

Adopted

6/18/96

ORDER AUTHORIZING INCREASE AND IMPROVEMENT
FOR RIVERHEAD WATER DISTRICT
EXTENSION NO. 48

Adopted: _____

COUNCILMAN FRUSINOWSKI offered the following resolution
which was seconded by **COUNCILMAN LULL**,

WHEREAS, the Town Board of the Town of Riverhead caused a plan and estimate of cost to be prepared relating to the increase and improvement of the facilities of the Riverhead Water District encompassing the installation and construction of water mains and appurtenances at West Main Street, to be known as Extension No. 48 of the Riverhead Water District, and

WHEREAS, the proposed improvement to the Riverhead Water District has been estimated to cost \$67,980 which will be borne by the Riverhead Water District, and an additional \$42,000 to be paid from Community Development Funds, and

WHEREAS, an Environmental Assessment Form has been prepared and filed with the Town Clerk, and

WHEREAS, in accordance with Section 202-b of the Town Law, a public hearing was held on the 3rd day of October, 1995, and all persons wishing to be heard were heard,

NOW, THEREFORE, upon the proceedings, the plans and specifications, and the public hearing, the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District, hereby determines as follows:

RESOLVED, that the installation and construction of water mains and appurtenances at West Main Street, to be known as Extension No. 48 of the Riverhead Water District will not have a significant impact upon the environment, and it is further

RESOLVED, that the installation and construction of water mains and appurtenances is in the best interest of the properties served by the Riverhead Water District, and it is further

RESOLVED, that the installation and construction of water mains and appurtenances at a total cost not to exceed \$67,980, with an additional \$42,000 to be paid from Community Development Funds, is hereby approved, and it is further

RESOLVED, that a certified copy of this resolution be forwarded to Pierre Lundberg, Esq., Gary Pendzick and H2M.

Adopted

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon
duly adopted.

Adopted

ORDER ESTABLISHING EXTENSION NO. 48 (WEST MAIN STREET) TO THE RIVERHEAD WATER DISTRICT

COUNCILMAN LULL

offered the following resolution, which

was seconded by **COUNCILMAN PRUSINOWSKI** :

4719/0399

72113-3113P

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 June 18, 1996, at 2:00 o'clock P.M., Prevailing Time.

PRESENT:

JAMES R. STARK

Supervisor

VICTOR J. PRUSINOWSKI

Councilman

JAMES LULL

Councilman

MARK KWASNA

Councilman

OTTO WITTMEIER

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. 48 (West Main Street) 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, including an estimate of cost, to be prepared by a

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competent engineer, duly licensed by the State 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 No. 48 (West Main Street) 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, 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;

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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 a 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 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 September 19, 1995, reciting a description of the boundaries of said proposed Extension No. 48 (West Main Street) 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 3rd day of October, 1995, at 7:20 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 evidence given thereat, said Town Board on October 17, 1995, 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. 48 (West Main Street) 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, 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 typical one or

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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, based upon such estimated costs and fees, an application to the Office of the State Comptroller is not required; 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. 48 (West Main Street) to the Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, is hereby established, to be bounded and described as set forth in Appendix A 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, and including hydrants, valves and other necessary furnishings, equipment and apparatus, and other incidental improvements and expenses in connection therewith, to be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District, whereby water

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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 estimated cost to said Extension No. 48 (West Main Street) pursuant to these proceedings for said construction shall not exceed \$75,050. 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. 48 (West Main Street) 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 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.

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The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

<u>SUPERVISOR STARK</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN PRUSINOWSKI</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN LULL</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN KWASNA</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN WITTMEIER</u>	VOTING	<u>AYE</u>

The order was thereupon declared duly adopted.

* * * * *

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

EXHIBIT ARIVERHEAD 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 June 18, 1996, 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

November 17, 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

November 22, 1995

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on June 19, 1996.

Barbara G. Galt
Town Clerk

(CORPORATE
SEAL)

RESOLUTION AUTHORIZING THE ISSUANCE OF \$75,050 SERIAL BONDS TO
PAY FOR THE ACQUISITION AND INSTALLATION OF NEW WATER MAINS FOR
EXTENSION 48 TO THE RIVERHEAD WATER DISTRICT (WEST MAIN STREET)

4719/0399

72113-3113P

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 June 18, 1996, at 2:00 o'clock P.M., Prevailing Time.

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

PRESENT:

- JAMES R. STARK, Supervisor
- Victor J. Prusinowski, Councilman
- James Lull, Councilman
- Mark Kwasna, Councilman
- Otto Wittmeier, Councilman

ABSENT:

The following resolution was offered by COUNCILMAN KWASNA who moved its adoption, seconded by COUNCILMAN WITTMIEIER to-wit:

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

BOND RESOLUTION DATED JUNE 18, 1996.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$75,050 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. 48 (West Main Street) 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 November 21, 1995, the Town Board of the Town of Riverhead, Suffolk County, New York, has established Extension No. 48 (West Main Street) 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

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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 Order establishing said Extension No. 48 (West Main Street) to the Riverhead Water District;

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 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. 48 (West Main Street) to the Riverhead Water District, 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

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incidental improvements and expenses in connection therewith, as described in the preambles hereof, there are hereby authorized to be issued \$75,050 serial 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. 48 (West Main Street) to the Riverhead Water District of the aforescribed improvements is \$75,050 and the plan for the financing thereof shall consist of the issuance of the \$75,050 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.

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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 assessed upon and collected from the several lots and parcels of land within said Extension No. 48 (West Main Street) 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, 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 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,

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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 annual 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

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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 Section 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 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

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newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>SUPERVISOR STARK</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN PRUSINOWSKI</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN LULL</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN KWASNA</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN WITTMEIER</u>	VOTING	<u>AYE</u>

The resolution was thereupon declared duly adopted.

* * * * *

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 June 18 , 1996, 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	June 14, 1996

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

June 19, 1996

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on June 19, 1996.

Barbara Gupton
Town Clerk

(CORPORATE
SEAL)

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Riverhead, Suffolk County, New York, on November 21, 1995, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Riverhead, New York,
JUNE 18, 1996

Barbara Grattan

Town Clerk

BARBARA GRATTAN

BOND RESOLUTION DATED NOVEMBER 21, 1995.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$75,050 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. 48 (West Main Street) 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 November 21, 1995, the Town Board of the Town of Riverhead, Suffolk County, New York, has established Extension No. 48 (West Main Street) 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

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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 Order establishing said Extension No. 48 (West Main Street) to the Riverhead Water District;

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 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. 48 (West Main Street) to the Riverhead Water District, 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

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incidental improvements and expenses in connection therewith, as described in the preambles hereof, there are hereby authorized to be issued \$75,050 serial 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. 48 (West Main Street) to the Riverhead Water District of the aforescribed improvements is \$75,050 and the plan for the financing thereof shall consist of the issuance of the \$75,050 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.

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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 assessed upon and collected from the several lots and parcels of land within said Extension No. 48 (West Main Street) 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, 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 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,

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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 annual 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

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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 Section 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 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

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newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

TOWN OF RIVERHEAD

Resolution #474

Adopted

6/18/96

ORDER AUTHORIZING INCREASE AND IMPROVEMENT FOR RIVERHEAD WATER DISTRICT EXTENSION NO. 49

Adopted: _____

COUNCILMAN WITTMEIER offered the following resolution which was seconded by COUNCILMAN KWASNA

WHEREAS, the Town Board of the Town of Riverhead caused a plan and estimate of cost to be prepared relating to the increase and improvement of the facilities of the Riverhead Water District encompassing the installation and construction of water mains and appurtenances at Middle Road nad Harrison Avenue, to be known as Extension No. 49 of the Riverhead Water District, and

WHEREAS, the proposed improvement to the Riverhead Water District has been estimated to cost \$117,000 which will be borne by the Riverhead Water District, and

WHEREAS, an Environmental Assessment Form has been prepared and filed with the Town Clerk, and

WHEREAS, in accordance with Section 202-b of the Town Law, a public hearing was held on the 3rd day of October, 1995, and all persons wishing to be heard were heard,

NOW, THEREFORE, upon the proceedings, the plans and specifications, and the public hearing, the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District, hereby determines as follows:

RESOLVED, that the installation and construction of water mains and appurtenances at Middle Road and Harrison Avenue, to be known as Extension No. 49 of the Riverhead Water District will not have a significant impact upon the environment, and it is further

RESOLVED, that the installation and construction of water mains and appurtenances is in the best interest of the properties served by the Riverhead Water District, and it is further

RESOLVED, that the installation and construction of water mains and appurtenances at a total cost not to exceed \$117,000, is hereby approved, and it is further

RESOLVED, that a certified copy of this resolution be forwarded to Pierre Lundberg, Esq., Gary Pendzick and H2M.

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competent engineer, duly licensed by the State 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 No. 49 (Middle Road and Harrison Avenue) 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 8 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;

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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 a 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 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 September 19, 1995, reciting a description of the boundaries of said proposed Extension No. 49 (Middle Road and Harrison Avenue) 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 3rd day of October, 1995, at 7:05 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

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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 evidence given thereat, said Town Board on October 17, 1995, 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. 49 (Middle Road and Harrison Avenue) 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, 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 typical one or

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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, based upon such estimated costs and fees, an application to the Office of the State Comptroller is not required; 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. 49 (Middle Road and Harrison Avenue) to the Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, is hereby established, to be bounded and described as set forth in Appendix A attached hereto and made a part hereof.

Section 2. 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 improvements and expenses in connection therewith, to be constructed in conjunction with an overall plan to increase and improve the water distribution

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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 estimated cost to said Extension No. 49 (Middle Road and Harrison Avenue) pursuant to these proceedings for said construction shall not exceed \$75,000. 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. 49 (Middle Road and Harrison Avenue) 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 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

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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.

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The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

<u>SUPERVISOR STARK</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN PRUSINOWSKI</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN LULL</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN KWASNA</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN WITTMEIER</u>	VOTING	<u>AYE</u>

The order was thereupon declared duly adopted.

* * * * *

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

E2L.3:7 A

RIVERHEAD WATER DISTRICT

DESCRIPTION OF PROPOSED EXTENSION NO. 49

RIVERHEAD

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 ± 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 June 18, 1996, 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

November 17, 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

November 22, 1995

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on June 19, 1996.

Barbara Guattan
Town Clerk

(CORPORATE
SEAL)

5/18/96

TOWN OF RIVERHEAD

Resolution #476

Adopted ⁷⁷⁷

RESOLUTION AUTHORIZING THE ISSUANCE OF \$75,000 SERIAL BONDS TO
PAY FOR THE COST AND INSTALLATION OF NEW WATER MAINS FOR
EXTENSION NO. 49 (MIDDLE ROAD & HARRISON AVENUE) TO THE RIVERHEAD
WATER DISTRICT

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 June 18,
at 2:00 o'clock P.M., Prevailing Time.

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

PRESENT:

- JAMES R. STARK, Supervisor
- Victor Prusinowski, Councilman
- James Lull, Councilman
- Mark Kwasna, Councilman
- Otto Wittmeier, Councilman

ABSENT:

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

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon
duly adopted.

BOND RESOLUTION DATED JUNE 18, 1996.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$75,000 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. 49 (MIDDLE ROAD AND HARRISON AVENUE) 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 June 18, 1996, the Town Board of the Town of Riverhead, Suffolk County, New York, has established Extension No. 49 (Middle Road and Harrison Avenue) 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

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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 improvements and expenses in connection therewith, as more fully described in the aforesaid Order establishing said Extension No. 49 (Middle Road and Harrison Avenue) to the Riverhead Water District;

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 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. 49 (Middle Road and Harrison Avenue) to the Riverhead Water District, 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

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incidental improvements and expenses in connection therewith, as described in the preambles hereof, there are hereby authorized to be issued \$75,000 serial 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. 49 (Middle Road and Harrison Avenue) to the Riverhead Water District of the aforescribed improvements is \$75,000 and the plan for the financing thereof shall consist of the issuance of the \$75,000 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.

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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 assessed upon and collected from the several lots and parcels of land within said Extension No. 49 (Middle Road and Harrison Avenue) 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, 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 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,

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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 annual 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

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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 Section 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 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

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newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>SUPERVISOR STARK</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN PRUSINOWSKI</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN LULL</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN KWASNA</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN WITTMEIER</u>	VOTING	<u>AYE</u>

The resolution was thereupon declared duly adopted.

* * * * *

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 June 18, 1996, 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	June 14, 1996

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

June 19, 1996

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

Barbara Quatton
Town Clerk

(CORPORATE
SEAL)

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Riverhead, Suffolk County, New York, on November 21, 1995, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Riverhead, New York,
JUNE 13, 1996

Barbara Grattan

Town Clerk

BARBARA GRATTAN

BOND RESOLUTION DATED NOVEMBER 21, 1995.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$75,000 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. 49 (MIDDLE ROAD AND HARRISON AVENUE) 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 November 21, 1995, the Town Board of the Town of Riverhead, Suffolk County, New York, has established Extension No. 49 (Middle Road and Harrison Avenue) 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

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 improvements and expenses in connection therewith, as more fully described in the aforesaid Order establishing said Extension No. 49 (Middle Road and Harrison Avenue) to the Riverhead Water District;

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 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. 49 (Middle Road and Harrison Avenue) to the Riverhead Water District, 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 improvements and expenses in connection therewith, as described in the preambles hereof, there are hereby authorized to be issued \$75,000 serial 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. 49 (Middle Road and Harrison Avenue) to the Riverhead Water District of the aforescribed improvements is \$75,000 and the plan for the financing thereof shall consist of the issuance of the \$75,000 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.

-4-

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 assessed upon and collected from the several lots and parcels of land within said Extension No. 49 (Middle Road and Harrison Avenue) 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, 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 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 bonds having substantially level or declining annual 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 Section 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 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.

Adopted

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon
duly adopted.

Adopted

TOWN OF RIVERHEAD

Resolution #477

AWARDS BID FOR EXTENSION NO. 45, Phase 3
RIVERHEAD WATER DISTRICT
NORTHVILLE

TOWN OF RIVERHEAD

Adopted June 18, 1996

COUNCILMAN KWASNA offered the following resolution which was seconded by **COUNCILMAN WITTMEIER**

WHEREAS, this Town Board did authorize the advertisement for bids for the installation of water mains and appurtenances for an extension to the Riverhead Water District to be known as Extension No. 45, Phase 3, in the vicinity of Northville, and

WHEREAS, the Town Clerk was authorized to advertise for bids, and

WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and

WHEREAS, by letter dated January 6, 1996, H2M, consulting engineers to the Town of Riverhead Water District, did recommend that the bid be awarded to Merrick Utility Associates, Inc. of Farmingdale, New York, in the amount of \$880,087.25, the lowest responsible bidder,

THE VOTE

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Extension No. 45, Phase 3, to the Riverhead Water District, be and is hereby awarded to Merrick Utility Associates, Inc. of Farmingdale, New York, in the amount of \$880,087.25, the lowest responsible bidder, and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to Merrick Utility Associates, Inc., H2M, Gary Pendzick, and Pierre G. Lundberg, Esq.

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 contract with the Town Clerk, the Town Clerk is hereby authorized to release to the successful bidder the bidder's bid security.

Adopted

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon
duly adopted.

Adopted

TOWN OF RIVERHEAD

Resolution # 478

APPROVES SITE PLAN OF EAST COAST NURSERIES

COUNCILMAN WITTMEIER offered the following resolution, which was seconded by

COUNCILMAN KWASNA:

WHEREAS, a site plan and elevations were submitted by Kenneth R. Ballato, as agent for East Coast Nurseries for the construction of 182 temporary greenhouses, in phases located at the south side of Reeves Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-63-3-5; and

WHEREAS, the Planning Department has reviewed the site plan dated last May 7, 1996, as prepared by Raynor & Marcks Surveyors, P.C., P.O. Box 596, Quogue NY 11959, and elevations dated April 12, 1996, as prepared by Hexagon, 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) Type II 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, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Kenneth R. Ballato, as agent for East Coast Nurseries, for the construction of 182 temporary greenhouses, in phases, located at the south side of Reeves Avenue, Riverhead, New York, site plan dated last May 7, 1996, as prepared by Raynor & Marcks Surveyors, P.C., P.O. Box 596, Quogue NY 11959, and elevations dated April 12, 1996, as prepared by Hexagon, 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;

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 as well as those of Section 108-110.7 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 the use of the structure(s) approved herein shall be limited solely to agricultural production and that there shall be no retail use therein; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth R. Ballato, as agent for East Coast Nurseries, the Riverhead Planning Department, Riverhead Building Department, and Office of the Town Attorney.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1996, made by K & E Land Corp., residing at 48 Pameeches Path, East Moriches NY 11940, 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 the use of the structure(s) approved herein shall be limited solely to agricultural production and that there shall be no retail use therein.

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

K & E LAND 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

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

6/18/96

TOWN OF RIVERHEAD

Resolution # 479

DECLARES LEAD AGENCY & DETERMINES SIGNIFICANCE OF THE RIVERHEAD COMMERCIAL SEWER DISTRICT EXTENSION

COUNCILMAN PRUSINOWSKI offered the following

resolution, which was seconded by COUNCILMAN LULL :

WHEREAS, the Town Board of the Town of Riverhead is in receipt of several petitions from property owners for extension and connection to the Riverhead Sewer District; such real property generally located at County Route 58, Riverhead, and

WHEREAS, after careful consideration of these petitions and their impact upon the existing facilities of the district, the Town Board authorized Malcolm Pirnie, as consulting engineer to the Sewer District, to prepare a map and plan for the Town of Riverhead Commercial Sewer District Extension ("Extension") to serve the aforementioned properties as well as other properties within the general vicinity, and

WHEREAS, Malcolm Pirnie has prepared a map and plan pursuant to Section 192 of the Town Law; such map and plan depicting all proposed improvements to the Sewer District as well as a land use, zoning and economic impact analysis of the "Extension", and

WHEREAS, Malcolm Pirnie has prepared an environmental assessment form ("EAF") for the "Extension" and has transmitted such "EAF" to the Riverhead Town Board for its review pursuant to 6NYCRR Part 617, and

WHEREAS, the Riverhead Planning Department has reviewed part one (1) of the "EAF" and upon such review has completed part two (2) of the document as required by 6NYCRR Part 617 and has not identified any major impacts to the environment created by the construction of the "Extension", and

WHEREAS, based upon its review the Planning Department has recommended that the action be considered an Unlisted Action without a significant impact upon the environment and that an environmental impact statement need not be prepared, and

WHEREAS, the Riverhead Town Board has carefully considered the map and plan for the Riverhead Commercial Sewer District Extension, the attending environmental assessment form, the report of the Planning Department, as well as all other relevant planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the construction of the Riverhead Commercial Sewer District Extension, the Riverhead Town Board hereby declares itself to be the lead agency in the environmental review process, and

BE IT FURTHER

RESOLVED, that as lead agency, the Riverhead Town Board determines that the proposed action will not result in adverse environmental impacts and further determines the action to be Unlisted without a significant impact upon the environment and that an environmental impact statement need not be prepared such that all identified environmental impacts can be mitigated through existing permit and review procedures, and

BE IT FURTHER

RESOLVED, that the Planning Director is hereby authorized to publish and post that Notice of Determination of Nonsignificance as required by 6NYCRR 617.12, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be filed in the Office of the Town Clerk of the Town of Riverhead.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

JUNE 18, 1996

Adopted

AWARDS BID FOR MILK**RESOLUTION #** 480

COUNCILMAN LULL OFFERED THE FOLLOWING RESOLUTION,
WHICH WAS SECONDED BY COUNCILMAN FRUSINOWSKI.

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

WHEREAS, bids were received, opened and read aloud on the 20th day of May, 1996 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 **MILK** be, and hereby is, awarded to **ARSHAMOMAQUE DAIRY FARM, INC.** for \$.19 per pint.

RESOLVED, that the Town Board hereby directs the Town Clerk to return any and all bid bonds received in connection with the above.

RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a certified copy of this Resolution to **ARSHAMOMAQUE DAIRY FARM, INC.**, the Nutrition Department and the Accounting Department.

Adopted

JUNE 18, 1996

TOWN OF RIVERHEAD

RESOLUTION #481

EXTENDS CONTRACT FOR OFFICE SUPPLIES, FURNITURE AND EQUIPMENT

COUNCILMAN KWASNA OFFERED THE FOLLOWING RESOLUTION,

WHICH WAS SECONDED BY COUNCILMAN WITTMEIER

WHEREAS, the Purchasing Department has requested the contract with CENTRAL OFFICE SUPPLY, INC.; LEGEND FURNITURE and McCABES OFFICE PRODUCTS CO., INC., originally awarded under Resolution #796 of the Town Board adopted January 18, 1994, be extended until September 30, 1996 and;

WHEREAS, CENTRAL OFFICE SUPPLY, INC.; LEGEND FURNITURE and McCABES OFFICE PRODUCTS CO., INC. have agreed to extend the contract until September 30, 1996; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT RESOLVED, that the contract for Office Supplies, Furniture and Equipment be, and hereby is, extended to September 30, 1996; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and hereby is, directed to forward a certified copy of this resolution to CENTRAL OFFICE SUPPLY, INC.; LEGEND FURNITURE; McCABES OFFICE PRODUCTS CO., INC.; the Purchasing Department and the Accounting Department.

Adopted

6/18/96

TOWN OF RIVERHEAD

RESOLUTION #482
Dated June 18, 1996

AUTHORIZES AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT

COUNCILMAN WITTMEIER

offered the

following resolution, which was seconded by COUNCILMAN KWASNA

WHEREAS, the Town of Riverhead wishes to amend its FY93 and FY95 Community Development Block Grant Program; and

WHEREAS, in compliance with citizen participation requirements a public notice was published on June 5, 1996 to afford the public an opportunity to comment on the proposed amendment.

THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes submission of the proposed amendment by the Community Development Director; and

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

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Nay
Nay
Nay
Nay
Nay
repeal

0086673.01

ORDER CALLING PUBLIC HEARING FOR THE ESTABLISMENT OF A PROPOSED SEWER DISTRICT EXTENSION TO BE KNOWN AS THE COMMERCIAL SEWER DISTRICT EXTENSION TO 72113-3117P THE RIVERHEAD SEWER DISTRICT PURSUANT TO ARTICLE 12-A OF TOWN LAW

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 June 18, 1996, at 2:00 o'clock P.M., Prevailing Time.

PRESENT:

JAMES R. STARK
Supervisor

VICTOR PRUSINOWSKI
Councilman

JAMES LULL
Councilman

MARK KWASNA
Councilman

OTTO WITTMEIER
Councilman

The following order was offered by
COUNCILMAN PRUSINOWSKI, who moved its adoption, seconded by
COUNCILMAN LULL, to wit:

0086673.01

-----X
 :
 In the Matter :
 of :
 the Establishment of a proposed :
 sewer district extension in the :
 Town of Riverhead, Suffolk :
 County, New York, to be known :
 as the Commercial Sewer District :
 Extension to the Riverhead Sewer :
 District, pursuant to Article 12-A :
 of the Town Law :
 -----X

ORDER CALLING
PUBLIC HEARING

WHEREAS, a map, plan and report, including an estimate of cost, have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Riverhead, Suffolk County, New York, relating to the establishment of a proposed sewer district extension in said Town, such extension to be known as the Commercial Sewer District Extension of the Riverhead Sewer District of the Town of Riverhead (hereinafter, the "extension" or the "Commercial Sewer District Extension"); and

WHEREAS, said map, plan and report dated June 11, 1996, were prepared by Malcolm Pirnie, Inc., 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, the Commercial Sewer District Extension to the Riverhead Sewer District shall be bounded and described as set forth in Schedule A attached hereto, and hereby made a part hereof;

- 2 -

WHEREAS, the improvements proposed for the Commercial Sewer District Extension to the Riverhead Sewer District will be the purchase and installation of force main, gravity sewer lines and trunk lines, and the construction of two new pump stations, together with reconstruction of existing pump stations and sewer lines within the existing Riverhead Sewer District as necessitated by the establishment of the Extension, including original furnishings, equipment, machinery, apparatus, appurtenances, and other necessary incidental improvements and expenses in connection therewith, said improvements to be owned and operated by said Town; and

WHEREAS, the aggregate maximum amount proposed to be expended for said improvements is \$5,267,100, and the method of financing the cost of said improvements shall be by the issuance of a maximum aggregate face amount of \$5,267,100 serial bonds of said Town maturing in annual installments over a period not exceeding forty years, such bonds to be payable from assessments levied upon the several lots and parcels of land within said Extension which the Town Board shall determine and specify to be especially benefited by the improvements, an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within 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, and

WHEREAS, the establishment of said Extension and the improvements proposed have been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined, will not result in any significant environmental impacts as stated in the proceedings, including a Notice of Non-Significance, adopted on the date hereof; and

WHEREAS, the estimated cost of hook-up fees to the typical property in the Extension is \$24,424 and the estimated cost of hook-up fees to the typical one or two family home in the Extension is \$0.00, there being no such properties in the Extension; and

WHEREAS, the estimated cost of the Extension to the typical property in said Extension, is \$1,878 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 typical one or two family home therein is \$0.00 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid, there being no such properties in the Extension; 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 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, the Town Board now desires to call a public hearing upon the question of the establishment of the Commercial Sewer District Extension to the Riverhead Sewer District of the Town of Riverhead in the manner aforesaid pursuant to Section 209-d 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 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 July 1, 1996 at 1:00 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the establishment of a proposed sewer district extension of said Town as described in the preambles hereof, to be known as the Commercial Sewer District Extension to the Riverhead Sewer District, and to consider the map, plan and report, including an estimate of cost, 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.

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 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. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

<u>SUPERVISOR STARK</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN PRUSINOWSKI</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN LULL</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN KWASNA</u>	VOTING	<u>AYE</u>
<u>COUNCILMAN WITTMEIER</u>	VOTING	<u>AYE</u>

The order was thereupon declared duly adopted.

* * * * *

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

SCHEDULE A

The Commercial Sewer District Extension (CSDE) for the Riverhead Sewer District is described through the following Section Block Lot (S.B.L.) numbers from the Suffolk County Tax Maps.

Beginning at the corner of Osborn Ave. and Old Country Rd., thence northeast along the southern boundaries of 108-2-10 and 108-2-9; thence northwest along the eastern boundary of 108-2-9; thence southwest along the northern boundaries of 108-2-9 and 108-2-10; thence southeast along the western boundary of 108-2-10; thence northwest along Osborn Ave and the eastern boundary of 108-2-6.1; thence southwest and west along the northern boundary of 108-2-6.1; thence northwest, and then southwest along the eastern and northern boundaries of 108-2-2; thence northwest along the eastern boundaries of 101-2-6.2 and 101-2-6.1; thence west, and then southeast along the northern and western boundary of 101-2-6.1; thence west along the northern boundaries of 101-2-9.2, 101-2-9.4 and 101-2-10; thence southeast along the western boundary of 101-2-10; thence southwest along the northern boundary of 101-2-11; thence northwest along eastern boundary of 101-1-11; thence southwest along the northern boundaries of 101-1-11 and 101-1-10.2 thru 10.17; thence southeast along the western boundaries of 101-1-10.2 thru 10.17; thence west along Old Country Rd.; thence north, then northwest along the eastern boundary of 101-1-3; thence southwest along the northern boundary of 101-1-3; thence southeast along the western boundary of 101-1-3; thence southwest along the northern boundary of 101-1-2; thence northwest, then west, then northwest, then west, then southeast, then southwest along the eastern, northern, and western boundaries of 118-3-6; thence south along the western boundaries of 118-3-6, and 118-2-1.

Crossing Old Country Rd., thence south along 118-3-4; thence west along the northern boundaries of 118-3-4 and 118-3-2.3; thence south, then southeast, then northeast along the western and southern boundary 118-2-2.3; thence south, then east, then southeast, then east, then north along the southern and eastern boundary of 118-3-4; thence east along the southern boundary of 118-3-7; thence south along the western boundary of 119-1-38; thence east along the southern boundaries of 119-1-38 and 119-1-37; thence north along the eastern boundary of 119-1-37; thence east along the southern boundaries of 119-1-36 and 119-1-40; thence south along the western boundary of 119-1-25; thence east along the southern boundaries of 119-1-25, 119-1-24, and 119-1-23; thence north along the eastern boundary of 119-1-23; thence east along the southern boundary of 119-1-9.2; thence south along the western boundary of 119-1-10; thence east along the southern boundaries of 119-1-10 and 119-1-11; thence northeast, then northwest along the southern and western boundary of 119-1-19.1; thence east along the southern boundaries of 101-2-12.4 and 101-2-12.5.; thence north along the eastern boundary of 101-2-12.5; thence east along Old Country Rd.; thence southeast along the western boundaries of 101-2-14 and 101-2-15.2; thence east along the southern boundary 101-2-15.2; thence southeast along the eastern boundary of 125-1-2 and the southern boundaries of 125-1-3 and 125-1-4; thence northwest along the eastern boundary of 125-1-4; thence northeast, and then northwest along the southern and eastern boundary of 108-2-8; thence northeast along Old Country Rd., ending at the existing Riverhead Sewer District boundary, at the corner of Old Country Rd. and Osborn Ave.

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 June 18, 1996, 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:

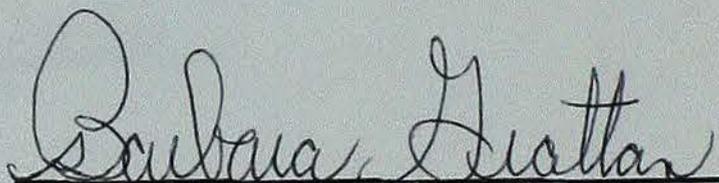
<u>Newspaper and/or other news media</u>	<u>Date given</u>
Suffolk County Life	June 14, 1996

AFFIDAVIT OF POSTING

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DEPOSE AND SAY:

That on the 19th day of June, 1996 I caused to be posted on the official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, an order, certified by me, duly adopted by said Town Board on the 18th day of June, 1996, a true and correct copy of which is attached hereto and made a part hereof.


Town Clerk

Subscribed and sworn to before me
this _____ day of June, 1996.

Notary Public

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:

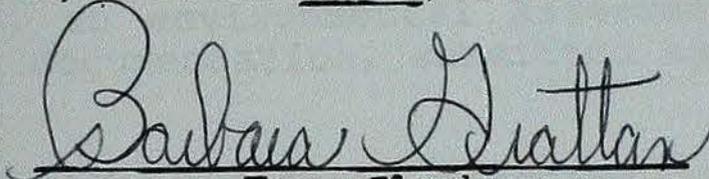
Designated Location(s)
of posted notice

Date of Posting

Town Clerk's Bulletin Board

June 19, 1996

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on June 19th, 1996.


Town Clerk

(SEAL)

Adopted

6/18/96

TOWN OF RIVERHEAD

Resolution # 484

DETERMINATION OF SIGNIFICANCE OF SPECIAL PERMIT (SITE PLAN)
PETITION OF HUNT-LIEDTKE MANAGEMENT, INC. (MCDONALDS)

COUNCILMAN LULL

offered the following

COUNCILMAN FRUSINOWSKI

resolution, which was seconded by _____ :

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Anthony M. Liedtke for a second drive thru window for an existing fast food restaurant located on a 1.07 acre parcel zoned Business 'CR' and known by Suffolk County Tax Map No. 0600-84-4-30.1, and

WHEREAS, an environmental assessment form was, together with supporting documentation, submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed the environmental assessment form and supporting documentation and recommends the petition be considered a Type II Action pursuant to 6 NYCRR Part 617.5(c) (7), and

WHEREAS, pursuant to 6 NYCRR Part 617.3(f) and 617.6(a) (1), agency responsibilities for SEQOR end with this designation and no determination of significance is required, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board considers the Special Permit application of Hunt-Liedtke Management, Inc. to be Type II for purposes of compliance with SEQOR, and

BE IT FURTHER

RESOLVED, that this classification be considered effective for any related petition for Site Plan approval, and

BE IT FURTHER

RESOLVED, that the Town Clerk be directed to refer the petition to the Riverhead Planning Board for their review and recommendation, and

BE IT FURTHER

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

Adopted

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon
duly adopted.

6/18/96

Adopted

TOWN OR RIVERHEAD

Resolution # 485
Adopted 6/18/96

AUTHORIZING PUBLICATION OF AD FOR THE SUFFOLK COUNTY REVOLVING LOAN FUND

COUNCILMAN KWASNA offered the following

resolution, which was seconded by COUNCILMAN WITTMETIER.

WHEREAS, the Town of Riverhead in cooperation with Suffolk County, is offering an Economic Development Revolving Loan Fund program designed to encourage the creation and retention of jobs and the revitalization of distressed communities; and

WHEREAS, the economic development loan fund provides loans to new or expanding business in the Riverhead area.

THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to publish the attached display ad in the Suffolk County Life on Wednesday, June 19, 1996.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be provided to Andrea Lohneiss, Community Development Director.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Nay
Nay
Nay
Nay
Nay
Nay
Nay

SUFFOLK COUNTY
REVOLVING LOAN FUND

- WHO: Small and medium-sized businesses located in the Town of Riverhead are eligible to apply.
- WHAT: Loans at prime interest rate up to 10 year terms; loan amounts \$25,000 to \$150,000; Provided for construction, renovation, equipment purchase, working capital, site improvements, and acquisition if jobs are created or retained and 51% are available to low and moderate income persons.
- WHEN: Funds are available upon satisfactory completion of application.
- WHERE: Applications are available from:
- | | | |
|-----------------------|----|-----------------------|
| Joseph Sanseverino | | Andrea Lohneiss |
| Suffolk County | | Town of Riverhead |
| Community Development | or | Community Development |
| 853-5705 | | 727-3200 Ext. 287 |
- WHY: To encourage retention and creation of job opportunities and revitalization of distressed communities in order to achieve economic stability in the region.

Adopted

06/18/96

TOWN OF RIVERHEAD

RESOLUTION # 486

AUTHORIZES ATTENDANCE OF ASSESSORS AT SEMINAR

~~COUNCILMAN WITTMEIER~~ offered the following resolution which was seconded by COUNCILMAN KWASNA :

WHEREAS, a seminar and exam for assessors is being held at Cornell University, Ithaca, New York, on July 14 through July 20, 1996.

WHEREAS, 2 members of the Board of Assessors have expressed a desire to attend seminar.

NOW, THEREFORE, BE IT RESOLVED, that 2 assessors are hereby authorized to attend said seminar, and

BE IT FURTHER RESOLVED, that their use of the Town vehicle is hereby authorized, and

BE IT FURTHER RESOLVED, that the amounts of \$790.00 and \$720.00 shall cover tuition, exam fee, and housing, and

BE IT FURTHER RESOLVED, that an advance of \$ 495.00 for each assessor shall cover travel, meals, materials, and deposit, and

BE IT FURTHER RESOLVED, that all expenses shall be fully receipted upon their return, and

BE IT FURTHER RESOLVED, that tuition is subject to reimbursement by the State to the Town of Riverhead upon completion of said seminar.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

6/18/96

TOWN OF RIVERHEAD

Resolution # 487

DECLARES LEAD AGENCY & DETERMINES SIGNIFICANCE OF ACTION RAPID
RECOVERY TOWING SPECIAL PERMIT & SITE PLAN

COUNCILMAN PRUSINOWSKI offered the following

resolution, which was seconded by COUNCILMAN LULL :

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Scott Perlow pursuant to Section 108-45 B(16) of the Town Code for the use of an existing 800 square foot structure on a .84 acre parcel zoned Industrial 'A' and known specifically as SCTM No. 0600-118-4-11 for motor vehicle repair, and

WHEREAS, an Environmental Assessment Form was submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed the Environmental Assessment Form and supporting documentation and recommended the petition be considered an Unlisted Action for which coordinated review is optional and in this case unnecessary, and

WHEREAS, the Planning Department, by preparation and evaluation of its SEQR staff report, has further recommended that the action will not have a significant effect upon the environment, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the Lead Agency in the special permit application of Rapid Recovery Towing, and

BE IT FURTHER

RESOLVED, that the application be considered to be an Unlisted Action which will not have a significant effect upon the environment and that a Draft Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that this classification and determination be considered valid for any related approval subject to SEQR, and

BE IT FURTHER

RESOLVED, that the Riverhead Planning Department be directed to publish and post those notices as required by 6NYCRR Part 617, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department, the applicant or his agent and to forward the special permit petition to the Riverhead Planning Board for their report and recommendation.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

6/18/96

Adopted

TOWN OF RIVERHEAD RESOLUTION #488

RESOLUTION OF THE TOWN OF RIVERHEAD RECOMMENDING ACQUISITION OF LAND AND PLEDGING USE OF FUNDS RECEIVED UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

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

WHEREAS, under the Suffolk County Drinking Water Protection Program established by Article XII of the Suffolk County Charter, a portion of the funds acquired through the Quarter Percent (1/4%) Sales Tax Program is to be allocated to an Environmental Trust Fund; and

WHEREAS, a portion of the money within the Environmental Trust Fund is to be allocated through revenue sharing to towns within Suffolk County, pursuant to a formula within S.C. Charter §C12-5(D), if lands exist in a town which fit the criteria for the Suffolk County Pine Barrens Preserve or Suffolk County Water Protection Preserve, as defined in S.C. Charter §C12-2, the town's revenue-sharing allocation under the program must be used for acquisitions of such lands; and

WHEREAS, such acquisitions must be made by the County of Suffolk, upon recommendation of the town, in accordance with Suffolk County Charter §C12-5(A) and (D); and

WHEREAS, the Town Board of the Town of Riverhead strongly supports the acquisition and preservation of the parcels listed in Exhibit "A", because these lands fit the criteria in Suffolk County Charter §C12-2 for inclusion in the program;

WHEREAS, under the State Environmental Quality Review Act, Environmental Conservation Law Article 8 (hereinafter "SEQRA"), environmental review for the Suffolk County Drinking Water Protection Program was previously completed by Suffolk County Local Law Nos. 40-1987 and 35-1988; and

WHEREAS, the Drinking Water Protection program was classified as a Type I action and negative declarations were issued by both of the above local laws; now, therefore, be it

RESOLVED, that the Town Board of the Town of Riverhead does formally convey its recommendation to County officials for acquisition of any of the parcels listed on Exhibit "A", pursuant to Suffolk County Charter Article 12; and be it further

RESOLVED, that the Town of Riverhead does hereby pledge to use any revenue sharing funds received or credited as aforesaid pursuant to the Suffolk County Charter Article 12 Drinking Water Protection Program for acquisition of any of the parcels listed in Exhibit "A", or any interest therein, subject to the conditions that Suffolk County will take full title, or any interest therein, to the subject parcels and will preserve the subject properties in a manner consistent with the provisions of the Water Protection Program; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward certified copies of this resolution to the following officials and agencies: Suffolk County Executive; All Suffolk County Legislators; Suffolk County Planning Department; Suffolk County Division of Real Estate; Environmental Trust Fund Review Board; Office of Legislative Budget Review.

RESOLVED, that this Town Board, being the lead agency for purposes of this resolution only, hereby finds and determines that adoption of this resolution is a Type II action, because it constitutes implementation of an action which has previously been reviewed under SEQRA and, therefore, is routine and continuing agency administration and management, not including new programs or major reordering of priorities; see 6 NYCRR §617.5 (c) (20) and (27); as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that this resolution shall become effective immediately.

**TOWN OF RIVERHEAD
1/4% SALES TAX LAND ACQUISITION
(by Suffolk County Tax Map Number)**

Exhibit A

- | | |
|-----------------|-----------------|
| 0600-118-4-7 | 0600-119-1-43 |
| 0600-118-4-9 | 0600-119-2-18 |
| | 0600-119-2-19 |
| 0600-118-5-12.1 | 0600-119-2-20 |
| 0600-119-2-61.1 | 0600-119-2-28 |
| | 0600-119-2-34 |
| 0600-119-2-1 | |
| 0600-119-2-56 | 0600-120-2-4 |
| 0600-119-2-57 | 0600-120-2-5 |
| 0600-119-2-58 | |
| 0600-119-2-59 | 0600-124-4-11.4 |
| | 0600-125-2-37.1 |
| | 0600-125-2-6 |
| 0600-119-2-46.1 | |
| 0600-119-2-47 | |
| 0600-119-2-40 | 0600-128-2-7.1 |
| | 0600-128-2-7.2 |
| 0600-109-1-10 | 0600-128-2-8 |
| 0600-109-1-11 | |

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

6/18/96

TOWN OF RIVERHEAD

Resolution # 489

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE
REGARDING YARD SALES**

COUNCILMAN KWASNA offered the following resolution, was seconded by

COUNCILMAN WITTMIEIER

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to regarding yard sales once in the Suffolk County Life, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Towns of Brookhaven, Southold and Southampton and the Town Attorney's Office.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 2nd day of July, 1996 at 7:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested parties regarding yard sales as follows:

§108-58.1 Yard Sales

A. Yard sales, attic sales, garage sales, auction sales or similar types of sales of personal property owned by the occupant of the premises and located thereon, subject to the following requirements:

1. Adequate parking facilities shall be provided or made available.
2. No signs, except one (1) on-premises sign not larger than six (6) square feet in size displayed for a period of not longer than one (1) week immediately prior to the day of such sale, shall be permitted.
3. The display permit issued by the Town Clerk shall be posted on the premises so it can be read from the street and removed before sundown on the day of the sale.
4. The hours, location on the site and methods of operation will cause no reasonable disturbance to the neighborhood.
5. The premises will be cleared of trash and debris and all signs erected will be removed before sundown on the day of the sale.
6. Not more than four (4) days of such sales shall be conducted on any lot within any calendar year.

B. Permit required; fee.

1. A permit from the Town Board shall be required of any operator holding such sales within any calendar year.
2. A permit shall be obtained therefor from the Town Clerk upon payment of fifteen dollars (\$15.) except as set forth in subsection B. 3.
3. No fee shall be required of any operator holding less than three (3) days of such sales within any calendar year.

C. Enforcement; violations and penalties.

1. The Zoning Officer shall enforce the provisions of this chapter. Upon demonstration of violation of the conditions of a permit, such permit may be revoked and

security may be required as a condition for any subsequent permit issued to that operator.

2. Each violation of the provision of this section shall be punishable by a fine not exceeding fifty dollars (\$50.) per offense, with each day that a violation exists considered as a separate offense.

Dated: Riverhead, New York
June 18, 1996

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

- * Underscore represents addition(s)
- ** Overstrike represents deletion(s)

JUNE 18, 1996

Adopted

REJECTS BID AND AUTHORIZES TOWN CLERK TO REPUBLISH AND REPOST A NOTICE TO BIDDERS FOR BENJAMIN/CORWIN RE-ROOFING PROJECT

RESOLUTION # 490

COUNCILMAN WITTMIEIER OFFERED THE FOLLOWING RESOLUTION, WHICH WAS SECONDED BY COUNCILMAN KWASNA.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the re-roofing of the Benjamin/Corwin houses located on East Main Street, Riverhead; and

WHEREAS, bids were received, opened and read aloud on the 12th day of June, 1996, 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 Town wishes to reject any and all bids submitted for the above project; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice, once in the Suffolk Life, hereby designated as the official newspaper for this purpose, and also to cause a copy of the attached public notice to be posted on the sign board of the Town in the Office of the Town Clerk; 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.

RESOLVED, that the Town Clerk be, and is hereby directed to forward a certified copy of this resolution to K-Man Construction, 308 Old Farm Road, Riverhead, New York, 11901; Douglas S. Plotke, Jr., Inc., d/b/a Roof Services, 45 Third Avenue, Bay Shore, New York, 11706, Kenneth Testa and the Accounting Department.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **BENJAMIN/CORWIN HOUSES, RE-ROOFING, EAST MAIN STREET, Riverhead, New York** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. prevailing time on July 10, 1996, at which time and place they will be publicly opened and read aloud.

Plans and Specifications may be examined and obtained, on or about June 26, 1996, at the Office of the Town Clerk between the hours of 8:30 a.m. and 4:30 p.m. weekdays, except holidays.

A deposit of \$50.00 will be required for each copy of the Contract Documents.

Each proposal must be submitted on the form provided and must be accompanied by a bid surety as stated in the Instructions to Bidders.

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

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

Barbara Grattan, Town Clerk

DATED: June 18, 1996
Riverhead, New York

Adopted

6/18/96

TOWN OF RIVERHEAD

Resolution # 491

APPROVES SITE PLAN OF CITGO SERVICE STATION - ADDITION OF CANOPY

COUNCILMAN FRUSINOWSKI offered the following resolution, which was seconded by

COUNCILMAN LULL:

WHEREAS, a site plan and elevations were submitted by Michael Papsidero, as agent for Fletcher Chalmers and Stanley Nabrezny, for the installation of a canopy over existing pump islands, and related site improvements, located at the northwest corner of Old Country Road (C.R. 58) and Osborne Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-2-7; and

WHEREAS, the Planning Department has reviewed the site plan dated last June 12, 1996, as prepared by Harry Armen, Jr., Petroleum Associates, 6 Purdue Road, Glen Cove NY 11542, and elevations dated last June 3, 1996, as prepared by Harry Armen, Jr., Petroleum Associates, 6 Purdue Road, Glen Cove NY 11542, 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) Type II 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 96-16902 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 site plan and elevations submitted by Michael Papsidero, as agent for Fletcher Chalmers and Stanley Nabrezny, for the installation of a canopy over existing pump islands, and related site improvements, located at the northwest corner of Old Country Road (C.R. 58) and Osborne Avenue, Riverhead, New York, site plan dated last June 12, 1996, as prepared by Harry Armen, Jr., Petroleum Associates, 6 Purdue Road, Glen Cove NY 11542, and elevations dated last June 3, 1996, as prepared by Harry Armen, Jr., Petroleum Associates, 6 Purdue Road, Glen Cove NY 11542, 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, Fletcher Chalmers and Stanley Nabrezny hereby authorizes and consents to the Town of Riverhead to enter premises at the northwest corner of Old Country Road (C.R. 58) and Osborne Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

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

11. That all new 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 in this 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 this approval shall be subject to the changes to the planting plan and schedule as indicated on the site plan approved herein and initialled by a majority of the Town Board, and that these changes shall be incorporated by the applicant on the applicable drawings prior to the issuance of a building permit;

16. That this approval shall be subject to those engineering details noted on the site plan approved herein and initialled by a majority of the Town Board, which information shall be incorporated by the applicant on the appropriate drawings, prior to the issuance of a building permit; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael Papsidero, Fletcher Chalmers and Stanley Nabrezny, the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1996, made by Fletcher Chalmers and Stanley Nabrezny, residing at 1356 Old Country Road, Riverhead NY 11901, 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.

Fletcher Chalmers

Stanley Nabrezny

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

On the _____ day of _____, 1995 before me personally came Fletcher Chalmers, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the northwest corner of Old Country Road (C.R. 58) and Osborne Avenue, Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

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

On the _____ day of _____, 1995 before me personally came Stanley Nabrezny, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the northwest corner of Old Country Road (C.R. 58) and Osborne Avenue, Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

6/18/96

TOWN OF RIVERHEAD

RESOLUTION #492
DATED JUNE 18, 1996AUTHORIZING REPUBLICATION OF NOTICE TO AMEND COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAMCOUNCILMAN LULL offered the followingresolution, which was seconded by COUNCILMAN PRUSINOWSKI.

WHEREAS, it is the desire of the Town of Riverhead to amend its FY93 and FY 95 Community Development Block Grant program; and

WHEREAS, such an amendment requires notification of the public prior to submission of the amendment for transfer of funds and budget modification in order to provide an opportunity for comment.

THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice in the Suffolk County Life on Wednesday, June 26, 1996; and

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

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon
duly adopted.

PUBLIC NOTICE
 AMENDMENT TO TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT PROGRAM

The Town of Riverhead is proposing the following changes to its Community Development Block Grant Program:

Year XIX (FY93)

<u>Activity</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Demolition/Clearance Rimland Building	\$ 45,000	(\$45,000)	-0-
Public Facilities Improvements Benjamin/Corwin	-0-	\$45,000	\$45,000

Year XXI (FY95)

Street Lighting Pulaski Street	\$ 12,500	(\$3,500)	\$9,000
Lincoln Street Curbing	-0-	\$3,500	\$3,500

Interested citizens should address comments to:

Town of Riverhead
 Community Development Office
 200 Howell Avenue
 Riverhead, New York 11901
 727-3200 Ext. 238

**June 26, 1996 Suffolk County Life

Adopted

6/18/96

TOWN OF RIVERHEAD

Resolution # 493

APPROVES SITE PLAN OF RIVERHEAD OSBORNE REALTY - GAS STATION & CONVENIENCE STORE

COUNCILMAN KWASNA offered the following resolution, which was seconded by

COUNCILMAN WITTMEIER

WHEREAS, a site plan and elevations were submitted by Garrett A. Strang, R.A., as agent for Riverhead Osborne Realty, for the demolition of an existing structure and construction of a gas station and convenience store, with canopy and attendant site improvements, located at the southeast corner of Old Country Road (C.R. 58) and Osborne Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-122-2-1; and

WHEREAS, the Planning Department has reviewed the site plan dated May 31, 1996, as prepared by Garrett A. Strang, R.A., P.O. Box 1412, Southold NY 11971, and elevations dated April 5, 1996, as prepared by Garrett A. Strang, R.A., P.O. Box 1412, Southold NY 11971, 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) Unlisted 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 initialed 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 96-13614 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 site plan and elevations submitted by Garrett A. Strang, R.A., as agent for Riverhead Osborne Realty, for the demolition of an existing structure and construction of a gas station and convenience store, with canopy and attendant site improvements, located at the southeast corner of Old Country Road (C.R. 58) and Osborne Avenue, Riverhead, New York, site plan dated May 31, 1996, as prepared by Garrett A. Strang, R.A., P.O. Box 1412, Southold NY 11971, and elevations dated April 5, 1996, as prepared by Garrett A. Strang, R.A., P.O. Box 1412, Southold NY 11971, 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, Riverhead Osborne Realty, L.L.C. hereby authorizes and consents to the Town of Riverhead to enter premises at the southeast corner of Old Country Road (C.R. 58) and Osborne Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

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

11. 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 curb and sidewalk along Osborne Avenue shall be repaired or replaced, in accordance with the requirements of the Superintendent of Highways;

16. That this approval is subject to the submission and approval by the Planning Department of final color and material samples for all structures; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Garrett A. Strang, R.A., as agent for Riverhead Osborne Realty, the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1996, made by Riverhead Osborne Realty, L.L.C., residing at 640 Old Country Road, Riverhead NY 11901, 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.

RIVERHEAD OSBORNE REALTY, L.L.C.

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

Adopted

June 18, 1996

TOWN OF RIVERHEAD

Resolution # 494

APPOINTS SUMMER INTERN TO

ASSESSORS OFFICE AND ENGINEERING DEPARTMENT

COUNCILMAN WITTMEIER offered the following resolution ,

which was seconded by **COUNCILMAN KWASNA**

WHEREAS, there is a need for assistance in the Assessors Office and the Engineering Department; and

WHEREAS, a recommendation has been forwarded to the personnel committee to hire Allyson Stelzer to split her week of work between these two Departments.

NOW, THEREFORE, BE IT RESOLVED, effective June 10, 1996 through August 23, 1996 the Town Board hereby authorizes the appointment of Allyson Stelzer to the position of Summer Intern at an hourly rate of pay of \$8.25; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Allyson Stelzer the Assessors Office, Engineering Department and the Office of Accounting.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 495

AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER No. 2
FOR
PECONIC RIVER WATERFRONT IMPROVEMENT PROJECT

ADOPTED: June 18, 1996

COUNCILMAN PRUSINOWSKI offered the following resolution which
was seconded by **COUNCILMAN LULL**.

WHEREAS, on August 15, 1995, the Riverhead Town Board adopted Resolution No. 565 entitled, "Awards Bid for Peconic River Waterfront Improvement Project" in the amount of Seven Hundred Ninety Nine Thousand Five Hundred Twenty Two and 00/100 (\$799,522.00); and

WHEREAS, on April 16, 1996 the Riverhead Town Board adopted Resolution No. 267 authorizing the Town Supervisor to execute Change Order No. 1, reducing the contract in the amount of \$90,031.94; and

WHEREAS, the Riverhead Town Board wishes to install 14 marine power pedestals that were not included in the original contract specifications and relocate the primary cable along the Peconic River Waterfront in the amount of Eighty Seven Thousand One Hundred Thirteen and 10/00 (\$87,113.10); and

WHEREAS, due to the installation of the marine pedestals, it is necessary to delete Item 36 of the original contract specifications in the amount of Eleven Thousand Seven Hundred Ninety & 00/100 (\$11,790.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute the attached change order in the amount of Seventy Five Thousand Three Hundred Twenty Three & 10/100 (\$75,323.10); and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to South Shore Docks, Young & Young, Kenneth Testa and the Office of Accounting.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

JUNE 18, 1996

AWARDS BID FOR BENJAMIN/CORWIN MATERIAL LIST BID

RESOLUTION # 496

COUNCILMAN LULL OFFERED THE FOLLOWING RESOLUTION,

WHICH WAS SECONDED BY COUNCILMAN PRUSINOWSKI

WHEREAS, the Town Clerk was authorized to publish and post a Notice To Bidders for BENJAMIN/CORWIN MATERIAL LIST BID; and

WHEREAS, bids were received, opened and read aloud on the 14th day of June, 1996, 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 BENJAMIN/CORWIN MATERIAL LIST be, and hereby is, awarded to RIVERHEAD BUILDING SUPPLY CORP. as indicated on the attached itemized pages.

RESOLVED, that the Town Board hereby directs the Town Clerk to return any and all bid bonds received in connection with the above.

RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a certified copy of this resolution to RIVERHEAD BUILDING SUPPLY CORP., Ken Testa and the Accounting Department.

THE VOTE

Wittmeier	(Aye)	Nay
Kwasna	(Aye)	Nay
Lull	(Aye)	Nay
Prusinowski	(Aye)	Nay
Stark	(Aye)	Nay

The Resolution was thereupon duly adopted.

BENJAMIN/CORWIN HOUSES
MATERIAL LIST

CCA - VARIOUS LENGTHS

4 X 4	\$ <u>.96</u> /ft.
2 X 2	\$ <u>.29</u> /ft.
2 X 4	\$ <u>.41</u> /ft.
2 X 6	\$ <u>.63</u> /ft.
2 X 8	\$ <u>.87</u> /ft.
2 X 10	\$ <u>1.22</u> /ft.
2 X 12	\$ <u>1.60</u> /ft.

CCA PLYWOOD

4 X 8 3/4	\$ <u>29.97</u> /ea.
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DOUG FIR - VARIOUS LENGTHS

2 X 4	\$ <u>.37</u> /ft.
2 X 6	\$ <u>.56</u> /ft.
2 X 8	\$ <u>.77</u> /ft.

MC PLYWOOD

4 X 8 X 1/4"	\$ <u>16.97</u> /ea.
4 X 8 X 1/2"	\$ <u>23.79</u> /ea.
4 X 8 X 3/4"	\$ <u>32.75</u> /ea.

TONGUE & GROOVE CENTER MATCH CLEAR FIR PORCH FLOORING

1 X 4	\$ <u>.98</u> /ft.
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GLINSCOATING

5/8" X 4 B&CB CLEAR FIR	\$ <u>.59</u> /ft.
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PI PINE - VARIOUS LENGTHS

2 X 4	\$ <u>.46</u> /ft.
2 X 6	\$ <u>.67</u> /ft.
2 X 8	\$ <u>.86</u> /ft.
2 X 10	\$ <u>1.12</u> /ft.
2 X 12	\$ <u>1.39</u> /ft.

BEAR BEVEL CEDAR SIDING 1/2 X 6

	\$ <u>.57</u> /ft.
--	--------------------

WOOD JOIST HANGERS

1 6	\$ <u>.39</u> /ea.
1 8	\$ <u>.56</u> /ea.
1 10	\$ <u>.67</u> /ea.
1 12	\$ <u>.67</u> /ea.

GALVANIZED COMMON NAILS

4D	\$ <u>42.75</u> /box
6D	\$ <u>35.75</u> /box
8D	\$ <u>34.40</u> /box
10D	\$ <u>33.40</u> /box

GALVANIZED STICK NAILS BOSTICH AIR

8D	\$ <u>33.75</u> /box
10D	\$ <u>49.75</u> /box

2" PASLODE FINISH (AIR) NAILS

\$ <u>19.05</u> /box

GALVANIZED CARRIAGE BOLTS WITH FLAT WASHERS & NUTS

3/8" X 4"	\$ <u>.39</u> /ea.
3/8" x 5"	\$ <u>.49</u> /ea.
3/8" x 6"	\$ <u>.57</u> /ea.
3/8" x 7"	\$ <u>.89</u> /ea.
3/8" x 8"	\$ <u>.95</u> /ea.
3/8" x 10"	\$ <u>1.29</u> /ea.

ADHESIVE

1/L PREMIUM 10.6 oz. TUBES	\$ <u>2.75</u> /ea.
WHITEBOND INTERIOR ADHESIVE 10.6 oz. TUBES	\$ <u>1.90</u> /ea.

SAW, BLADES, ROUTER BITS

1" MAKITA PORTABLE TABLE SAW W/ EXTENDED TABLE	\$ <u>439.-</u> /ea.
CARBIDE ROUTER BITS - <i>Depending on type + profile</i>	\$ <u>18.-</u> /ea.
1/4" SKILL SAW BLADES - <i>18 tooth carbide</i>	\$ <u>12.79</u> /ea.
12" CARBIDE CHOP SAW BLADES	\$ <u>80.-</u> /ea.
SAWS ALL BLADES - <i>Depending on size</i>	\$ <u>3.-</u> /ea.
JIG SAW BLADES - <i>Depending on size</i>	\$ <u>2.-</u> /ea.

approx

PAINT & PAINT PRODUCTS

PRIMER FLAT WHITE	\$ <u>18.00</u> /Gal.
WILZ SEALER	\$ <u>14.79</u> /Gal.
DIAMOND VARATHANE - SEMI GLOSS #2001	\$ <u>43.95</u> /Gal.
3" ROLLERS	\$ <u>5.89</u> /ea.
2 1/2" CHINESE BRISTLE BRUSHES	\$ <u>1.45</u> /ea.
PUMP JACKS ONLY	\$ <u>49.95</u> /ea.
PORCH PILLERS 12" X 8' ROUND PERMACAST	\$ <u>219.</u> /ea.
50 lb. BAG GRAVEL MIX CEMENT	\$ <u>3.49</u> /bag

Adopted

TOWN OF RIVERHEAD RESOLUTION #497

6/18/96

RESOLUTION OF THE TOWN OF RIVERHEAD REQUESTING FUNDS FOR LANDFILL CAPPING AND CLOSING OR OTHER PURPOSES PURSUANT TO SUFFOLK COUNTY CHARTER §C12-5(D) AND THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

COUNCILMAN KWASNA
COUNCILMAN WITTMEIER offered the following resolution, which was seconded by

WHEREAS, under the Suffolk County Drinking Water Protection Program established by Article XII of the Suffolk County Charter, a portion of the funds acquired through the Quarter Percent (1/4%) Sales Tax Program is to be allocated to an Environmental Trust Fund; and

WHEREAS, a portion of the money within the Environmental Trust Fund is to be allocated through revenue-sharing to towns within Suffolk County, pursuant to a formula within S.C. Charter §C12-5 (D); and

WHEREAS, pursuant to S.C. Charter §C12-5 (D), if lands exist in a town which fit the criteria for the Suffolk County Pine Barrens Preserve or Suffolk County Water Protection Preserve, as defined in S.C. charter §C12-2, the town's revenue-sharing allocation under the program must be used for acquisitions of such lands; and

WHEREAS, there are lands extant which fit the criteria for such acquisition; and

WHEREAS, S.C. Charter §C12-5 (D) (1) authorizes payment of money from the environmental Trust Fund to the towns for the purposes of capping and closing municipal solid waste landfills, and identifying, characterizing and remediating toxic and hazardous waste landfills, and for other purposes as provided in S.C. Charter §C12-5 (D) (4); now therefore, be it

RESOLVED, that the Town Board of the Town of Riverhead does formally request funds, in the amount of \$49,387 from the Environmental Trust Fund for the purposes of capping and closing the municipal solid waste landfill, and identifying, characterizing and remediating the toxic and hazardous waste landfill; and be it further

RESOLVED, that the Town Board of the Town of Riverhead does hereby accept and pledge to use the revenue-sharing funds requested herein for the above purposes, pursuant to Suffolk County Charter Article XII; and, be it further

RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to the following officials and agencies: Suffolk County Executive, All Suffolk

County Legislators, Suffolk County Division of Real Estate, Suffolk County Department of Planning, Environmental Trust Fund Review Board, Office of Legislative Budget Review.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted!

June 18, 1996

TOWN OF RIVERHEAD

Resolution # 498

GENERAL FUND

BUDGET ADJUSTMENTS

COUNCILMAN WITTMEIER offered the following resolution ,

which was seconded by COUNCILMAN KWASNA

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustments:

		FROM:	
14100.542107	TOWN CLERK, BOOKBINDINGS	\$	100.
15200.546100	SHARED SERVICES, TELEPHONE		500.
11200.542600	POLICE, PRINTING		50.
15400.541152	AMBULANCE, BUILDING MAINT, JAMESPORT		250.
TO:			
11014100.541400	TOWN CLERK, REPAIRS	\$	100.
11016200.524000	SHARED SERVICES, EQUIPMENT		500.
11031200.542501	POLICE, FIRE EXTINGUISHER REFILLS		50.
11045400.541151	AMBULANCE, BUILDING MAINT, RIVERHEAD		250.

THE VOTE

Wittmeier	(Aye)	Nay
Kwasna	(Aye)	Nay
Lull	(Aye)	Nay
Prusinowski	(Aye)	Nay
Stark	(Aye)	Nay

The Resolution was thereupon duly adopted.

Adopted

18, 1996

TOWN OF RIVERHEAD
Resolution # 499

AMENDS SITE PLAN OF CRYSTAL CLEAR CAR WASH (VINCENT BELVISO)

COUNCILMAN PRUSINOWSKI offered the following

motion, which was seconded by **COUNCILMAN LULL**:

WHEREAS, by Resolution # 109, dated February 7, 1989, the Riverhead Town Board did approve the plan of Vincent Belviso for the expansion of bays, and the addition of a self-service car wash facility, and attendant site improvements, at the Crystal Clear Car Wash located at 915 Old Country Road (Tax Map 58), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-4-101

WHEREAS, Vincent Belviso has requested that a modification of said site plan approval in regard to the relocation of a vacuum unit, parking stalls, curbing, and dumpster, the installation of a fence and a retaining wall along the southwest property line, the location of a door in the west building elevation, and the installation of two (2) concrete block walls and a canopy on the front elevation, as indicated on an as-built site plan dated last February 29, 1996, as prepared by Joseph A. Ingegno, L.S., P.O. Box 1930, Riverhead, New York 11901, AS AMENDED IN-HOUSE TO INDICATE THE CONDITIONS OF THIS APPROVAL be approved by the Riverhead Town Board, and

WHEREAS, the Planning Department has reviewed such modification and has recommended that the Town Board accept such modifications with conditions, and

WHEREAS, this Town Board has reviewed the modifications aforementioned, and

WHEREAS, the site plan amendment 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 96-17003 of the Office of the Town Clerk of the Town of Riverhead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does amend the site plan approval of Vincent Belviso to provide for the following:

the relocation of a vacuum unit, parking stalls, curbing, and dumpster, the installation of a fence and a retaining wall along the southwest property line, the location of a door in the west building elevation, and the installation of two (2) concrete block walls and a canopy on the front elevation, as indicated on an as-built site plan dated last February 29, 1996, as prepared by Joseph A. Ingegno, L.S., P.O. Box 1930, Riverhead, New York 11901, subject to the following conditions:

that the evergreens along the fence on the south property line shall be replaced as necessary to provide a buffer planting;

that the asphalt surface shall be patched and sealed, in its entirety;

that the parking stalls shall then be remarked as indicated on the site plan amended herein and initialled by a majority of the Town Board;

Adopted

TOWN OF RIVERHEAD

Resolution # 499

AMENDS SITE PLAN OF CRYSTAL CLEAR CAR WASH (VINCENT BELVISO)

COUNCILMAN FRUSINOWSKI offered the following

which was seconded by COUNCILMAN LULL:

WHEREAS, by Resolution # 109, dated February 7, 1989, the Riverhead Town Board did approve the site plan of Vincent Belviso for the expansion of bays, and the addition of a self-service car wash and attendant site improvements, at the Crystal Clear Car Wash located at 915 Old Country Road, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-4-

WHEREAS, Vincent Belviso has requested that a modification of said site plan approval in regard to the relocation of a vacuum unit, parking stalls, curbing, and dumpster, the installation of a fence and a retaining wall along the southwest property line, the location of a door in the west building elevation, and the installation of two (2) concrete block walls and a canopy on the front elevation, as indicated on an as-built site plan dated last February 29, 1996, as prepared by Joseph A. Ingegno, L.S., P.O. Box 1930, Riverhead, New York, AS AMENDED IN-HOUSE TO INDICATE THE CONDITIONS OF THIS APPROVAL be approved by the Riverhead Town Board, and

WHEREAS, the Planning Department has reviewed such modification and has recommended that the Town Board accept such modifications with conditions, and

WHEREAS, this Town Board has reviewed the modifications aforementioned, and

WHEREAS, the site plan amendment 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 96-17003 of the Office of the Town Clerk of the Town of Riverhead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does amend the site plan approval of Vincent Belviso to provide for the following:

the relocation of a vacuum unit, parking stalls, curbing, and dumpster, the installation of a fence and retaining wall along the southwest property line, the location of a door in the west building elevation, and the installation of two (2) concrete block walls and a canopy on the front elevation, as indicated on an as-built site plan dated last February 29, 1996, as prepared by Joseph A. Ingegno, L.S., P.O. Box 1930, Riverhead, New York, subject to the following conditions:

that the evergreens along the fence on the south property line shall be replaced as necessary to provide a buffer planting;

that the asphalt surface shall be patched and sealed, in its entirety;

that the parking stalls shall then be remarked as indicated on the site plan amended herein and initialled by a majority of the Town Board;

that concrete wheel stops shall be provided for all parking stalls;

that all remaining conditions of Town Board resolution #109, dated February 7, 1989, shall remain in full force and effect; and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Vincent Belviso, the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon adopted.

Adopted

18/96

TOWN OF RIVERHEAD

Resolution # 500

AUTHORIZES THE EXECUTION OF AN AGREEMENT WITH HARRY WILKINSON

COUNCILMAN LULL offered the following resolution, was seconded by COUNCILMAN PRUSINOWSKI :

WHEREAS, the Town of Riverhead solicited bidders to act as snack vendors at various Town sites; and

WHEREAS, one bid was received for the location of Stotzky Park;

WHEREAS, the Town desires to enter into an agreement with Harry Wilkinson whereby Harry Wilkinson will act as a snack vendor at Iron Pier Beach, Reeves Beach and Wading River Beach.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute the agreement between the Town of Riverhead and Harry Wilkinson; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Harry Wilkinson; Russell Kratoville, Deputy Supervisor; and the Office of Accounting Department.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

6/18/96

TOWN OF RIVERHEAD

Resolution # 501

AUTHORIZES THE EXECUTION OF AN AGREEMENT WITH THE STATE OF NEW YORK

COUNCILMAN KWASNA offered the following resolution, was seconded by

COUNCILMAN WITTMEIER :

WHEREAS, pursuant to Section 16 of the Federal Transit Act, certain capital grants are available for purposes of assisting local municipalities in providing transportation services meeting the special needs of elderly persons; and

WHEREAS, the State Department of Transportation has forwarded a proposed agreement providing for the purchase of vehicles and related equipment for the estimated cost of \$59,000.00, which agreement provides for a Town of Riverhead contribution of 20% or \$11,800.00.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute the agreement between the Town of Riverhead and the People of the State of New York; and be it further

RESOLVED, that the Town Board hereby authorizes the expenditure of \$11,800.00, the local share due under said agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to State of New York Department of Transportation, c/o Michael R. Baker, Program Director, Albany, New York, 12232; Judy Doll; and the Office of Accounting Department.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

June 18, 1996

TOWN OF RIVERHEAD

Resolution # 502

WATER EXTENSION #48 CAPITAL PROJECT
(West Main Street)

BUDGET ADOPTION

COUNCILMAN WITTMEIER offered the following resolution ,
which was seconded by **COUNCILMAN KWASNA**

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

		FROM:	
10.485500.30018	TRANSFER FROM CDBG	\$ 42,000.	
10.482220.30018	TRANSFER FROM REPAIR & MAINT.	118,000.	
			TO:
06.083200.523002.30018	CONSTRUCTION		\$ 126,700.
06.083200.543501.30018	ENGINEERING EXPENSE		23,900.
06.083200.543315.30018	LEGAL EXPENSE		2,000.
06.083200.547900.30018	CONTINGENCY		7,400.

THE VOTE

Wittmeier	(Aye)	Nay
Kwasna	(Aye)	Nay
Lull	(Aye)	Nay
Prusinowski	(Aye)	Nay
Stark	(Aye)	Nay

The Resolution was thereupon duly adopted.

Adopted

6/18/96

TOWN OF RIVERHEAD

Resolution # 503

APPROVES SPECIAL PERMIT PETITION OF ST. JOHN THE BAPTIST ROMAN CATHOLIC CHURCH

COUNCILMAN PRUSINOWSKI offered the following

resolution, which was seconded by COUNCILMAN LULL :

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Reverend Joseph T. Mundy to expand a nonconforming church use upon real property located within the Residence A Zoning Use District at North Country Road, Wading River, such real property more particularly described as Suffolk County Tax Map Parcel Nos. 0600-54-2-8 and 0600-54-1-11, and

WHEREAS, the Town Board has determined the action to be Type II pursuant to 6NYCRR Part 617.3(f) such that no determination of significance is required, and

WHEREAS, the Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending approval with conditions, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, as well as all other planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of St. John the Baptist Roman Catholic Church, the Riverhead Town Board hereby makes the following findings:

FIRST: That the plot area is sufficient for the expansion of the nonconforming use;

SECOND: That vehicular entrances have been modified as to provide for improved access from public streets;

THIRD: That off street parking stalls have been provided in a number adequate to serve the use;

FOURTH: That adequate buffer yards, landscaping and screening have been provided where necessary to protect adjacent properties;

FIFTH: That adequate provisions have been made for the collection and recharge of stormwater and wastewater; and

BE IT FURTHER

RESOLVED, that based upon its findings, the Town Board hereby determines that:

FIRST: The use will not prevent or impair either the reasonable or orderly use or development of other properties in the neighborhood;

SECOND: That the health, safety, welfare, comfort and order of the Town will not be adversely affected by the authorized use;

THIRD: That such use will be in harmony with and promote the general purposes and intent of the Riverhead Zoning Ordinance, and

BE IT FURTHER

RESOLVED, that the Town Board hereby waives the requirement for a public hearing on this matter pursuant to Section 108-51A of the Zoning Ordinance, and

BE IT FURTHER

RESOLVED, that based upon its findings and determinations, the Town Board hereby approves the special permit petition of St. John the Baptist Roman Catholic Church subject to the condition that no building permit shall issue prior to the approval of a site plan pursuant to Section 108-128 of the Riverhead Zoning Ordinance, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to Reverend Joseph T. Mundy, and Jane Kratz as attorney for the applicant and the Planning Department.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prucinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

TB - 6/18/96

TOWN OF RIVERHEAD

RESOLUTION # 504

AWARDS BID ONE 4TSU ASPHALT STORAGE UNIT

COUNCILMAN LULL

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY COUNCILMAN PRUSINOWSKI

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS FOR THE PURCHASE OF ONE 4TSU ASPHALT STORAGE UNIT FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 17TH OF JUNE AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, THREE BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR ONE 4TSU ASPHALT STORAGE UNIT BE AND IS HEREBY AWARDED TO TRIUS, INC., 458 JOHNSON AVENUE, BOHEMIA, NEW YORK 11716 IN THE AMOUNT OF \$16,849.00.

BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO TRIUS, INC. AND THE RIVERHEAD HIGHWAY DEPARTMENT.

CBB

THE VOTE

Wittmeier	(Aye)	Nay
Kwasna	(Aye)	Nay
Lull	(Aye)	Nay
Prusinowski	(Aye)	Nay
Stark	(Aye)	Nay

The Resolution was thereupon duly adopted.

6/18/96

Adopted

TOWN OF RIVERHEAD

Resolution # 505

APPROVES SPECIAL PERMIT PETITION OF DAVID MCCARTHY
COUNCILMAN KWASNA

offered the following

resolution, which was seconded by ~~COUNCILMAN WITTMEIER~~ :

WHEREAS, the Town Board is in receipt of a special permit petition from David McCarthy for the use of an existing 2,000 square foot building as a veterinarian office on real property located on Route 25A, Wading River Hamlet, such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-74-2-17.1, and

WHEREAS, by resolution #255 of 1996, the Riverhead Town Board determined the action to be Unlisted without a significant impact upon the environment and that an environmental impact statement need not be prepared, and

WHEREAS, the Town Board did refer the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending approval of the petition subject to conditions, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, the commentary made at the relevant public hearing, as well as all other pertinent planning, zoning, and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of David McCarthy the Town Board hereby finds the following:

FIRST: That the site is particularly suitable for the location of such use in the community;

SECOND: That the characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area, or other place of public assembly;

THIRD: That access facilities are adequate for the estimated traffic from public streets;

FOURTH: There exist off street parking facilities in the number required by the Zoning Ordinance;

FIFTH: Adequate provisions will be made for the collection and disposal of stormwater and waste water, and

BE IT FURTHER

RESOLVED, that based upon its findings the Town Board hereby determines that:

FIRST: The use will not prevent or impair either the reasonable or orderly use or development of other properties in the neighborhood;

SECOND: That the health, safety, welfare, comfort, convenience, and order of the Town will not be adversely affected by the authorized use;

THIRD: That such use will be in harmony with and promote the general purposes and intent of the Riverhead Zoning Ordinance, and

BE IT FURTHER

RESOLVED, that based upon its findings and determinations, the Riverhead Town Board hereby approves the special permit of David McCarthy subject to the condition that there be no overnight boarding of animals except on an emergency basis as an accessory use, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to Charles Cuddy, as attorney for the applicant and the Planning Department.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

6/18/96

TOWN OF RIVERHEAD

Resolution # 506

APPROVES APPLICATION OF TOWN OF RIVERHEAD

~~COUNCILMAN WITTMEIER~~
~~COUNCILMAN KWASNA~~ offered the following resolution, which was seconded by _____:

WHEREAS, the Town of Riverhead has submitted an application for the purpose of conducting the East End Arts Community picnic, Grucci illuminations display, concert, variety show and the Suffolk Theater marquis lighting, to be held on East Main Street between the Riverhead Grill and East Avenue, Riverhead, New York on June 26, 1996 between the hours of 5:30 p.m. and 9:30 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the application of the Town of Riverhead for the purpose of conducting the East End Arts Community picnic, Grucci illuminations display, concert, variety show and the Suffolk Theater marquis lighting, to be held on East Main Street between the Riverhead Grill and East Avenue, Riverhead, New York on June 26, 1996 between the hours of 5:30 p.m. and 9:30 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 the Riverhead Police Department.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

6/18/96

Adopted

TOWN OF RIVERHEAD

Resolution # 507

APPROVES SPECIAL PERMIT AND CHANGE OF ZONE PETITION OF SUFFOLK
OLD FARMS APARTMENTS

COUNCILMAN PRUSINOWSKI offered the following

resolution, which was seconded by COUNCILMAN LULL :

WHEREAS, the Riverhead Town Board is in receipt of a change of zone and special permit petition from Jackson McDaniel to provide for the Residence RC (Retirement Community) Zoning Use District to the exclusion of the Residence C Zoning Use District upon real property located on Middle Road, Riverhead Hamlet; such property more particularly described as SCTM No. 0600-82-4-209.4, and

WHEREAS, the Town Board has declared itself to be the Lead Agency in this matter and has determined the action to be Type I without a significant impact upon the environment and that an environmental impact statement need not be prepared, and

WHEREAS, the petition was referred to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the approval of both petitions subject to certain conditions, and

WHEREAS, the Town Board has carefully considered the merits of the petitions, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, the commentary made at the relevant public hearing, as well as all other pertinent planning, zoning, and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the change of zone and special permit petition of Jackson McDaniel, the Riverhead Town Board hereby makes the following findings:

FIRST: That the Town of Riverhead Master Plan identifies the subject property as lying within the Urbanized Development Band and contemplated that the subject real property would be developed as medium density residence with a maximum yield of 2.32 dwelling units per acre or 7.4 residents per acre;

SECOND: That the Master Plan does not identify particular areas for the development of senior

citizen housing but relies upon the identification of areas within the community appropriate for medium and high density residential developments;

THIRD: That the County of Suffolk through empirical study has identified a County wide need for the development of primary senior citizen housing affordable to residents of the County and the Town;

FOURTH: That an existing senior citizen rental housing development (John Wesley Village) presently maintains a waiting list of 129 individuals in need of subsidized rental housing;

FIFTH: That the site is particularly suitable for the location of the proposed use as the area has convenient access to shopping, medical services, public transportation and recreation;

SIXTH: That the lot area is sufficient, appropriate and adequate for the use and the reasonably anticipated expansion thereof;

SEVENTH: That the total number of units which could be transferred from contiguous property (Map of Bear Estates) is 29 building lots or 8,790 gpd of allowable sanitary flow;

EIGHTH: That an analysis of the impact of motor vehicle traffic to be generated by the project concluded the following:

i. That the number of vehicles to be generated by the proposed use is considered to be less than that which would be generated by single family residential development at an as of right yield of two dwelling units per acre;

ii. That both the weekday peak traffic volume and weekend peak traffic volume are less for the proposed use than that for as of right single family development;

iii. That the number of motor vehicle trip ends resulting from the proposed use can be accommodated by the surrounding roadway network without reduction in levels of service on roadways or intersections;

NINTH: That adequate buffer yards, landscaping and screening will be provided where necessary to protect adjacent properties and land uses;

TENTH: That provisions will be made for the adequate disposal of both stormwater runoff and sanitary sewage in conformance with the Zoning Ordinance and Article 6 of the Suffolk County Sanitary Code;

ELEVENTH: That existing municipal services and facilities and services are adequate to provide for the needs of the proposed use;

TWELFTH: That the total number of units proposed is justified in relation to the total number of units of senior citizen housing otherwise proposed or occupied within the Town of Riverhead; and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby determines that:

FIRST: The site is particularly suitable for the location of such use in the community due to convenient access to commercial facilities, medical services, public transportation and recreation facilities;

SECOND: The health, safety, welfare, comfort and order of the Town will not be adversely affected by the proposed use;

THIRD: The proposed use will be in harmony with and promote the general purposes and intent of the Riverhead Zoning Ordinance and Master Plan, and

BE IT FURTHER

RESOLVED, that based upon its findings and determinations, the Riverhead Town Board hereby approves the change of zone petition of Jackson McDaniel to provide for the Residence RC (Retirement Community) Zoning Use District to the exclusion of the Residence C Zoning Use District on real property located at Middle Road, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-82-4-209.4, and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish the attached public notice pursuant to Section 265 of the Town Law, and

BE IT FURTHER

RESOLVED, that this resolution as well as affidavits of publication be filed in the Office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that the amendment prescribed herein takes effect immediately, and

BE IT FURTHER

RESOLVED, that the Town Clerk transmit this resolution to the firm of Young & Young for the printing of the adopted amendment upon the Zoning Use District Map of the Town of Riverhead, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board hereby approves the attending special permit petition of Jackson McDaniel to allow for the construction of multifamily citizen housing units subject to the following conditions:

FIRST: That the total number of units to be constructed not exceed 7.4 resident persons per acre assuming one resident per one bedroom unit and two residents per two bedroom unit;

SECOND: That the transfer of density from contiguous property to the east be achieved through arrangement with the Suffolk County Department of Health Services and that with such transfer the development not exceed a total allowable sanitary flow of 27,410 gallons per day unless connected to the Riverhead Sewer District or relief granted by the Suffolk County Department of Health Services Board of Review;

THIRD: That in the review of a future site plan application, the Town Board consider an alternative layout which utilizes the entire property and provides for more extensive planted buffers to neighboring properties;

FOURTH: That if it is the intent of the applicant to parcelize the property, a subdivision application be made to the Riverhead Planning Board and that no site plan approval shall issue prior to subdivision approval;

FIFTH: That prior to the issuance of a site plan approval that a management plan be submitted to the Town Board which contains those procedures necessary to insure compliance with those age requirements for residents stipulated in the applicable zoning use district;

SEVENTH: That due to the cumulative generation of motor vehicle traffic by developments within the general vicinity, certain improvements will be

required to Middle Road to be specifically determined pursuant to site plan review, and

BE IT FURTHER

RESOLVED, that certified copy of this resolution be transmitted to Peter Danowski, Esq., as attorney for the applicant and the Planning Department.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon adopted.

**TOWN OF RIVERHEAD
NOTICE OF ZONING AMENDMENT**

PLEASE TAKE NOTICE, that by resolution number 507 of 1996, the Riverhead Town Board did amend the Zoning Use District of the Town of Riverhead in order to provide for the Residence RC Zoning Use District to the exclusion of the existing Residence C Zoning Use District on real property located at Middle Road Riverhead as depicted on the attached map.

DATED: Riverhead, New York
June 18, 1996

By Order of the Town Board of the
Town of Riverhead

Barbara Grattan, Town Clerk

Adopted

6/18/96

TOWN OF RIVERHEAD

Resolution # 508

APPOINTS A LIFEGUARD/ FILL-IN WATER SAFETY INSTRUCTOR TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL offered the following resolution, which was seconded by COUNCILMAN PRUSINOWSKI :

RESOLVED, that William Hennenlotter is hereby appointed to serve as Lifeguard/ Fill-in Water Safety Instructor effective June 22, 1996 to and including September 2, 1996, to be paid biweekly at the rate of \$7.50 per hour and to serve at the pleasure of the Town Board.

THE VOTE

Wittmeier	(Aye)	Nay
Kwasna	(Aye)	Nay
Lull	(Aye)	Nay
Prusinowski	(Aye)	Nay
Stark	(Aye)	Nay

The Resolution was thereupon duly adopted.

Adopted

TOWN OF RIVERHEAD

Resolution # 509

APPROVES SITE PLAN OF ST. JOHN THE BAPTIST R.C. CHURCH

COUNCILMAN KWASNA

_____ offered the following resolution, which was seconded by

COUNCILMAN WITTMEIER

WHEREAS, a site plan and elevations were submitted by Rev. Joseph T. Mundy, as agent for St. John the Baptist R.C. Church, for the demolition of the existing church and the construction of a new church, with parking and related site improvements, located at 1488 North Country Road, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-54-2-8 & 54-1-11; and

WHEREAS, the Planning Department has reviewed the site plan dated last May 23, 1996, as prepared by Ira Haspel, AIA, Box 4464-33 Anchor Way, Oak Beach Assoc., NY 11702-4612, planting plan dated May 28, 1996, as prepared by Gary L. Gentile, RLA, 11 Scout Trail, Lake Panamoka NY 11961, and elevations dated last March 14, 1996, as prepared by Ira Haspel, AIA, Box 4464-33 Anchor Way, Oak Beach Assoc., NY 11702-4612, 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) Unlisted 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 waived due to the fact that the applicant is a not-for profit corporation organized pursuant to the laws of the State of New York; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Rev. Joseph T. Mundy, as agent for St. John the Baptist R.C. Church, for the demolition of the existing church and the construction of a new church, with parking and related site improvements, located at 1488 North Country Road, Wading River, New York, site plan dated last May 23, 1996, as prepared by Ira Haspel, AIA, Box 4464-33 Anchor Way, Oak Beach Assoc., NY 11702-4612, planting plan dated May 28, 1996, as prepared by Gary L. Gentile, RLA, 11 Scout Trail, Lake Panamoka NY 11961, and elevations dated last March 14, 1996, as prepared by Ira Haspel, AIA, Box 4464-33 Anchor Way, Oak Beach Assoc., NY 11702-4612, 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. 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 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, St. John the Baptist R.C. Church hereby authorizes and consents to the Town of Riverhead to enter premises at 1488 North Country Road, Wading River, New York, to enforce said handicapped parking regulations;

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. That 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, and shall be in the amount of ten thousand dollars (\$10,000);

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;

14. That there shall be no change or other alteration to the slope on the westerly parcel (0600-54-1-11) without future site plan review and approval;

15. That the number of handicap parking stalls shall meet that number required by the New York State Uniform Fire Prevention and Building Code, and that said number shall be located as indicated on the site plan approved herein and initialled by a majority of the Town Board;

16. That curbing shall be provided at all newly constructed parking areas to retain the stoneblend material, as well as where required by the Superintendent of Highways;

17. That the detail for the paving surface shall be revised to indicate 2" of stoneblend on a stable base with asphalt in conformance with the Town Code, prior to the issuance of a building permit, and that the stoneblend shall be permitted to remain for a period of twenty four (24) months from the date of this resolution, at which time an asphalt surface shall be installed in conformance with the Code of the Town of Riverhead (2" top coat over 2" base coat);

18. That asphalt shall be provided to prevent the carry of stoneblend onto Town roads, for a distance of 25 feet, where indicated on the site plan approved herein and initialled by a majority of the Town Board;

19. That concrete wheel stops shall be provided for all parking stalls which are not marked by means of paint, including but not limited to those on the stoneblend surface;

20. That the siding material shall be white CertainTeed vinyl shingles; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Rev. Joseph T. Mundy, as agent for St. John the Baptist R.C. Church; Ira Haspel, AIA; Jane A. Kratz, Esq.; the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Luh	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1996 made by St. John the Baptist R.C. Church, residing at 1488 North Country Road, Wading River NY 11792, 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. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;

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

7. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided 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;

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

9. That all utilities shall be constructed underground;

10. 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;

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

12. 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.

ST. JOHN THE BAPTIST R.C. CHURCH

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

Adopted

Offered the following Resolution which was seconded by

COUNCILMAN LULL

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

ACCOUNTS	*CD - 5/31/96*	**CHECKRUN TOTALS*	***GRAND TOTALS***
GENERAL TOWN 001	\$2,400,000.00	\$364,030.63	\$2,764,030.63
PARKING METER 002	\$22,000.00	\$0.00	\$22,000.00
AMBULANCE FUND 003	\$0.00	\$0.00	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00	\$0.00	\$0.00
TEEN CENTER 005	\$0.00	\$75.00	\$75.00
RECREATION PROGRAM 006	\$0.00	\$2,746.56	\$2,746.56
SENIOR NUTRITION SITE COUNCIL 007	\$0.00	\$0.00	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00	\$0.00	\$0.00
CHILD CARE BUILDING FUND 009	\$0.00	\$0.00	\$0.00
SENIOR CITIZEN DAYCARE CENTER 027	\$0.00	\$606.63	\$606.63
HIGHWAY 111	\$625,000.00	\$54,792.86	\$679,792.86
WATER 112	\$490,000.00	\$26,705.00	\$516,705.00
REPAIR & MAINTENANCE 113	\$295,000.00	\$155,000.00	\$450,000.00
SEWER 114	\$221,000.00	\$18,553.78	\$239,553.78
REFUSE & GARBAGE COLLECTION 115	\$300,000.00	\$139,362.09	\$439,362.09
STREET LIGHTING 116	\$210,000.00	\$5,143.36	\$215,143.36
PUBLIC PARKING 117	\$95,000.00	\$6,330.68	\$101,330.68
BUSINESS IMPROVEMENT DISTRICT 118	\$100,000.00	\$12,407.00	\$112,407.00
TOR URBAN DEV CORP TRUST ACCT 119	\$0.00	\$0.00	\$0.00
WORKER'S COMPENSATION FUND 173	\$50,000.00	\$0.00	\$50,000.00
HOSPITALIZATION SELF INSURANCE 174	\$0.00	\$0.00	\$0.00
RISK RETENTION FUND 175	\$25,000.00	\$3,000.00	\$28,000.00
UNEMPLOYMENT INSURANCE FUND 176	\$19,000.00	\$0.00	\$19,000.00
MAIN STREET REHAB PROGRAM 177	\$0.00	\$0.00	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00	\$2,588.53	\$2,588.53
RESIDENTIAL REHAB 179	\$0.00	\$800.00	\$800.00
DISCRETIONARY/SMALL CITIES 180	\$0.00	\$0.00	\$0.00
CDBG CONSORTIUM ACCOUNT 181	\$0.00	\$1,110.58	\$1,110.58
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$0.00	\$0.00	\$0.00
SEWER DISTRICT DEBT 382	\$6,000.00	\$0.00	\$6,000.00
WATER DEBT 383	\$92,000.00	\$169,167.48	\$261,167.48
GENERAL FUND DEBT SERVICE 384	\$45,000.00	\$254,205.02	\$299,205.02
SCAVENGER WASTE DISTRICT DEBT 385	\$100,000.00	\$0.00	\$100,000.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00	\$875.00	\$875.00
TOWN HALL CAPITAL PROJECTS 406	\$40,000.00	\$215,676.93	\$255,676.93
EIGHT HUNDRED SERIES 408	\$0.00	\$600.00	\$600.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00	\$0.00	\$0.00
NUTRITION CAPITAL IMPROVEMENTS 441	\$0.00	\$0.00	\$0.00
CHIPS 451	\$0.00	\$0.00	\$0.00
YOUTH SERVICES 452	\$25,000.00	\$1,517.41	\$26,517.41
SENIORS HELPING SENIORS 453	\$0.00	\$1,677.94	\$1,677.94
EISEP 454	\$0.00	\$610.35	\$610.35
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$240,000.00	\$168.37	\$240,168.37
MUNICIPAL GARAGE 626	\$23,000.00	\$3,026.62	\$26,026.62
TRUST & AGENCY 735	\$0.00	\$809,837.08	\$809,837.08
SPECIAL TRUST 736	\$175,000.00	\$110,000.00	\$285,000.00
COMMUNITY DEVELOPMENT AGENCY 915	\$0.00	\$0.00	\$0.00
JOINT SCAVENGER WASTE 918	\$0.00	\$10,237.96	\$10,237.96
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
*****TOTALS*****	\$5,598,000.00	\$2,370,852.86	\$7,968,852.86

COUNCILMAN PRUSINOWSKI

offered the following Resolution which was seconded by

Adopted 877

COUNCILMAN LULL and is hereby authorized to pay the following:

*****ACCOUNTS*****	*CD - NONE*	**CHECKRUN TOTALS*	***GRAND TOTALS***
GENERAL TOWN 001	\$0.00	\$0.00	\$0.00
PARKING METER 002	\$0.00	\$0.00	\$0.00
AMBULANCE FUND 003	\$0.00	\$0.00	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00	\$0.00	\$0.00
TEEN CENTER 005	\$0.00	\$0.00	\$0.00
RECREATION PROGRAM 006	\$0.00	\$0.00	\$0.00
SENIOR NUTRITION SITE COUNCIL 007	\$0.00	\$0.00	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00	\$0.00	\$0.00
CHILD CARE BUILDING FUND 009	\$0.00	\$0.00	\$0.00
HIGHWAY 111	\$0.00	\$0.00	\$0.00
WATER 112	\$0.00	\$0.00	\$0.00
REPAIR & MAINTENANCE 113	\$0.00	\$0.00	\$0.00
SEWER 114	\$0.00	\$0.00	\$0.00
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$0.00	\$0.00
STREET LIGHTING 116	\$0.00	\$0.00	\$0.00
PUBLIC PARKING 117	\$0.00	\$0.00	\$0.00
BUSINESS IMPROVEMENT DISTRICT 118	\$0.00	\$0.00	\$0.00
TOR URBAN DEV CORP TRUST ACCT 119	\$0.00	\$0.00	\$0.00
WORKER'S COMPENSATION FUND 173	\$0.00	\$0.00	\$0.00
HOSPITALIZATION SELF INSURANCE 174	\$0.00	\$0.00	\$0.00
RISK RETENTION FUND 175	\$0.00	\$0.00	\$0.00
UNEMPLOYMENT INSURANCE FUND 176	\$0.00	\$0.00	\$0.00
MAIN STREET REHAB PROGRAM 177	\$0.00	\$0.00	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00	\$0.00	\$0.00
RESIDENTIAL REHAB 179	\$0.00	\$0.00	\$0.00
DISCRETIONARY/SMALL CITIES 180	\$0.00	\$0.00	\$0.00
CDBG CONSORTIUM ACCOUNT 181	\$0.00	\$0.00	\$0.00
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$0.00	\$0.00	\$0.00
SEWER DISTRICT DEBT 382	\$0.00	\$0.00	\$0.00
WATER DEBT 383	\$0.00	\$0.00	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE DISTRICT DEBT 385	\$0.00	\$0.00	\$0.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00	\$0.00	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$0.00	\$0.00	\$0.00
EIGHT HUNDRED SERIES 408	\$0.00	\$0.00	\$0.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00	\$0.00	\$0.00
NUTRITION CAPITAL IMPROVEMENTS 441	\$0.00	\$0.00	\$0.00
CHIPS 451	\$0.00	\$0.00	\$0.00
YOUTH SERVICES 452	\$0.00	\$0.00	\$0.00
SENIORS HELPING SENIORS 453	\$0.00	\$0.00	\$0.00
EISEP 454	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00	\$0.00	\$0.00
MUNICIPAL GARAGE 626	\$0.00	\$0.00	\$0.00
TRUST & AGENCY 735	\$0.00	\$9,076,349.70	\$9,076,349.70
SPECIAL TRUST 736	\$0.00	\$0.00	\$0.00
COMMUNITY DEVELOPMENT AGENCY 915	\$0.00	\$0.00	\$0.00
JOINT SCAVENGER WASTE 918	\$0.00	\$0.00	\$0.00
PAYROLL CLEARING ACCOUNT 998	\$0.00	\$0.00	\$0.00
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
*****TOTALS*****	\$0.00	\$9,076,349.70	\$9,076,349.70

offered the following Resolution which was seconded by

Adopted

COUNCILMAN LULL is hereby authorized to pay the following:

ACCOUNTS	*CD - NONE*	**CHECKRUN TOTALS*	***GRAND TOTALS***
GENERAL TOWN 001	\$0.00	\$248,154.92	\$248,154.92
PARKING METER 002	\$0.00	\$0.00	\$0.00
AMBULANCE FUND 003	\$0.00	\$1,265.73	\$1,265.73
POLICE ATHLETIC LEAGUE 004	\$0.00	\$0.00	\$0.00
TEEN CENTER 005	\$0.00	\$75.00	\$75.00
RECREATION PROGRAM 006	\$0.00	\$0.00	\$0.00
SENIOR NUTRITION SITE COUNCIL 007	\$0.00	\$0.00	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00	\$0.00	\$0.00
CHILD CARE BUILDING FUND 009	\$0.00	\$0.00	\$0.00
SENIOR CITIZEN DAYCARE CENTER 027	\$0.00	\$0.00	\$0.00
HIGHWAY 111	\$0.00	\$4,653.92	\$4,653.92
WATER 112	\$0.00	\$11,883.03	\$11,883.03
REPAIR & MAINTENANCE 113	\$0.00	\$0.00	\$0.00
SEWER 114	\$0.00	\$5,558.90	\$5,558.90
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$501.59	\$501.59
STREET LIGHTING 116	\$0.00	\$340.00	\$340.00
PUBLIC PARKING 117	\$0.00	\$1,000.00	\$1,000.00
BUSINESS IMPROVEMENT DISTRICT 118	\$0.00	\$1,200.00	\$1,200.00
TOR URBAN DEV CORP TRUST ACCT 119	\$0.00	\$0.00	\$0.00
WORKER'S COMPENSATION FUND 173	\$0.00	\$0.00	\$0.00
HOSPITALIZATION SELF INSURANCE 174	\$0.00	\$0.00	\$0.00
RISK RETENTION FUND 175	\$0.00	\$39,653.98	\$39,653.98
UNEMPLOYMENT INSURANCE FUND 176	\$0.00	\$0.00	\$0.00
MAIN STREET REHAB PROGRAM 177	\$0.00	\$0.00	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00	\$0.00	\$0.00
RESIDENTIAL REHAB 179	\$0.00	\$0.00	\$0.00
DISCRETIONARY/SMALL CITIES 180	\$0.00	\$0.00	\$0.00
CDBG CONSORTIUM ACCOUNT 181	\$0.00	\$3,422.58	\$3,422.58
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$0.00	\$264.40	\$264.40
SEWER DISTRICT DEBT 382	\$0.00	\$0.00	\$0.00
WATER DEBT 383	\$0.00	\$557.37	\$557.37
GENERAL FUND DEBT SERVICE 384	\$0.00	\$511.73	\$511.73
SCAVENGER WASTE DISTRICT DEBT 385	\$0.00	\$125,858.00	\$125,858.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00	\$0.00	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$0.00	\$17,543.18	\$17,543.18
EIGHT HUNDRED SERIES 408	\$0.00	\$0.00	\$0.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00	\$0.00	\$0.00
NUTRITION CAPITAL IMPROVEMENTS 441	\$0.00	\$0.00	\$0.00
CHIPS 451	\$0.00	\$0.00	\$0.00
YOUTH SERVICES 452	\$0.00	\$0.00	\$0.00
SENIORS HELPING SENIORS 453	\$0.00	\$0.00	\$0.00
EISEP 454	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00	\$6,194.34	\$6,194.34
MUNICIPAL GARAGE 626	\$0.00	\$13,216.32	\$13,216.32
TRUST & AGENCY 735	\$0.00	\$239,730.43	\$239,730.43
SPECIAL TRUST 736	\$0.00	\$0.00	\$0.00
COMMUNITY DEVELOPMENT AGENCY 915	\$0.00	\$26,000.00	\$26,000.00
JOINT SCAVENGER WASTE 918	\$0.00	\$4,088.58	\$4,088.58
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
*****TOTALS*****	\$0.00	\$751,674.00	\$751,674.00

Adopted

18, 1996

TOWN OF RIVERHEAD

Resolution # 511

AMENDS SITE PLAN OF THE KNOLLS AT FOX HILL (FORMERLY BLUFFS II)

COUNCILMAN PRUSINOWSKI

offered the following

motion, which was seconded by **COUNCILMAN LULL**:

WHEREAS, by Resolutions # 718, 304, 377, 486, and 602, dated December 16, 1986, April 25, May 19, 1993, July 5, 1994, and September 1, 1995, respectively, the Riverhead Town Board did approve and amend the site plan of Baiting Hollow Development Corp. for the construction of "The Phase II Units" located at the north side of Fox Hill Drive, Baiting Hollow, New York, New York, and designated as Suffolk County Tax Map Number 0600-11.1-2-1.1, and

WHEREAS, Baiting Hollow Development Corp. has requested that a modification of said site plan approval in regard to the enclosure of the stairwells with vinyl siding be approved by the Riverhead Town Board, and

WHEREAS, the Planning Department has reviewed such modification and has recommended that the Town Board accept such modification, and

WHEREAS, this Town Board has reviewed the modification aforementioned, and

WHEREAS, the site plan amendment 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 96-17008 of the Office of the Supervisor of the Town of Riverhead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does amend the site plan approval of Baiting Hollow Development Corp. to provide for the following:

the enclosure of the stairwells with vinyl siding; and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Arlen Maintenance Corp., Fox Hill Drive, Baiting Hollow, the Riverhead Planning Department, Building Department, Assessors' Office, and Office of the Town Attorney.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
St...	Aye	Nay

The resolution was thereupon duly adopted.