town of Riverhead, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

SPLISH SPLASH AT ADVENTURE ISLAND, INC.

BY: _____

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

On the _____ day of _____, 1995, before me personally came _____, who, being sworn by me, did depose and say: that (s)he is the _____ of _____; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

Adopted

SEPTEMBER 19, 1995

TOWN OF RIVERHEAD

Resolution # 647

AUTHORIZES CONTRACT WITH SUMNER, HANS & ASSOCIATES

COUNCILMAN PRUSINOWSKI

OFFERED THE FOLLOWING RESOLUTION

COUNCILMAN STARK

WHICH WAS SECONDED BY _____

WHEREAS, the Town of Riverhead has received a grant from the New York State Archives & Records Administration (SARA) to inventory all Town records, and;

WHEREAS, it is the recommendation of the Records Management Committee to amend the grant award to allow for an independent contract in lieu of inventory clerks, and

WHEREAS, the firm of Sumner, Hans & Associates has presented a proposal to the Town.

NOW, THEREFORE, BE IT RESOLVED, that upon the successful approval of the grant amendment, the Town Supervisor is hereby authorized to enter into a contract not to exceed \$22,000 with Sumner, Hans & Associates of Rochester, New York.

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

SEPTEMBER 19, 1995

TOWN OF RIVERHEAD

Resolution # 648

**CHILDREN'S PLAYGROUND AT STOTZKY PARK
CAPITAL PROJECT
BUDGET ADOPTION**

COUNCILMAN STARK

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY **COUNCILMAN PRUSINOWSKI**

BE IT FURTHER RESOLVED, THAT THE SUPERVISOR BE, AND IS HEREBY AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET:

406.095031.485500.70037	COMMUNITY DEVELOPMENT BLOCK GRANT	\$50,000
406.095031.481900.70037	TRANSFER FROM SPECIAL TRUST	100,000
406.071100.524907.70037	PLAYGROUND EQUIPMENT	\$75,000
406.071100.541203.70037	LANDSCAPING	10,000
406.071100.524914.70037	PARK EQUIPMENT	3,000
406.071100.523007.70037	PARKING LOT	30,000
406.071100.543505.70037	ENGINEERING	2,000
406.071100.523014.70037	LIGHT EQUIPMENT	15,000
406.071100.523020.70037	FENCE IMPROVEMENTS	15,000

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefor declared duly adopted.

Adopted

SEPTEMBER 19, 1995

TOWN OF RIVERHEAD

Resolution # 649

WATER DISTRICT BUDGET ADJUSTMENT

COUNCILMAN PRUSINOWSKI

OFFERED THE FOLLOWING RESOLUTION WHICH

WAS SECONDED BY **COUNCILMAN STARK**.

BE IT RESOLVED, THAT THE SUPERVISOR BE, AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

		FROM:
112.000000.390599.00000	APPROPRIATED FUND BALANCE	\$15,000
		TO:
112.083200.523014.00000	UTILITY INSTALLATION	\$15,000

The Vote

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Resolution is therefore declared duly adopted

Adopted

1186

9/19/95

RESOLUTION 650

RESOLUTION IN OPPOSITION TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES' PROPOSAL TO REDISTRIBUTE A PORTION OF THE DSS CASELOAD AND STAFF TO THE RIVERHEAD DSS CENTER.

COUNCILWOMAN GILLIAM

introduced the Resolution

which was seconded by

COUNCILMAN CREIGHTON

WHEREAS, it is documented that the Town of Riverhead has taken on more than its fare share of the County's social services caseload; and

WHEREAS, the Commissioner of Social Services for Suffolk County has announced that the County is closing the DSS Center at Mastic and that as a result thereof the Riverhead DSS Center has been identified as one of the Centers to which the caseload and staff will be redistributed; and

WHEREAS, as a result of the proposed redistribution to the Riverhead DSS Center, there will be an addition of approximately 1300 cases and 15 staff to that location; and

WHEREAS, the Suffolk County DSS has not discussed with the Town of Riverhead the possible impacts and demands this increased caseload will have on the Town's resources; and

WHEREAS, the Town of Riverhead has made great strides in recent years to improve its image and views this proposal as being counterproductive to these positive measures;

NOW, THEREFORE BE IT

RESOLVED, that the Town of Riverhead objects to the proposal to redistribute the DSS caseload from the Mastic Center to the Riverhead Center; and be it further

RESOLVED, that the Town of Riverhead calls upon the Commissioner of Social Services and the County Executive to rescind the order redistributing approximately 1300 DSS cases to Riverhead; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Robert Gaffney, Suffolk County Executive, John B. Wingate, Commissioner, Department of Social Services and Suffolk County Legislator Gregory Blass.