

459

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE
TO CONSIDER A LOCAL ELECTING A RETIREMENT INCENTIVE
PROGRAM

COUNCILPERSON Creighton offered the following resolution, which was seconded by COUNCILPERSON Stark :

WHEREAS, pursuant to Chapter 178 of the Laws of 1991, effective June 17, 1991, New York State has made available to local governments a retirement incentive program; and

WHEREAS, the Town of Riverhead wishes to consider possible adoption of the Retirement Incentive Program which provides eligible employees with an additional one-twelfth of a year retirement service credit for each of the first five (5) years of service credited to retirement and two-twelfths of a year service credit for each year over five (5) years of services, credited as of the date of retirement, with three (3) years being the maximum amount of additional service credit that can be provided under the incentive program.; and

WHEREAS, the Town Board of the Town of Riverhead is currently requesting a notice of intent to participate in the Retirement Incentive Program from Town employees in order to assess the possible number of employees wishing to retire and the possible cost to the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider the adoption of a local law electing a retirement incentive program as authorized by Chapter 178, Laws of 1991 for eligible employees of the Town of Riverhead:

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of August, 1991, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the adoption of a local law electing a retirement incentive program as authorized by Chapter 178, Laws of 1991 for eligible employees of the Town of Riverhead. A copy of the entire local law is available at the Town Clerk's Office for review during normal business hours Monday through Friday, between 8:30 a.m. and 4:30 p.m.

Dated: Riverhead, New York
July 23, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

A LOCAL LAW ENACTING A RETIREMENT INCENTIVE PROGRAM
AS AUTHORIZED BY CHAPTER 178, LAWS OF 1991 FOR THE
ELIGIBLE EMPLOYEES OF THE TOWN OF RIVERHEAD

BE IT ENACTED by the Town Board of the Town of Riverhead as follows:

- Section 1. The Town of Riverhead hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 178, Laws of 1991.
- Section 2. The commencement date of the retirement incentive program shall be upon adoption of this local law and filing with the Secretary of State and New York State Employees Retirement System.
- Section 3. The open period during which eligible employees may retire and receive the additional retirement benefit shall be thirty days in length, specifically, from October 1 through October 31, 1991, inclusive.
- Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be funded over a five year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and shall be paid by the Town of Riverhead for each employee who received the retirement benefits payable under this local law.
- Section 5. This act shall become effective immediately upon filing with the Secretary of State.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,
Creighton, yes, Janoski, yes.
The resolution was thereupon was duly declared adopted.

460 ESTABLISHMENT OF SEWER CHARGE

Councilperson Stark offered the following resolution which was seconded by Councilperson Creighton.

RESOLVED, pursuant to 87-4, the Riverhead Town Board hereby establishes the base sewer rent for S.C.T.M. No. 0600-82-3-6, also known as the Mercy High School, at an amount equal to the water consumption during the months of December, January and February; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs that Mercy High School shall not be charged for the sewer usage based on water consumption applied toward irrigation of the sports fields.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

461 AUTHORIZES ISSUANCE OF PERMIT TO VICTOR PAFUNDI
DREAMER'S COVE PURSUANT TO CHAPTER 107 OF RIVERHEAD
TOWN CODE

Councilperson Stark offered the following resolution
which was seconded by Councilperson Prusinowski.

WHEREAS, Victor Pafundi has made an application to the
Conservation Advisory Council (CAC) for a permit to construct a
200-foot floating dock and the installation of spiles in waters
adjacent to premises known as "Dreamer's Cove Motel"; and

WHEREAS, on September 18, 1989, Victor Pafundi was issued a
permit for maintenance dredging; and

WHEREAS, an Article 25 Tidal Wetlands Permit has been issued
by the NYS DEC providing for 200 linear feet of floating docks
with 20 spiles no more than 15 feet from the seaward edge of the
existing bulkhead and no more than 10 feet from each other; and

WHEREAS, the US Army Corps of Engineers has issued a permit
in conformance with the relevant DEC permit; and

WHEREAS, the CAC recommended issuance of a permit to
construct 130 feet of preexisting floating docks, but recommended
denial of the additional 70 feet of floating docks and spiles;
and

WHEREAS, the issuance of a Town Board permit is necessary
for applicant compliance with an existing Order on Consent
designed to rectify non-compliance with the relevant Article 25
DEC permit; and

WHEREAS, pursuant to Chapter 107 of the Riverhead Town Code,
the Town Board had heard the appeal of Victor Pafundi; and

WHEREAS, the Riverhead Town Board has identified a need to
foster recreational opportunities and enhance the tourist
industry within the Town; and

WHEREAS, the Town Board has thoroughly reviewed the
Environmental Assessment form attending the application, the
commentary made at the relevant Public Hearing, the relevant
Article 25 Permit of the New York State D.E.C., the SEQRA report
of the Planning Department, as well as, all other relevant
planning and environmental information.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town
Board hereby declares itself to be the Lead Agency in the matter
of the Chapter 107 Permit of Victor Pafundi for the construction
of floating docks and spiles at Dreamer's Cove; and

BE IT FURTHER RESOLVED, as Lead Agency, the Riverhead Town
determines the action to be a Type I Action without a significant

impact upon the environment and that an Environmental Impact will not be prepared; and

BE IT FURTHER RESOLVED, that the Planning Director be authorized to publish and post a Notice of Non-Significance as required by the Environmental Conservation Law; and

BE IT FURTHER RESOLVED, that the application of Victor Pafundi pursuant to Chapters 47 and 107 of the Riverhead Town Code be and is hereby approved subject to the following conditions:

1. Spiles shall be installed only during the period of time from peak high tide to slack low tide in order to avoid siltation into the freshwater wetlands on the North side of Peconic Bay Boulevard;
2. A pump-out station shall be constructed in accordance with the special conditions of the D.E.C. permit;
3. Boat slips are only to be accessory to the motel units and shall not be used by anyone other than registered motel residents;
4. Docks are not to be used for sale of or use as transient dockage;
5. Accessory boat slip use shall terminate upon cessation of the primary motel use;
6. That spiles are to be located no more than 10 feet from floats, 15 feet offshore of the seaward face of bulkhead and shall be a maximum of 10 feet apart;
7. No gasoline or oil sales shall be permitted on the premises;
8. Any amendment to this application shall require a new application to the Town Board.
9. This permit shall affirm and include all those conditions imposed by the New York State Department of Environmental Conservation in the relevant Article 25 Permit and the Order on Consent No. R1-4539-91-04 and its attending Schedule A; and

BE IT FURTHER RESOLVED, that the Town Board amends the existing Site Plan approval of Victor Pafundi for Dreamer's Cove Motel, as made by the Town Board, as per survey of Howard Young dated July 15, 1991; such Site Plan approval to include those conditions required by the Town Board, pursuant to the subject Chapters 107 and 47 Permit, as a Declaration and Covenant to be filed with the Suffolk County Clerk; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Stephen R. Angel, Esq., attorney for the applicant, the Riverhead Planning Department, the Environmental Planner and the Conservation Advisory Council.

The vote, Stark yes, Prusinowski, yes, Civiletti, yes, Creighton, yes, Janoski, yes.
The resolution was thereupon duly declared adopted.

AUTHORIZES TOWN ATTORNEY TO EXECUTE STIPULATION OF SETTLEMENT AND ACCEPTS RESIGNATION OF EMPLOYEE

COUNCILPERSON Prusinowski offered the following resolution, which was seconded by COUNCILPERSON Stark:

WHEREAS, a stipulation of settlement has been forwarded to the Town Attorney for review and execution; and

WHEREAS, the Town Board hereby wishes to accept the terms and conditions outlined in said stipulation of settlement.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Attorney to execute the Stipulation of Settlement with regard to an employee of the Town of Riverhead; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the resignation of said employee; and be it further

RESOLVED, that the Town Clerk forward a certified copy of this resolution to Paul E. Levitt, Esq., the Accounting Department and the Superintendent of Highways.

The vote, Stark, yes, Prusinowski, yes, Civiletti, absent, Creighton, absent, Janoski, yes.
The resolution was thereupon duly declared adopted.