

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 185

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE GRANT-IN-AID FOR A HOUSEHOLD HAZARDOUS WASTE STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE CONTRACT UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

COUNCILMAN PRUSINOWSKI offered the following resolution,

which was seconded by **COUNCILMAN LULL**:

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the Town of Riverhead, herein called the "MUNICIPALITY", has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the "STATE", and the MUNICIPALITY be executed for such STATE Aid.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Riverhead:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application, is hereby authorized;
2. That the Supervisor, or his designee, is directed and authorized, as the official representative of the MUNICIPALITY, to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract, if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said household hazardous waste program;
4. That the MUNICIPALITY sets forth its respective responsibilities by attached joint resolution relative to a joint program;
5. That five (5) certified copies of this resolution be prepared and sent to the NYSDEC, together with a complete application.
6. This resolution shall take effect immediately; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward certified copies of this resolution to NYSDEC, Division of Pollution Prevention & Waste Reduction, 50 Wolf Road, Albany, New York, 12233-4010; and Frank Isler, Esq., 456 Griffing Avenue, P. O. Box 389, Riverhead, New York, 11901.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 186

**REDUCES PERFORMANCE BOND OF TANGER PROPERTIES LIMITED
PARTNERSHIP**

COUNCILMAN LULL

_____ offered the following resolution, which was

seconded by **COUNCILMAN PRUSINOWSKI**

WHEREAS, Tanger Properties Limited Partnership had posted a performance bond in the sum of Four Hundred Thousand and 00/100 (\$400,000.00) Dollars representing the construction and improvements of the Tanger Factory Outlet on October 28, 1993; and

WHEREAS, pursuant to Resolution #775 dated November 1, 1994, said performance bond was reduced to Sixty Thousand and 00/100 (\$60,000.00) Dollars; and

WHEREAS, upon recommendation of the Building Department (copy of memorandum dated February 29, 1996 from Raymond Wiwczar, Sr. Building Inspector annexed herewith), the performance bond covering construction and improvements of the Tanger Factory Outlet be reduced to Fifteen Thousand and 00/100 (\$15,000.00) Dollars, representing the cost of the plantings to be completed in the Spring.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the bond in the sum of Sixty Thousand and 00/100 (\$60,000.00) Dollars be reduced to Fifteen Thousand and 00/100 (\$15,000.00) Dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Stanley Tanger, c/o Ellerman & Schich, 727 Maryland Avenue, Phoenix, Arizona, 85014; the Planning Department; the Building Department; the Accounting Department and the Town Attorney's Office.

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.

March 19, 1996

Adopted

TOWN OF RIVERHEADResolution # 187**APPOINTS ACCOUNT CLERK TYPIST
IN THE ACCOUNTING DEPARTMENT****COUNCILMAN KWASNA** OFFERED THE FOLLOWING RESOLUTIONWHICH WAS SECONDED BY **COUNCILMAN WITTMEIER**

WHEREAS, a vacancy exists in the position of Account Clerk Typist in the Accounting Department, and

WHEREAS, interviews were conducted pursuant to the Suffolk County Civil Service Department List of Eligibles #96E-91, Account Clerk Typist.

NOW, THEREFORE BE IT RESOLVED, effective April 1, 1996, the Town Board authorizes the appointment of Andrea Hyndman to the position of Account Clerk Typist in the Accounting Department, on Group 9 - Step P of the Clerical and Supervisory Salary Schedule; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Andrea Hyndman and the Office of Accounting.

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.

3/19/96

Adopted

TOWN OF RIVERHEAD

Resolution # 188

AUTHORIZES TOWN CLERK TO PUBLISH NOTICE OF PUBLIC HEARING
REGARDING OFF PREMISES DIRECTIONAL SIGNS

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

WHEREAS, the Town Board of the Town of Riverhead desires to provide for more efficient and complete review of off-premises directional signs, and

WHEREAS, the desired change requires an amendment of the Riverhead Zoning Ordinance, and

WHEREAS, such amendment requires the holding of a public hearing, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

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

PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held on the 2nd day of April, 1996, at 7:25 p.m. o'clock at Riverhaed Town Hall, 200 Howell Avenue, Riverhead, New York, to consider the following amendment to the Town of Riverhead Zoning Ordinance:

~~§108-56P. Directional signs.~~

~~§108-56P(1). Definition: Any off-premises sign indicating the name of any business within the township, mileage to the premises and directional indicator (an arrow or the words "east," "west," "south" or "north").~~

~~§108-56P(2). All directional signs within the town shall be of the same size, material, height and color, as determined by the Town Board.~~

~~§108-56P(3). Only one (1) directional sign shall be allowed per applicant, unless the Town Board, upon a showing of undue hardship, allows one (1) additional directional sign. Under no circumstances shall more than one (1) additional sign be allowed.~~

~~§108-56P(4). Under no circumstances shall directional signs be located within one (1) mile of each other nor shall any two (2) signs be located along, on or by the same highway, street or road.~~

~~§108-56P(5). The application fee shall be ten dollars (\$10.).~~

~~§108-56P(6). All applications shall be submitted to the Town Board, which, after considering the necessity for such directional sign, shall grant or deny a special permit for the erection of such a sign.~~

~~§108-56P(7). All such signs shall be set back not less than twenty-five (25) feet from any side line and fifteen (15) feet from the front and rear property line.~~

~~§108-56P(8). Signs directing traffic on premises shall be permitted, not exceeding six (6) square feet in area and not exceeding three (3) feet in height to the top of the sign structure. Such signs may be double-faced but may not exceed eight (8) inches in depth. The minimum setback for directional signs from any lot line or street line, where applicable, shall be two (2) feet. Directional signs shall be at least two (2) feet from any entry road, driveway, access or other similar means of ingress and egress. [Added 3-6-1979, amended 7-3-1979]~~

L. Off-Premises Directional Signs

1. One (1) standardized off-premises directional sign, in accordance with the further provisions of this subsection, may be allowed per applicant, based upon the necessity for said off-premises directional sign as shown by the applicant. Upon showing of undue hardship, the Town Board may allow one (1) additional directional sign, but under no circumstances shall more than one (1) additional sign be allowed, nor shall nay two (2) signs bearing the same information face the same lane of traffic;
2. Off-premises directional signs shall be twelve (12) inches in height and forty-eight (48) inches in width. They shall be constructed of 3/4" exterior-grade plywood with black paint on all edges and on the reverse side. The face of the sign shall consist of white reflective Helvetica Medium lettering on Ronan Dark Blue (a/k/a Riverhead Town Blue) background with a three-quarter inch (3/4") white non-reflective border set one inch (1") within the edges of the sign. Commercial logos may be displayed in he customary colors;
3. A maximum of two (2) lines of copy shall be permitted. Where two (2) lines are used, one (1) line shall be four inches (4") in height and one line shall be two and one-half inches (2 1/2") in height. A white arrow, either vertical or diagonal and pointing in the general direction to be followed, shall display distances therein, stated to the nearest mile. Where the stated distance would be less than one mile, it shall be omitted. Arrows pointing to the right of vertical shall be on the right side of the sign, and arrows pointing left of vertical shall be on the left side of the sign, as appropriate. Businesses to the left shall appear above businesses to the right. Where more than one (1) business lies in the same direction, those closer shall appear above those more distant;
4. Posts shall be 4" x 4" CCA lumber, painted white, with pointed tops. Two posts shall support each sign installation. Said posts shall be eight (8) feet in height from the average grade of the ground surrounding the sign. The initial advertiser shall provide and maintain said posts, and may enter into an agreement with subsequent advertisers for continued maintenance;

5. A maximum of three (3) business signs shall be permitted on each sign installation. The top of the uppermost sign shall be set six inches (6") below the top of the posts. Signs shall be spaced three inches (3") apart;
6. There shall be no exclusive right to any location. An advertiser shall not prohibit subsequent advertisers which have obtained necessary approvals;
7. Where more than one (1) sign installation is permitted within close proximity, said installations shall be no closer than two hundred feet (200') apart;
8. Off-premises directional signs shall be located as follows, and shall be subject to the prior approval, in writing, of the New York State Department of Transportation, the Suffolk County Department of Public Works, the Riverhead Superintendent of Highways, or the owner of private property, as applicable:
 - Where there is no curb or sidewalk: six feet (6') from the outside shoulder of the highway, but not less than eight feet (8') from the pavement to the near edge of the sign;
 - Where there is a curb but no sidewalk: four feet (4') from the curb to the near edge of the sign;
 - Where there is a curb and sidewalk: two feet (2') from the inside edge of the sidewalk to the near edge of the sign;
 - The sign shall face the flow of traffic nearest it;
 - Not less than two hundred feet (200') approaching and two hundred feet (200') beyond a traffic control sign or device, railroad grade crossing, or public highway intersection with a federal, state, or county route;
 - Not less than one hundred feet (100') approaching and one hundred feet (100') beyond Town highway intersections.
9. In its deliberation of the permit, public safety, including but not limited to visibility of and by motorists as well as pedestrians relative to the proposed sign location, shall be a primary consideration;

10. An annual renewal fee of fifty dollars (\$50) shall be required as a condition of the permit. Said fee shall constitute a guarantee on the part of the applicant that the sign shall be maintained in good repair;
11. The Town may establish in any Zoning Use District, special public information centers, wherein directional signs may be located.

Dated: Riverhead, New York
March 19, 1996

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

* Overstrike represents deletion(s)

** Underscore represents addition(s)

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 189

DECLARES LEAD AGENCY & DETERMINES SIGNIFICANCE OF ACTION
SUFFOLK FARM APARTMENTS - CHANGE OF ZONE

COUNCILMAN PRUSINOWSKI

offered the following

resolution, which was seconded by COUNCILMAN LULL:

WHEREAS, the Riverhead Town Board is in receipt of a zone change petition from Jackson McDaniel to impose the provisions of the Residence RC (Retirement Community) Zoning Use District on a 38 acre parcel currently zoned Residence 'C' and known as SCTM 0600-82-4-209.4 which change is considered to be to the exclusion of the existing zoning, and

WHEREAS, the intent is to construct 232 senior housing units, together with common property improvements, and

WHEREAS, a Full EAF was submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed the EAF and other supporting documentation and recommended the petition be considered a Type I action per Part 617.4(b)(3) for which coordinated SEQR review is mandated, and

WHEREAS, the review was undertaken with other involved agencies eliciting no interest in the role of lead agency or substantive comment, and

WHEREAS, the Planning Department, by preparation and evaluation of its SEQR staff report, has further recommended that while the ultimate buildout may result in potentially large and important impacts on land, water and transportation resources and relative to growth and community character issues, the petitioner has demonstrated the project's need sufficient to allow him to advance his purpose so far as allowing the zone change while reserving analysis and mitigation of the above impacts for the discretionary decision point of the necessary special permit and site plan, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the lead agency in the Suffolk Farms zone change petition, and

BE IT FURTHER

RESOLVED, that the application be considered a Type I action which will not have a significant environmental impact and that a Draft EIS need not be prepared, and

BE IT FURTHER

RESOLVED, that this determination of significance is effective only on the zone change petition and that the special permit application be considered a separate and distinct action requiring its own environmental quality review as a Type I action as defined in Part 617.4(b)(5)(ii), and

BE IT FURTHER

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

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice of public hearing in the official newspaper of the Town of Riverhead, and to forward a certified copy of this resolution to the Planning Department and to the applicant or his agent, and

BE IT FURTHER

RESOLVED, that the Town Clerk shall forward the change of zone petition to Town of Riverhead Planning Board for their comments and recommendations.

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
PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of April, 1996 at 7:10 p.m., o'clock at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York regarding the zone change petition from Jackson McDaniel to impose the provisions of the Residence RC (Retirement Community) Zoning Use District on a 38 acre parcel currently zoned Residence 'C' and known as SCTM 0600-82-4-209.4 which change is considered to be to the exclusion of the existing zoning.

DATED: Riverhead, New York
March 19, 1996

By Order of the Town Board of the
Town of Riverhead

Barbara Grattan, Town Clerk

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 190

APPROVES APPLICATION OF BARBARA BOCKLET FOR FIREWORKS PERMIT

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN PRUSINOWSKI:

WHEREAS, an application for Fireworks Permit has been submitted by Barbara Bocklet together with a certificate of insurance for a fireworks display to be held on Saturday, June 15, 1996 at the Vineyard Caterers, Main Road, Aquebogue, New York; and

WHEREAS, the Town Attorney has reviewed said application and certificate as to form and said certificate has an expiration date of May 15, 1996.

NOW THEREFORE BE IT RESOLVED, that the application of Barbara Bocklet for a fireworks display to be held on Saturday, June 15, 1996 at the Vineyard Caterers, Main Road, Aquebogue, New York be and is hereby approved on the condition that a certificate of insurance showing that insurance is in effect on June 15, 1996 be filed with the Town Clerk not later than May 15, 1996; and be it further

RESOLVED, that in the event said certificate of insurance, which names the Town of Riverhead as an additional insured, is not received by the Town Clerk by May 15, 1995, this resolution shall be null and void; and be it further

RESOLVED, that the Town Clerk be and is hereby to forward a certified copy of this resolution to Vineyard Caterers, Att: Barbara Bocklet, Main Road, Aquebogue, New York, 11931 and the Riverhead Police Department.

THE VOTE

Wittmeier **Aye** Nay

Kwasna **Aye** Nay

Lull **Aye** Nay

Prusinowski **Aye** Nay

Stark **Aye** Nay

The Resolution was thereupon

Clerk: [Signature]

Adopted

MARCH 19, 1996

TOWN OF RIVERHEAD

RESOLUTION # 191

EXTENDS CONTRACT FOR OFFICE SUPPLIES, FURNITURE AND EQUIPMENT

COUNCILMAN KWASNA

OFFERED THE FOLLOWING RESOLUTION,

WHICH WAS SECONDED BY

COUNCILMAN WITTMER

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 June 30, 1996; and

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

THE VOTE

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

The Resolution was thereupon
duly adopted.

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 192

APPOINTS RICHARD K. ZUCKERMAN, ESQ. AS SPECIAL COUNSEL
IN A MATTER CONCERNING A TOWN OF RIVERHEAD EMPLOYEE

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

BE IT HEREBY RESOLVED, that the Supervisor be authorized to appoint Richard K. Zuckerman, Esq. as Special Counsel in a matter concerning a Town employee; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Richard K. Zuckerman, Esq., 210 Old Country Road, Mineola, New York, 11501; the Office of the Town Attorney; the Accounting Office and the Highway 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

3/19/96

TOWN OF RIVERHEAD

Resolution # 193

RELEASES MAINTENANCE BOND OF V.P. COR LIMITED (ROANOKE PINES)

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

WHEREAS, pursuant to Resolution #170 dated March 7, 1995, V.P. Cor Limited had posted a maintenance bond in the amount of \$10,000.00 for the one year maintenance of certain highways known as Patti Lane, Greentree Drive and recharge basin in the subdivision known as "Map of Roanoke Pines"; and

WHEREAS, one year has lapsed since said bond was posted; and

WHEREAS, Charles Bloss, Highway Superintendant has confirmed the satisfactory condition of the roads and recharge basin at "Roanoke Pines" subdivision.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of maintenance bond of International Fidelity Insurance Company, Bond No. #019187, in the sum of Ten Thousand (\$10,000.00) Dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to V.P. Cor Limited, 50 West Sunrise Highway, Freeport, New York, 11520; the Building Department; the Planning Department; the Highway Department 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.

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 194

ACCEPTS BONDS OF EASTERN CREST CORP. (MEADOWCREST SECTION 2) FOR ROAD & DRAINAGE IMPROVEMENTS, PARK AND RECREATION FEES

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN PRUSINOWSKI :

WHEREAS, the Riverhead Planning Board had granted final plat approval for the realty subdivision known as Meadowcrest, Section 2, Wading River, New York, by resolution dated January 4, 1996; and

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

WHEREAS, two (2) performance bonds have been forwarded to the Office of the Town Attorney, who has reviewed same as to form to satisfy the bond requirement.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby accepts performance bond of Utica Mutual Insurance Company, Bond No. SU1912260, in the sum of Eight Hundred Seventy Eight Thousand and 00/100 (\$878,000.00) Dollars representing road and drainage improvements; and performance bond of Utica Mutual Company, Bond No. SU1912262, in the sum of One Hundred Twenty Two Thousand and 00/100 (\$122,000.00) Dollars representing park and recreation fees (\$2,000.00 per lot); and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Eastern Crest Corporation, North Country Road, Wading River, New York, 11792; Charles R. Cuddy, Esq., as attorney for Eastern Crest Corp., P.O. Box 1547, Riverhead, New York, 11901; the Planning Department; the Building Department; the Highway Department; the Town Attorney; Charlene Cambria of the Accounting Department and Kenneth Testa, P.E..

NAY	(Aye)	Lull
NAY	(Aye)	Prusinowski
NAY	(Aye)	Stark

The Resolution was thereupon duly adopted.

Adopted

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

MARCH 19, 1996

TOWN OF RIVERHEAD

RESOLUTION # 195

AUTHORIZATION TO PUBLISH BID

COUNCILMAN KWASNA

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY **COUNCILMAN WITTMER**

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR FOOD FOR USE IN THE NUTRITION CENTER IN THE TOWN OF RIVERHEAD.

BE IT RESOLVED, THAT THE TOWN CLERK BE, AND HEREBY IS, AUTHORIZED TO FORWARD A COPY OF THIS RESOLUTION TO ALL DEPARTMENTS.

ks

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 the purchase of FOOD for use by the TOWN OF RIVERHEAD NUTRITION CENTER will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on April 3, 1996.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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

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.

All bids are to be submitted in a sealed envelope bearing the designation BID FOR FOOD.

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

Barbara Grattan, Town Clerk

March 19, 1996

Adopted

TOWN OF RIVERHEADResolution # 196**APPOINTS ACCOUNT CLERK TYPIST
IN THE POLICE DEPARTMENT**

COUNCILMAN WITTMEIER OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY **COUNCILMAN KWASNA**

WHEREAS, due to the retirement of Katherine Domaleski a vacancy exists in the position of Account Clerk Typist in the Police Department; and

WHEREAS, interviews were conducted pursuant to the Suffolk County Department of Civil Service List of Eligibles #96E-91, Account Clerk Typist.

NOW, THEREFORE BE IT RESOLVED, effective April 1, 1996, the Town Board authorizes the appointment of Marybeth Fisher to the position of Account Clerk Typist in the Police Department, on Group 9 - Step P of the Clerical and Supervisory Salary Schedule; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Marybeth Fisher, the Police 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

3/19/96

TOWN OF RIVERHEAD

Resolution # 197

DETERMINATION OF SIGNIFICANCE OF SPECIAL PERMIT/SITE PLAN
PETITION OF THURMS MOBILE HOME ESTATES

COUNCILMAN FRUSINOWSKI

offered the following

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from B. Arthur Thurm for the construction of a 12' x 15' addition to the Estate's existing recreation structure located on a 40.3 acre parcel zoned Industrial 'A' and known by Suffolk County Tax Map Number 0600-59-1-8.3, 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 6NYCRR Part 617.5(c)(10), and

WHEREAS, pursuant to 6NYCRR Part 617.3(f) and 617.6(a)(1), agency responsibilities for SEQR 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 Thurms Mobile Home Estates to be Type II for purposes of compliance with SEQR, and

BE IT FURTHER

RESOLVED, that this classification be considered effective for any related 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.

DECEMBER

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 198

**AUTHORIZES THE SUPERVISOR TO EXECUTE SERVICE AGREEMENTS
BETWEEN THE TOWN OF RIVERHEAD AND AT&T**

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN PRUSINOWSKI :

WHEREAS, numerous Departments of the Town of Riverhead, the physical locations of which are outside of 200 Howell Avenue, continue to utilize AT&T phone equipment; and

WHEREAS, AT&T has submitted proposed one year service agreements (copies attached) for AT&T phone equipment located at Riverside Drive; Box 56, Osborne Avenue and Columbus Avenue.

NOW THEREFORE BE IT RESOLVED, the Supervisor be and is hereby authorized to execute a service agreement for the AT&T phone equipment located at Riverside Drive; Box 56, Osborne Avenue and Columbus Avenue; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Michael Reichel; Charles Bloss; the Recreation Department; Jack Hansen and Ken Testa.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 199

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO BIDDERS FOR SNACK VENDORS

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders for snack vendors at various Town of Riverhead recreational beaches and parks.

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 TO BIDDERS

Separate sealed proposals will be received by the Town Clerk until 11:00 a.m. prevailing time on April 9, 1996, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at which time they will publicly be opened and read for:

Snack Vendors for the Riverhead Recreation Department

A Proposal Form and instructions may be obtained and examined at the office of the Town Clerk at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, tel. (516) 727-3200.

Security for each bid must be submitted with each bid in the amount not less than five percent (5%) of the Base Bid.

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

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

Dated: Riverhead, New York
 March 19, 1996

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

March 19, 1996

Adopted

TOWN OF RIVERHEAD
RESOLUTION #200

AUTHORIZES THE TOWN BOARD TO REPUBLISH AND REBID REQUEST FOR
PROPOSALS FOR IMPROVEMENTS TO THE HALLOCKVILLE MUSEUM FARM

ADOPTED MARCH 19, 1996

COUNCILMAN WITTMEIER offered the following

resolution, which was seconded by **COUNCILMAN KWASNA**.

WHEREAS, the Town of Riverhead is Grantee of federal funds for historic preservation activities at the Hallockville Museum farm; and

WHEREAS, as Project Sponsor, the Town of Riverhead has solicited bids by publication dated November 15, 1995; and

WHEREAS, there was one bid received, said bid in excess of allocated funding for this project; and

WHEREAS, the Hallockville Museum Farm has requested that said bid be rejected and bids be resolicited by the Town for the replacement of roof systems and related improvements.

THEREFORE, BE IT RESOLVED, that the Town Board as project sponsor hereby rejects the bid submitted by Carter-Melence, Inc., in the amount of \$22,000 and directs the Town Clerk to publish the attached public notice in the Wednesday, April 20, 1996 edition of the Suffolk Life.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to John Eilertsen, Executive Director, Hallockville Museum Farm and Folk Life Center; Olga Turner, Suffolk County Community Development; and 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.

TOWN OF RIVERHEADPUBLIC NOTICE

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

Plans and specifications may be obtained from the Town Clerk, Town of Riverhead, 200 Howell Avenue, Riverhead, New York 11901 on or after March 20, 1996. Sealed bids will be received until 11:00 A.M., April 8, 1996.

BY ORDER OF THE TOWN CLERK
BARBARA GRATTAN

11/8/95

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 201

RELEASES PERFORMANCE BOND OF CALVERTON LINKS

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

WHEREAS, Calverton Links (Willam Schulman) had posted a performance bond in the sum of \$3,000.00, for the construction of a storage building and a fence at Calverton Links, Edwards Avenue, Calverton; and

WHEREAS, by memorandum dated March 15, 1996 from Raymond Wiwczar, Sr. Building Inspector of the Riverhead Building Department, said construction has been completed to the Building Department's satisfaction and a Certificate of Occupancy has issued for the construction (copy of memo attached herewith).

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of said performance bond in the sum of Three Thousand (\$3,000.00) Dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to William Shulman, Calverton Links, Edwards Avenue, Calverton, New York, 11933; Riverhead Town Building Department; Riverhead Town Planning Department and the 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

3/19/96

TOWN OF RIVERHEAD

Resolution #202

ORDER CALLING PUBLIC HEARING, RE: INCREASE AND
IMPROVEMENT TO THE RIVERHEAD WATER DISTRICT
INSTALLATION AND CONSTRUCTION OF
FILTRATION SYSTEM, WELL #3

Adopted: _____

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

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly caused to be prepared a plan and estimate of cost relating to the increase and improvement of the facilities of the Riverhead Water District of said Town; and

WHEREAS, such overall plan encompasses the installation and construction of a filtration system for Well #3 of the Riverhead Water District, and

WHEREAS, the maximum amount proposed to be expended for said overall improvements is \$155,000 which shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District and shall be borne by the entire District to be paid from existing funds; and

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

NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on the 2nd day of April, 1996, at 7:30 o'clock p.m., prevailing time, on the question of the increase and improvement of the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and

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

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

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, 200 Howell Avenue, Riverhead, New York, at 7:30 o'clock p.m. prevailing time, on April 2, 1996, for the purpose of conducting a public hearing in relation to an increase and improvement of the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk County, New York, consisting of the installation and construction of a filtration system at Well #3 at a maximum estimated cost of \$155,000, to be paid from existing Water District funds.

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

Dated: Riverhead, New York
March 19, 1996

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

Section 5: This order shall take effect immediately.

and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Superintendent Pendzick; H2M; and Pierre G. Lundberg, Esq.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 203

RELEASES 5% BOND OF TOYS "R" US FOR WAREHOUSE

COUNCILMAN KWASNA

offered the following resolution, which was

seconded by **COUNCILMAN WITTMEIER**

WHEREAS, by resolution number 353, adopted on May 16, 1995, the Town Board of the Town of Riverhead did approve the site plan application for facade changes and attendant site improvements of an existing building, located at 115 Old Country Road, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-4-5.2; and

WHEREAS, Toys "R" Us had posted a 5% bond in the sum of Forty Two Thousand Nine Hundred Fifty Eight and 00/100 (\$42,958.00) Dollars for facade changes and attendant site improvements of an existing building; and

WHEREAS, a Certificate of Occupancy has issued for the construction under CO number 12575 (copy of CO annexed.)

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of said bond in the sum of Forty Two Thousand Nine Hundred Fifty Eight and 00/100 (\$42,958.00) Dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Toys "R" Us NY Limited Partnership, 461 From Road, Paramus, New Jersey, 07652; Riverhead Town Building Department; Riverhead Planning Department 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.

Adopted

March 19, 1996

TOWN OF RIVERHEAD

Resolution # 204

'96 AMBULANCE ACQUISITION

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN WITTMER OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY COUNCILMAN KWASNA

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

		FROM:	
406.095710.494200.40029	PROCEEDS FROM BOND SALE	\$115,000.	
			TO:
406.045400.524100.40029	AMBULANCE		\$115,000.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

March 19, 1996

TOWN OF RIVERHEAD

Resolution # 205

CORWIN-BENJAMIN HOUSES ACQUISITION

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN PRUSINOWSKI OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY COUNCILMAN LULL

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

406.095710.494200.40030	PROCEEDS FROM BOND SALE	FROM: \$235,000.
406.075200.522000.40030	ACQUISITION OF PROPERTY	TO: \$235,000.

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.

March 19, 1996

Adopted

TOWN OF RIVERHEADResolution # 206**GENERAL FUND**
BUDGET ADJUSTMENT**COUNCILMAN LULL**

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY

COUNCILMAN PRUSINOWSKI

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

		FROM:
001.010100.542100	TOWN BOARD, MISC. OFFICE EXPENSE	100.
001.011100.512500	JUSTICE, OVERTIME	300.
001.012200.549000	SUPERVISOR, MISCELLANEOUS	300.
001.031200.524101	POLICE, VEHICLES	80,000.
001.014100.549000	TOWN CLERK, MISCELLANEOUS	75.
001.016200.542500	SHARED SERVICES, SUPPLIES	1,100.
001.016250.541150	BUILDINGS & GROUNDS, REPAIR & MAINTENANCE	500.
001.031200.519100	POLICE, TERMINATION PAY	52,000.
001.045400.542400	AMBULANCE, UNIFORMS	800.
001.067720.541150	PROGRAM FOR THE AGING, BUILDING MAINT.	500.
		TO:
001.010100.524000	TOWN BOARD, EQUIPMENT	100.
001.011100.542100	JUSTICE, MISC. SUPPLIES	100.
001.011100.524000	JUSTICE, EQUIPMENT	200.
001.012200.524300	SUPERVISOR, SECRETARY EQUIPMENT	300.
001.013100.524000	FINANCE, EQUIPMENT	20,000.
001.014100.543405	TOWN CLERK, TRAVEL	75.
001.016200.524000	SHARED SERVICES, EQUIPMENT	1,100.
001.016250.524000	BUILDINGS & GROUNDS, EQUIPMENT	500.
001.031200.514100	POLICE, BUYBACKS	112,000.
001.045400.542100	AMBULANCE, OFFICE SUPPLIES	800.
001.067720.541400	PROGRAMS FOR THE AGING, EQUIPMENT REPAIR	500.

1910

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.

March 19, 1996

Adopted

TOWN OF RIVERHEADResolution # 207**ESTABLISHES SALARIES FOR
BOARD OF ASSESSMENT REVIEW****COUNCILMAN KWASNA**

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY

COUNCILMAN WITTMEIER

WHEREAS, Resolution #95-250 established terms and salaries for the members of the Board of Assessment Review, and

WHEREAS, the Town Board wishes to change these salaries from a per meeting stipend to an annual stipend.

BE IT FURTHER RESOLVED, the Town Board authorizes an annual stipend of \$500 for each Board member with an additional annual stipend of \$100 for the Chairperson; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Board of Assessment Review, the Assessors 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

3/19/96

TOWN OF RIVERHEAD

Resolution # 208

APPROVES APPLICATION OF AMERICAN DIABETES ASSOCIATION

COUNCILMAN WITTMEIER offered the following resolution, which was seconded by

COUNCILMAN KWASNA

WHEREAS, American Diabetes Association has submitted an application for the purpose of erecting tents in the Peconic Parking Lot, Riverhead, New York, for their annual Tour de Cure cycling event to be held on Sunday, June 30, 1996 between the hours of 5:30 a.m. and 4:00 p.m.; and

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

WHEREAS, the American Diabetes Association has deposited a check in the sum of Two Thousand Five Hundred and 00/100 (\$2,500.00) Dollars as a guarantee that the Peconic Parking Lot be restored to the condition existing prior to the Tour de Cure cycling event and to ensure all Association signs are removed.

NOW THEREFORE BE IT RESOLVED, that the application of American Diabetes Association for the purpose of erecting tents in the Peconic Parking Lot, Riverhead, New York, for their annual Tour de Cure cycling event to be held on Sunday, June 30, 1996 between the hours of 5:30 a.m. and 4:00 p.m. be and is hereby approved for the above date and time; and be it further

WHEREAS, that the chek in the sum of Two Thousand Five Hundred and 00/100 (\$2,500.00) Dollars shall be held by the Town of Riverhead until such time as the American Diabetes Association restores the Peconic Parking Lot to the condition existing prior to the Tour de Cure and all signs are removed; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the American Diabetes Association, 150 Motor Parkway, STE LL40, Hauppauge, New York, 11788; the Accounting Department and 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.

Adopted

3/19/96

TOWN OF RIVERHEAD

Resolution # 209

APPROVES APPLICATION OF ST. JOHN THE EVANGELIST R.C. SCHOOL

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

WHEREAS, St. John the Evangelist R.C. School has submitted an application for the purpose of conducting a carnival on the southwest corner of Mill Road and Route 58, Riverhead, New York to be held on April 11, 1996 through April 21, 1996 between the hours of 6:00 p.m. to 11:00 p.m weekdays (Monday through Friday) and between the hours of 3:00 p.m. and 11:00 p.m on weekends (Saturday and Sunday); and

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

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

NOW THEREFORE BE IT RESOLVED, that the application submitted by St. John the Evangelist R.C. School for the purpose of conducting a carnival on the southwest corner of Mill Road and Route 58, Riverhead, New York to be held on April 11, 1996 through April 21, 1996 between the hours of 6:00 p.m. to 11:00 p.m weekdays (Monday through Friday) and between the hours of 3:00 p.m. and 11:00 p.m on weekends (Saturday and Sunday) 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 St. John the Evangelist R.C. School, 546 St. John's Place, Riverhead, New York, 11901 and the Riverhead Police Department.

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

3/19/96

TOWN OF RIVERHEAD

Resolution # 210

**APPROVES APPLICATION OF ST. JOHN THE EVANGELIST R.C.
SCHOOL FOR FIREWORKS PERMIT**

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN PRUSINOWSKI :

WHEREAS, an application for Fireworks Permit has been submitted by St. John the Evangelist R.C. School together with a certificate of insurance for a fireworks display to be held on Saturday, April 13, 1996 at 10:00 p.m. having a rain date of Saturday, April 20, 1996 at 10:00 p.m. at the north west corner of Mill Road and Route 58, Riverhead, New York; and

WHEREAS, the Town Attorney has reviewed said application and certificate as to form and said certificate has an expiration date of February 17, 1997.

NOW THEREFORE BE IT RESOLVED, that the application of St. John the Evangelist R.C. School for a fireworks display to be held on Saturday, April 13, 1996 at 10:00 p.m. having a rain date of Saturday, April 20, 1996 at 10:00 p.m., at the north west corner of Mill Road and Route 58, Riverhead, New York be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby to forward a certified copy of this resolution to St. John the Evangelist R.C. School, 546 St. John's Place, Riverhead, New York, 11901 and the Riverhead Police 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

3/19/96

TOWN OF RIVERHEAD

Resolution # 211

APPOINTS MEMBER TO INDUSTRIAL DEVELOPMENT AGENCY

COUNCILMAN KWASNA offered the following resolution, was seconded by

COUNCILMAN WITTMEIER

WHEREAS, the Riverhead Industrial Development Agency was established by Chapter 624 of the Laws of 1980, which became effective on the 26th day of June, 1980; and

WHEREAS, in compliance with General Municipal Law section 856, the Town Board of the Town of Riverhead filed a certificate of membership in the Office of the Secretary of State; and

WHEREAS, pursuant to General Municipal Law section 856, the Industrial Development Agency may be composed of up to seven (7) members, whose members serve at the pleasure of the appointing authority; and

WHEREAS, the Town Board of the Town of Riverhead desires to expand the membership of the Riverhead Industrial Agency to seven (7) members.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby appoints the following individuals to serve at the pleasure of the Town Board as members of the Riverhead Industrial Agency:

Bob Dick	Monique Gablenz	Fred Reeve	Philip Swotkewicz
Edgar Goodale	Jean Marie Costello	Tina Van Allen;	

and be it further

RESOLVED, that the Town Clerk be and is hereby to forward a certified copy of this resolution to **Supervisor James R. Stark; Bob Dick**, 127 Ackerly Street, Riverhead, New York, 11901; **Monique Gablenz**, 424 Marcy Avenue, Riverhead, New York, 11901; **Fred Reeve**, 132 Sound Avenue, Riverhead, New York, 11901; **Philip Swotkewicz**, Box 187, S. Jamesport, New York, 11970; **Edgar Goodale**, 40 Sound Avenue, Riverhead, New York, 11901; **Jean Marie Costello**, 455 Griffing Avenue, Riverhead, New York, 11901; and **Tina Van Allen**, c/o Ivy Acres, Edwards Avenue, Calverton, New York, 11933.

2016

THE VOTE

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

The Resolution was thereupon duly adopted.

Resolution #212

RESOLUTION AMENDING PRIOR RESOLUTION
AWARDING BID FOR DEEPENING OF WELL NO. 1
RIVERHEAD WATER DISTRICT

TOWN OF RIVERHEAD

Adopted

Adopted _____

COUNCILMAN WITTMER

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

WHEREAS, this Town Board previously awarded the contract for
the deepening of Well No. 1 to Gregor Well Drilling, and Gregor
has declined to perform the work under the strict timetable
necessary to have the facilities completed for this summer's
pumping season, and

WHEREAS, the engineer has recommended the award of the bid to
Hydro Group, Inc. for a total price of \$226,000

NOW, THEREFORE, BE IT

RESOLVED, that the prior resolution is amended to state that
the bid be awarded to Hydro Group, Inc. on the terms and conditions
previously authorized, and be it further

RESOLVED, that the Town Clerk forward certified copies of this
resolution to Gregor Well Drilling, Hydro Group, Inc., H2M, Gary
Penzick, and Pierre G. Lundberg, Esq.

THE VOTE

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

The Resolution was thereupon
duly adopted.

RESOLUTION # 213 ABSTRACT # 111-96
COUNCILMAN PRUSINOWSKI
COUNCILMAN LULL

MARCH 7, 1996 (TRM 3/19/96)

offered the following Resolution which was recorded by

Adopted

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

ACCOUNTS	*CD - NONE*	**CHECKRUN TOTALS*	***GRAND TOTALS***
GENERAL TOWN 001	\$0.00	\$17,602.59	\$17,602.59
PARKING METER 002	\$0.00	\$0.00	\$0.00
AMBULANCE FUND 003	\$0.00	\$98.90	\$98.90
POLICE ATHLETIC LEAGUE 004	\$0.00	\$0.00	\$0.00
TEEN CENTER 005	\$0.00	\$223.48	\$223.48
RECREATION PROGRAM 006	\$0.00	\$106.00	\$106.00
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	\$11.22	\$11.22
HIGHWAY 111	\$0.00	\$0.00	\$0.00
WATER 112	\$0.00	\$5,222.94	\$5,222.94
REPAIR & MAINTENANCE 113	\$0.00	\$0.00	\$0.00
SEWER 114	\$0.00	\$985.00	\$985.00
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$112,134.28	\$112,134.28
STREET LIGHTING 116	\$0.00	\$0.00	\$0.00
PUBLIC PARKING 117	\$0.00	\$100,000.00	\$100,000.00
BUSINESS IMPROVEMENTS DISTRICT 118	\$0.00	\$3,799.69	\$3,799.69
TOR URRAN 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
INVOLVING 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
MUNICIPAL 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	\$4,840.00	\$4,840.00
EIGHT HUNDRED SERIES 408	\$0.00	\$70.72	\$70.72
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
ISEP 454	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00	\$6,899.79	\$6,899.79
MUNICIPAL GARAGE 626	\$0.00	\$1,285.94	\$1,285.94
TRUST & AGENCY 735	\$0.00	\$94,999.99	\$94,999.99
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	\$2,075.00	\$2,075.00
PAVROLL CLEARING ACCOUNT 99A	\$0.00	\$0.00	\$0.00
CENTRAL CLEARING ACCOUNT 99B	\$0.00	\$0.00	\$0.00
TOTALS	\$0.00	\$350,355.54	\$350,355.54

THE VOTE
Wiltmer
Kwansa
Lull
Prusinowski
Blak
The Resolution
July 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

COUNCILMAN LULL

offered the following Resolution which was recorded by

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

ACCOUNTS	CD - 3/15/96	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN 001	\$7,000,000.00	\$516,950.35	\$7,516,950.35
PARKING METER 002	\$26,000.00	\$20.94	\$26,020.94
AMBULANCE FUND 003	\$38,000.00	\$3,398.82	\$41,398.82
POLICE ATHLETIC LEAGUE 004	\$0.00	\$0.00	\$0.00
TEEN CENTER 005	\$0.00	\$88.00	\$88.00
RECREATION PROGRAM 006	\$0.00	\$3,927.34	\$3,927.34
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	\$950,000.00	\$94,387.47	\$1,044,387.47
WATER 112	\$1,200,000.00	\$52,489.74	\$1,252,489.74
REPAIR & MAINTENANCE 113	\$70,000.00	\$0.00	\$70,000.00
SEWER 114	\$160,000.00	\$14,913.46	\$374,913.46
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$47,346.80	\$47,346.80
STREET LIGHTING 116	\$390,000.00	\$28,373.03	\$418,373.03
PUBLIC PARKING 117	\$170,000.00	\$5,662.16	\$175,662.16
BUSINESS IMPROVEMENTS DISTRICT 118	\$20,000.00	\$3,360.00	\$23,360.00
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	\$425.40	\$425.40
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	\$2,588.53	\$2,588.53
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	\$624.17	\$624.17
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$30,000.00	\$0.00	\$30,000.00
SEWER DISTRICT DEBT 382	\$0.00	\$7,955.20	\$7,955.20
WATER DEBT 383	\$25,000.00	\$2,693.24	\$27,693.24
GENERAL FUND DEBT SERVICE 384	\$0.00	\$80,347.78	\$80,347.78
SCAVENGER WASTE DISTRICT DEBT 385	\$24,000.00	\$0.00	\$24,000.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00	\$0.00	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$45,000.00	\$372,184.32	\$372,184.32
EIGHT HUNDRED SERIES 408	\$0.00	\$631.00	\$631.00
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	\$30,000.00	\$1,905.68	\$31,905.68
SENIORS HELPING SENIORS 453	\$0.00	\$1,179.42	\$1,179.42
RISEP 454	\$0.00	\$662.06	\$662.06
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$60,000.00	\$1,992.67	\$61,992.67
MUNICIPAL GARAGE 626	\$40,000.00	\$7,561.11	\$47,561.11
TRUST & AGENCY 735	\$0.00	\$523,565.71	\$523,565.71
SPECIAL TRUST 716	\$0.00	\$0.00	\$0.00
COMMUNITY DEVELOPMENT AGENCY 915	\$0.00	\$0.00	\$0.00
JOINT SCAVENGER WASTE 918	\$0.00	\$11,825.26	\$11,825.26
PAYROLL CLEARING ACCOUNT 998	\$0.00	\$0.00	\$0.00
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
TOTALS	\$10,478,000.00	\$1,742,059.68	\$12,220,059.68

Adopted

TOWN OF RIVERHEAD

Resolution # 214

3/19/96

Authorizing Supervisor to Sign Grant Agreement

COUNCILMAN PRUSINOWSKI offered the following resolution,

which was seconded by **COUNCILMAN LULL**:

WHEREAS, the Community Development Department has applied for and received a Local Waterfront Revitalization Project grant from New York State Department of State under the Environmental Protection Fund; and

WHEREAS, the \$14,250 in Department of State funds, subject to reappropriation in the 1996 state budget, will be matched by Town funds to be used for the development and design of plans for proposed waterfront infrastructure improvements at Grangebelle Park; final Plans to include walkways, bulkheading, lighting, wetland plantings, landscaping and new pedestrian entrances; and

THEREFORE, BE IT RESOLVED that Supervisor James R. Stark be authorized to execute a grant contract between the Department of State and the Town of Riverhead.

BE IT FURTHER RESOLVED that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss.

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

3/19/96

TOWN OF RIVERHEAD

Resolution # 215

APPROVES SITE PLAN OF MAIDSTONE LANDING CONDOMINIUM (FORMERLY SEAWATCH LANDING)

COUNCILMAN PRUSINOWSKI

offered the following resolution, which was seconded by

COUNCILMAN KWASNA

WHEREAS, a site plan was submitted by Peter S. Danowski, Jr., as agent for Maidstone Landing, LLC, for the construction of a 95 unit condominium complex, and attendant site improvements, located at the north side of Sound Avenue, 1776'± feet east of Pier Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-2.1-1-1 through 96; and

WHEREAS, the Planning Department has reviewed the site plan dated November 7, 1995, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved with conditions; and

WHEREAS, the project has undergone an environmental review pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617, which review resulted in the preparation and acceptance of a Draft Environmental Impact Statement, a Final Environmental Impact Statement, and Agency Findings by the Town Board of the town of Riverhead, which documents are on file in the office of the Town Clerk; 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-_____ of the Office of the Supervisor of the Town of Riverhead; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Peter S. Danowski, Jr., as agent for Maidstone Landing, LLC, for the construction of a 95 unit condominium complex, and attendant site improvements, located at the north side of Sound Avenue, 1776'± feet east of Pier Avenue, Riverhead, New York, site plan dated November 7, 1995, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, 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, 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, Maidstone Landing, LLC hereby authorizes and consents to the Town of Riverhead to enter premises at the north side of Sound Avenue, 1776'± feet east of Pier 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 this approval shall be subject to the provision and final approval of site plan drawings which depict the following:

- catch basin, leaching ring, and other drainage structure details;
- roof drains leaching directly to dry wells;
- details for retaining walls;
- the proposed location of all utilities;
- a detail for the paving surface and any curbing;
- the location of, and detail for, any dumpster enclosures;
- an additional water hydrant to service units 1 through 14;
- details and specifications for all site lighting;
- drainage piping of a minimum 15" double wall ADS or equal;
- test bore at the location of 16 proposed leaching pools;
- drainage for tennis court;

16. That this approval shall be subject to the provision and approval, by resolution, of exterior building elevation drawings for all units;

17. That the site plan review fee shall be provided prior to the adoption of any subsequent resolution in regard to the building elevations or any other aspect of the site development;

18. That this approval is subject to the provision of an easement, in a form acceptable to the Town Attorney, which easement shall provide access to the beach located at the northwesterly portion of the subject parcel for the purposes of recapturing beach material in conjunction with the Town of Riverhead's proposed improvements to its facility at Iron Pier Beach; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., as agent for Maidstone Landing, LLC, the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1995 made by Maidstone Landing, LLC, residing at 10 East 78th Street, New York NY 10021, 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 hereto;

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.

MAIDSTONE LANDING, LLC

By: _____

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

On this _____ day of _____, 1995, before me personally came _____, to me known, and known to me to be one of the members of the firm of _____, described in and who executed the foregoing instrument, and (s)he acknowledged to me that (s)he executed the same as and for the _____ and deed of said firm.

NOTARY PUBLIC

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	<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.