

TABLED

771 ORDER ESTABLISHING EXTENSION 21A TO THE RIVERHEAD WATER DISTRICT, OSBORNE MEADOWS

Councilman Prusinowski offered the following resolution which was seconded by Councilman Civiletti,

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District dated October 29, 1990, for an extension to the Riverhead Water District to be known as Extension No. 21A consisting of two parcels situated north of Middle Road and west of Osborne Avenue, a small portion of which is already in Extension No. 22 of the Riverhead Water District; there are 21 proposed single family homes in this extension, and

WHEREAS, the cost for the installation of said mains and appurtenances shall be borne solely by the developer or through Community Development funding with no portion thereof to be borne by the district as a whole, and

WHEREAS, the cost of the proposed transmission/distribution system is \$39,500, including the service line connectors and 1,300 linear feet 6, 8, and 12 inch water mains, valves, hydrants and appurtenances, and

WHEREAS, the applicant shall pay key money in the amount of \$2,500 per plot for each proposed dwelling unit for a total of \$52,500, and

WHEREAS, the Town Board called a public hearing for November 20, 1990, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 21A consisting of two parcels situated north of Middle Road and west of Osborne Avenue, a small portion of which is already in Extension No 22 of the Riverhead Water District wherein there are 21 proposed single family homes in this extension as described in Exhibit A, is in the best interest of the district and will benefit the property to be served, and

BE IT FURTHER RESOLVED that the Town Board determines that the installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment.

The environmental effects of the project as a whole have been previously dealt with by resolution of this Board and the Planning Board, and

BE IT FURTHER RESOLVED, that this extension is conditioned and shall not become effective until the conditions contained herein are complied with, and

BE IT FURTHER RESOLVED, that the cost of installation of said mains comprising the proposed transmission/distribution system is \$39,500, comprised of 1,300 linear feet of 6, 8, and 12 inch water mains, valves, hydrants and appurtenances, all being constructed subject to the following conditions:

1. The owners grant a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the streets of the proposed extension;

2. The developer or Community Development Department has posted a bond or letter of credit covering the cost of construction in the amount of \$39,500;

3. Key money to be posted by cash or bond in the amount of \$2,500 per plot for a total amount of \$52,500; If said amount is bonded, key money shall be payable at \$2,500 for each certificate of occupancy as issued by the Riverhead Building Department. The balance of all key money due shall be owed after the passage of two years from the date of this resolution.

4. That the petitioner execute an acknowledgment evidencing their acceptance of the terms and conditions of this resolution and agree to be bound by it before it shall become effective; such acknowledgment to be filed with the Town Clerk

and it is further

RESOLVED, that when the conditions called for herein have been completed, the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk of Suffolk County and filed with the New York State Comptroller, and it is further

RESOLVED, that the Town Clerk forward a certified copy of the resolution to Pierre Lundberg, Esq., H2M, Superintendent Gary Pendzick, and Andrea Lohneiss.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared **TABLED**.

EXHIBIT F-2

RIVERHEAD WATER DISTRICT

DESCRIPTION OF PROPOSED EXTENSION NO. 21A, OSBORN MEADOW

BEGINNING at a point on the existing Riverhead Water District boundary (Extension No. 21) on the west side of Osborn Avenue at the northeast corner of Section 81, Block 1, Lot 25.9 said point also the southeast corner of Lot 25.5;

Running thence northerly along the west side of Osborn Avenue to the northeast corner of Lot 25.5, said point also the southeast corner of Lot 25.3;

Thence southwesterly along the north line of Lot 25.5 (south line of Lot 25.3) to the east line of Lot 21;

Thence northerly along the east line of Lot 21 to the northeast corner of Lot 21 at the west line of Osborn Avenue;

Thence westerly along the north side of Lot 21 to the northwest corner of Lot 21;

Thence southerly along the west line of Lot 21 to the northeast corner of Lot 20.1, said point being on the boundary line of the Riverhead Water District (Extension No. 22);

Thence southerly and easterly along the existing boundary of the Riverhead Water District (Extensions No. 22 and 21) to the west side of Osborn Avenue, the point of BEGINNING.

This proposed Extension No. 21A contains approximately 12.5 acres or 0.02 square mile.

772 ORDER ESTABLISHING EXTENSION 19D TO THE RIVERHEAD WATER DISTRICT, BEARS/HILL

Councilman Prusinowski offered the following resolution which was seconded by Councilman Stark,

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District dated October 29, 1990, for an extension to the Riverhead Water District to be known as Extension No. 19D consisting of three large parcels, two of which extend from Reeves Avenue to Middle Road, adjacent to Extension No. 19B and 19C; this extension also consists of 120 single family "affordable housing" units in the southwest portion of the extension along with Timothy Hill Ranch property, and

WHEREAS, the cost for the installation of said mains and appurtenances shall be borne solely by the developer or through Community Development funding with no portion thereof to be borne by the district as a whole, and

WHEREAS, the cost of the proposed transmission/distribution system which extends from Reeves Avenue to Middle Road adjacent to Extensions No. 19B and 19C and the 120 single family "affordable housing" units in the southwest portion of the extension along with Timothy Hill Ranch property is \$285,000, including the service line connectors and 9,300 linear feet 6, 8, and 12 inch water mains, valves, hydrants and appurtenances, and

WHEREAS, the applicant shall pay key money in the amount of \$2,500 per plot for each proposed dwelling unit for a total of \$300,000, and

WHEREAS, the Town Board called a public hearing for November 20, 1990, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District extending from Reeves Avenue to Middle Road, adjacent to Extension No. 19B and 19C and 120 single family "affordable housing" units in the southwest portion of the extension along with Timothy Hill Ranch property as described in Exhibit A, is in the best interest of the district and will benefit the property to be served, and

BE IT FURTHER RESOLVED that the Town Board determines that

the installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment. The environmental effects of the project as a whole have been previously dealt with by resolution of this Board and the Planning Board, and

BE IT FURTHER RESOLVED, that this extension is conditioned and shall not become effective until the conditions contained herein are complied with, and

BE IT FURTHER RESOLVED, that the cost of installation of said mains comprising the proposed transmission/distribution system is \$285,000, comprised of 9,300 linear feet of 6, 8, and 12 inch water mains, valves, hydrants and appurtenances, all being constructed subject to the following conditions:

1. The owners grant a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the streets of the proposed extension;
2. The developer has posted a bond or letter of credit covering the cost of construction in the amount of \$285,000;
3. Key money to be posted by cash or bond in the amount of \$2,500 per plot for a total amount of \$300,000; If said amount is bonded, key money shall be payable at \$2,500 for each certificate of occupancy as issued by the Riverhead Building Department. The balance of all key money due shall be owed after the passage of two years from the date of this resolution.
4. That the petitioner execute an acknowledgment evidencing their acceptance of the terms and conditions of this resolution and agree to be bound by it before it shall become effective; such acknowledgment to be filed with the Town Clerk

and it is further

RESOLVED, that when the conditions called for herein have been completed, the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk of Suffolk County and filed with the New York State Comptroller, and it is further

RESOLVED, that the Town Clerk forward a certified copy of the resolution to Pierre Lundberg, Esq., H2M, Superintendent Gary Pendzick, and Andrea Lohneiss.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

EXHIBIT F-1

RIVERHEAD WATER DISTRICTDESCRIPTION OF PROPOSED EXTENSION NO. 19D, BEARS/HILL

BEGINNING at a point on the existing Riverhead Water District boundary north of Middle Road on the east line of Section 64, Block 2, Lot 8 said point being on the southwest corner of Extension No. 19B;

Running thence westerly along the existing Riverhead Water District boundary line parallel to and north of Middle Road through Lots 8 and 7.1 and through Section 84, Block 1, Lot 2.5 to the west line of Lot 2.5;

Thence northerly and easterly along the west and north lines of Lot 2.5 to the southeast corner of Section 64, Block 2, Lot 2;

Thence northerly, easterly and northerly along the common boundary of Lots 2 and 7.1 to a point 500 feet south of Reeves Avenue, on the proposed boundary of Extension No. 19C;

Thence easterly, southerly, easterly and southerly along the proposed boundary of Extension No. 19C and the existing boundary of Extension No. 19B to the point of BEGINNING.

This Extension No. 19D contains approximately 188 acres or 0.29 square mile.

773 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR THE INSTALLATION OF WATER MAINS AND APPURTENANCES FOR SPLISH SPLASH AT ADVENTURE ISLAND, INC. (EXTENSION 43)

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders for the installation of water mains and appurtenances for Splish Splash at Adventure Island, Inc. (known as Extension 43).

DATED: Riverhead, New York
December 4, 1990.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for Installation of Water Mains and Appurtenances for the Riverhead Water District, at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, NY 11901, at 11:00 A.M., prevailing time on Thursday, December 27, 1990, at which time and place all bids will be publicly opened and read for the following contract:

RDWD 90-01 ADVENTURE ISLAND (EXT. 43)

Contract documents, including drawings and technical specifications, are on file at the office of:

- (a) Town Clerk, Town of Riverhead
Town Hall, 200 Howell Avenue
Riverhead, NY 11901
- (b) Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, NY 11747

Copies of the contract documents may be obtained at the above locations on or after Friday, December 14, 1990, upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to bidders who return Plans and Specifications within ten (10) days in good condition; other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

IRENE J. PENDZICK, TOWN CLERK
TOWN OF RIVERHEAD
RIVERHEAD, NEW YORK

DATED: December 4, 1990

774 AUTHORIZES SUPERVISOR TO EXECUTE WATER MAIN EASEMENT AGREEMENTS WITH PETERS, ROSS, SCHRIER AND LPB OF WADING RIVER
RE: EXTENSION 35A TO THE RIVERHEAD WATER DISTRICT

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Lombardi,

WHEREAS, in conjunction with Extension 35A to the Riverhead Water District, it is necessary to lay water mains on property currently owned by Peters, Ross, Schrier and LPB of Wading River located on Route 25A, Wading River, New York, and

WHEREAS, property owners Peters, Ross, Schrier and LPB of Wading River have agreed to grant to the Town of Riverhead an easement over their property for the purpose of installing and maintaining such water mains, and

WHEREAS, all costs associated with the granting of such easements to the Town of Riverhead shall be borne solely by the applicants of Extension 35A, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, as governing body of the Riverhead Water District, hereby authorizes the Supervisor to execute water main easements with Peters, Ross, Schrier and LPB of Wading River located on Route 25A, Wading River, New York, wherein all costs associated with the obtaining of such easements shall be borne solely by the applicants of Extension 35A, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to Pierre Lundberg, Esq.; Susan Post Rogers, Esq.; Gary Pendzick; H2M; and the Office of Accounting.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

775 WAIVES PARKING METER FEES FOR MONTH OF DECEMBER

COUNCILPERSON Lombardi offered the following resolution, which was seconded by COUNCILPERSON Civiletti:

RESOLVED, that the Town Board of the Town of Riverhead hereby waives parking meter fees commencing December 1, 1990, through December 31, 1990; and be it further

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

776

Authorizes Supervisor release Petty Cash monies to Receiver of Taxes

Prusinowskioffered the following resolution which was seconded by Stark

RESOLVED, That the Supervisor be and is hereby authorized to issue a check in the amount of \$200.00 to the Receiver of Taxes, from the Petty Cash Fund Account established for Petty Cash Fund purposes for the office of the Receiver of Taxes, Pursuant to Section 64-1A of the Town Law.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

777 RESCINDS RESOLUTION #677 AND APPOINTS SMITH,
FINDELSTEIN, LUNDBERG, ISLER & YAKABOSKI AS SPECIAL
COUNSEL TO INSTITUTE LAWSUIT

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

RESOLVED, that the Town Board of the Town of Riverhead hereby rescinds Resolution #677 adopted October 16, 1990, and hereby appoints the law firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski as counsel with regard to the 1983 Landfill Law; and be it further

RESOLVED, that the Town Clerk be and is hererby authorized to forward a certified copy of this resolution to Beveridge & Diamond, P.C., Smith, Finkelstein, Lundberg, Isler & Yakaboski and the Town Attorney's Office.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

778

AUTHORIZES SUPERVISOR TO EXECUTE INTERMUCIPAL AGREEMENT

COUNCILPERSON Civiletti offered the following resolution, which was seconded by COUNCILPERSON Lombardi:

WHEREAS, prusuant to Article 5-G of the General Municipal Law, Town are authorized to agree among themselves to perform certain municipal activities on a cooperative basis; and

WHEREAS, certain towns desire to coordinate their municipal recycling activities so as to maximize the value of their recycled materials and to achieve other efficiencies of operation, thereby minimizing the costs to the residents of the Towns of the disposal or recycling of various materials; and

WHEREAS, each of the Towns desires to agree to coordinate their recycling activities by means of a recycling cooperative established pursuant to this Intermunicipal Agreement; and

WHEREAS, the coordination of activities, over time, is expected to be to the economic benefit of each Town and will serve a public purpose of each Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to enter into an Intermunicipal Agreement with the Towns of Brookhaven, East Hampton, Southampton, Southold and Shelter Island; and be it further

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Date _____

No. 779

COUNCILPERSON Lombardi offered the following resolution which was seconded by COUNCILPERSON Civiletti.

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

BUDGET ADJUSTMENT

<u>GENERAL FUND</u>		
001.031200.542228	Training Equipment	5,000.00
001.031200.524415	Binoculars	70.00
001.031200.542109	Notary Stamp	150.00
001.031200.542113	Postage	650.00
001.031200.542301	Breathalyzer Maintenance	450.00
001.031200.542304	Ammunition	75.00
001.031200.542305	Flashlight Batteries	44.00
001.031200.542307	Flares	140.00
001.031200.542308	Oxygen	200.00
001.031200.542309	Barricades	26.00
001.031200.542313	Extradition Expenses	400.00
001.031200.542401	Gloves	25.00
001.031200.542502	Storage Materials	248.00
001.031200.542605	Appearance Tickets	1,000.00
001.031200.543940	Interpreter Fees	691.00
001.031200.546100	Telephone	1,014.00
001.031200.541150	Build. Materials-Dog Warden	500.00
001.031200.581100	N.Y.S Police Ret. System	1,000.00
031200.524223	Telephoto Equipment	302.00
031200.524350	Law Library	290.00
031200.524420	Side Arms	22.00
031200.541403	Record Equipment	1,500.00
031200.542100	Office Supplies	1,000.00
031200.542310	Mace	19.00
031200.542311	Fingerprint Kit & Supplies	600.00
031200.542312	Narcotic Field Test Kits	650.00
031200.542314	Photographic Supplies	500.00
031200.543401	Training	5,000.00
031200.545210	Copy Machine Rental	300.00
031200.542251	Dog Food - Dog Warden	500.00
031200.543406	D.A.R.E.-Education Supplies	1,000.00

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

780 APPROVES SITE PLAN OF ERDOGAN ERGENER, M.D.

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

WHEREAS, a site plan and elevations were submitted by Erdogan Ergener, M.D. for construction of a 185 square foot addition to a medical office, and facade alteration, located at 952 Roanoke Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-107-2-6; and

WHEREAS, the Planning Department has reviewed the site plan dated last October 1, 1990, as prepared by Alan J. Cooper, AIA, 425 Northern Boulevard, Great Neck, New York, 11021, and elevations dated last October 1, 1990, as prepared by Alan J. Cooper, AIA, 425 Northern Boulevard, Great Neck, New York, 11021, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; 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, 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, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Erdogan Ergener, M.D., for construction of a 185 square foot addition to a medical office, and facade alteration,, located at 952 Roanoke Avenue, Riverhead, New York, site plan dated last October 1, 1990, as prepared by Alan J. Cooper, AIA, 425 Northern Boulevard, Great Neck, New York, 11021, and elevations dated last October 1, 1990, as prepared by Alan J. Cooper, AIA, 425 Northern Boulevard, Great Neck, New York, 11021, 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 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 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, Erdogan Ergener, M.D. hereby authorizes and consents to the Town of Riverhead to enter premises at 952 Roanoke Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

9. That by execution and filing of this document, Erdogan Ergener, M.D. hereby authorizes and consents to the Town of Riverhead to enter premises at 952 Roanoke Avenue, Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

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, prior to the issuance of a Building Permit, a performance bond, or other equivalent security, in a form approved by the Town Attorney and adopted by resolution of the Town Board, shall be provided by the applicant in accordance with requirements of Section 108-133 of the Town Code;

12. That site drainage shall be provided within the parking area to contain a two (2) inch rainfall, pursuant to Town Code requirements and the recommendations of the Town Engineer, and that all such structures shall be comprised of leaching-type rings; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Erdogan Ergener, M.D., Alan J. Cooper, AIA, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1990, made by Erdogan Ergener, M.D., residing at 952 Roanoke Avenue, Riverhead, New York, 11901, Declarant.

W I T N E S S E T H:

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 as well as those of Section 108-110.7 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 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 by execution and filing of this document, Erdogan Ergener, M.D. hereby authorizes and consents to the Town of Riverhead to enter premises at 952 Roanoke Avenue, Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

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, prior to the issuance of a Building Permit, a performance bond, or other equivalent security, in a form approved by the Town Attorney and adopted by resolution of the Town Board, shall be provided by the applicant in accordance with requirements of Section 108-133 of the Town Code;

11. That site drainage shall be provided within the parking area to contain a two (2) inch rainfall, pursuant to Town Code requirements and the recommendations of the Town Engineer, and that all such structures shall be comprised of leaching-type rings.

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

Erdogan Ergener, M.D.

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

On the _____ day of _____, 1990, before me personally came Erdogan Ergener, M.D., to me known and known to be the individual who executed the foregoing instrument; that

12/4/90

1246

(s)he is the owner of certain real property located at 952 Roanoke 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

781 AUTHORIZES TRANSFER OF FUNDS (TOWN ATTORNEY)

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

RESOLVED, that the following transfer of funds in the Town Attorney's Office be and are hereby approved:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
001.0014200.543400	001.014200.542100	\$400.00

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

RESOLUTION # 782 AUTHORIZING TOWN CLERK TO PUBLISH AND POST
NOTICE OF FIRST PUBLIC HEARING.

Councilperson Civiletti offered the following resolution
which was seconded by Councilperson Lombardi.

WHEREAS, the Town of Riverhead has an ongoing Community
Development Block Grant Program and plans to prepare an
application for Community Development Block Grant Funds, FY 1991;
and

WHEREAS, the Town wishes to solicit comments from the public
with regard to the development of said application; and

WHEREAS, the public hearing has been scheduled for December
18, 1990,

THEREFORE BE IT RESOLVED, that the Town Board of the Town of
Riverhead authorize the Town Clerk to publish the attached
notice of public hearing as a legal advertisement in the Suffolk
County Life ^{on} December 5, 1990.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby
authorized to forward a certified copy of this resolution to
Andrea Lohneiss, Community Development Director.

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of December, 1990 at 7:45p.m. in the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the development of the Town of Riverhead's Community Development Block Grant Application for fiscal year 1991.

Eligible categories of activities for Community Development funding include:

1. Acquisition of Real Property
2. Disposition
3. Public Facilities and Improvements
4. Clearance
5. Public Services
6. Interim Assistance
7. Relocation
8. Loss of Rental Income
9. Removal of Architectural Barriers
10. Housing Rehabilitation
11. New Housing Construction
12. Code Enforcement
13. Historic Preservation
14. Commercial or Industrial Rehabilitation
15. Special Economic Development
16. Administrative Activities

The hearing will provide citizens of the Town of Riverhead the opportunity to comment upon the development of the proposed application as well as upon the performance of any active Community Development Block Grant.

Further information concerning the Community Development Program can be obtained at Riverhead Town Hall, Community Development Office, 200 Howell Avenue, Riverhead, New York 11901, 516 727-3200 Ext. 236/287.

The Town of Riverhead urges the citizens of the Town of Riverhead and all other interested parties to participate in this important hearing.

DATED: December 4, 1990.

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

IRENE J. PENDZICK, TOWN CLERK

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

783

ADOPTS ADDITION OF SECTION 103-13.2 TO THE RIVERHEAD
TOWN CODE

COUNCILPERSON Lombardi offered the following resolution, which was seconded by COUNCILPERSON Civiletti :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider the addition of Section 103-13.2 to the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 20th day of November, 1990, at 8:35 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board has issued its negative declaration regarding the amendment to the Riverhead Town Code and that this amendment will not have a significant impact upon the environment pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that the addition of Section 103-13.2 to the Riverhead Town Code be and is hereby adopted as attached hereto; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish said amendment once in the **Suffolk County Life** and to post same on the signboard at 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 John Reeve, Accounting Department and the Town Attorney's Office.

Dated: Riverhead, New York
December 4, 1990.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

103-13.2. Source Separation of Recyclables Required.

A. All residents of the Town shall separate such recyclables as the Town Board may designate from all other solid waste placed out for collection or transported into the Town solid waste facility complex for disposal.

(1) All recyclables shall be clean, dry and, in the case of designated recyclable containers and cans, the contents removed therefrom.

(2) Caps and rings shall be removed from glass and plastic containers.

(3) Newspapers shall be tied or bundled separately from other recyclables prior to placement in the collection container or delivery to the recycling area at the Town landfill. Other papers, including glossy papers, shall not be mixed with newspapers.

(4) Title to and ownership of recyclables set out for collection shall thereupon vest in the Town. It shall be unlawful for a person to collect, remove or dispose of recyclables which are the property of the Town without first having obtained the written authorization of the Town to do so, and without first having obtained the license required by this Chapter. Persons who collect or remove recyclables owned by the Town shall deliver and dispose of same at such location as the Town Board or its designee shall direct.

B. The owners or occupants of all residences within the Town which utilize collection services provided by persons licensed to collect waste, pursuant to the provisions of this chapter, shall place such designated recyclables in a separate, covered Town-authorized container at curbside for collection on such day or days as the licensee serving such residence shall designate.

C. It shall be unlawful for any person to place out for collection any container in which other solid waste is mixed with such designated recyclables.

D. It shall be unlawful for any person to collect from a residence solid waste mixed with recyclables designated by the Town Board for mandatory source separation and separate collection.

E. It shall be the responsibility of every resident of the Town who does not utilize the services of a person licensed to collect waste pursuant to the provisions of this chapter, to deliver or cause to be delivered such designated recyclables, separated from all other solid wastes, to the recycling area of the Town solid waste disposal complex for disposal into the appropriate receptacles maintained at said recycling area.

F. Any person who violates the provisions of section shall be subject to a civil penalty of not less than Fifty (\$50) Dollars for each such violation.

G. This section shall take effect on January 1, 1991.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

784AUTHORIZED THE SOLICITATION OF BIDS FOR
COPY MACHINE PAPER

COUNCILPERSON Prusinowski offered the following RESOLUTION, which was seconded by COUNCILPERSON Stark.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of COPY MACHINE PAPER for use by the ALL TOWN DEPARTMENTS, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read allowed said bids at 11:00 A. M. on DECEMBER 13 1990, at Town Hall, 200 Howell Avenue, Riverhead New York: and to make a report of said bids to the Town Board at the next public meeting following the opening of the bids.

NOTICE TO BIDDERS ATTACHED

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

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of COPY MACHINE PAPER for use by the TOWN OF RIVERHEAD 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 12/13 1990 .

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 COPY MACHINE PAPER 1991 .

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Irene J. Pendick, Town Clerk

TOWN OF RIVERHEAD
NEW YORK

THE MENTION IN THE SPECIFICATIONS OF ANY UNIT, COMPONENT OR EQUIPMENT BY BRAND NAME AND/OR MODEL IS MEANT TO CONVEY TO THE POTENTIAL BIDDER THE TYPE AND QUALITY OF THE PRODUCT REQUIRED AND DESIRED BY THE TOWN. ANY UNIT, COMPONENT OR EQUIPMENT WHICH IS OF EQUAL TYPE AND QUALITY MAY BE CONSIDERED AS SUCH AND MAY BE ACCECPTABLE TO THE TOWN, UPON AGGREETMENT BY THE TOWN BOARD TO THAT FACT. THE DECISION OF THE TOWN BOARD, HOWEVER, IN SUCH A CIRCUMSTANCE IS FINAL.

FURTHERMORE, THE TOWN BOARD OF THE TOWN OF RIVERHEAD RESERVES THE RIGHT AND RESPONSIBILITY TO REJECT ANY OR ALL BIDS IF THEY BELIEVE SUCH ACTION TO BE IN THE BEST INTEREST OF THE TOWN.

COPY MACHINE PAPER SPECIFICATIONS

ITEM #1 RECYCLED COPY PAPER

- A. Hammermill WP 50 DP recycled paper or equal.
- B. 20 pound
- C. Minimum 84 brightness.
- D. 86 opacity.
- E. Maximum 180 smoothness.
- F. Maximum 50% recycled content.

ITEM #2 NON-RECYCLED COPY PAPER

- Finch Opaque Zerographic paper or equal. (NOT RECYCLED)
- A. 20 pound.
- B. Minimum 88 brightness.
- C. 87 opacity.
- D. Maximum 150 smoothness

PLEASE IDENTIFY AND SUBMIT SAMPLES OF PRODUCTS BID.

BID FORM FOR COPY PAPER

PLEASE SUBMIT SAMPLES OF PRODUCT BID

I. A. Price per case for Item #1 size 8 1/2 x 11 single or mixed cases on 40 case pallet.
\$ _____

B. Price per case for Item #1 size 8 1/2 x 14 single or mixed cases on 40 case pallet.
\$ _____

C. Price per case for Item #1 size 11 x 17 single or mixed cases on 40 case pallet.
\$ _____

II. A. Price per case for Item #2 size 8 1/2 x 11 single or mixed cases on 40 case pallet.
\$ _____

B. Price per case for Item #2 size 8 1/2 x 14 single or mixed cases on 40 case pallet.

C. Price per case for Item #3 size 11 x 17 single or mixed cases on 40 case pallet.
\$ _____

III. _____ days needed for delivery after receipt of order.

IV. Prices to stay in effect until June 30, 1991

V. I/WE FULLY UNDERSTAND THAT THE ACCEPTANCE OF THIS BID IS SUBJECT TO THE PROVISIONS OF SECTIONS 103A AND 103B OF THE GENERAL MUNICIPAL LAW.

DATE: _____ / _____ / _____

SIGNATURE OF DEALER OR AGENT

X _____

NAME AND ADDRESS OF DEALER OR AGENT

PLEASE READ, SIGN AND HAVE SIGNATURE NOTARIZED ON PAGE 5 OF THIS PACKET.



TOWN OF RIVERHEAD
200 HOWELL AVENUE
RIVERHEAD, NEW YORK 11901-2596
(516) 727-3200

UNDER PENALTIES OF PURJURY:

_____ (Bidder), being duly sworn, deposes and says:

- (a) this bid or proposal has been independantly arrived at without collusion with any other bidder or with any competitor or potential competitor;
- (b) this bid or proposal has not knowingly disclosed, prior to the opening of bids or proposals for this project, to any other bidder, competitor or potential competitor;
- (c) no attempt has been made or will be made to induce any other person, partnership or corporation to submit or not to submit a bid or proposal;
- (d) the person signing this bid or proposal certfies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under penalties of purjury, affirms the truth thereof, such penalties being applicable to the bidder as well as the person signing in it's behalf; and
- (e) that the attached hereto (if a corporate bidder) is a certified copy of a resolution authorizing the execution of this certificate by the signatory of this bid or proposal in behalf of the corporate bidder.

By: _____ TITLE _____

Corporation: _____

Address: _____

Sworn to before me this
_____ day of _____, 19

Notary Public

785 APPROVES SITE PLAN OF THE DAND CORPORATION

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

WHEREAS, a site plan was submitted by Andrew Pollak, as agent for The Dand Corporation for conversion of a residential property to office use located at 448 Griffing Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-126-1-57; and

WHEREAS, the Planning Department has reviewed the site plan dated January 29, 1990, as prepared by Fairweather/Brown, Architects, Box 521, Greenport, New York, 11944, 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 in record with the Town Clerk; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Andrew Pollak, as agent for The Dand Corporation, for conversion of a residential property to office use, located at 448 Griffing Avenue, Riverhead, New York, site plan dated January 29, 1990, as prepared by Fairweather/Brown, Architects, Box 521, Greenport, New York, 11944, be and is 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 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 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, The Dand Corporation hereby authorizes and consents to the Town of Riverhead to enter premises at 448 Griffing Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
9. That by execution and filing of this document, The Dand Corporation hereby authorizes and consents to the Town of Riverhead to enter premises at 448 Griffing Avenue, Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;
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, prior to the issuance of a Building Permit, a performance bond, or other equivalent security, in a form approved by the Town Attorney and adopted by resolution of the Town Board, shall be provided by the applicant in accordance with requirements of Section 108-133 of the Town Code;

12. That Belgian block curbing shall be provided, in the locations indicated on the site plan approved herein, and initialled by a majority of the Town Board;

13. That foundation plantings and plantings on either fence shall be added, as indicated on the site plan approved herein and initialled by a majority of the Town Board;

14. That shutters shall be added to the main structure, and that any change to the colors of said structure shall be subject to further review and approval by this Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Andrew Pollak, as agent for The Dand Corporation, Fairweather/Brown, Architects, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1990, made by The Dand Corporation, residing at 448 Griffing Avenue, Riverhead, New York, 11901, Declarant.

W I T N E S S E T H:

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 as well as those of Section 108-110.7 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 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 by execution and filing of this document, The Dand Corporation hereby authorizes and consents to the Town of Riverhead to enter premises at 448 Griffing Avenue, Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;
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, prior to the issuance of a Building Permit, a performance bond, or other equivalent security, in a form approved by the Town Attorney and adopted by resolution of the Town Board, shall be provided by the applicant in accordance with requirements of Section 108-133 of the Town Code;
11. That Belgian block curbing shall be provided, in the locations indicated on the site plan approved herein, and initialled by a majority of the Town Board;
12. That foundation plantings and plantings on either fence shall be added, as indicated on the site plan approved herein and initialled by a majority of the Town Board;
13. That shutters shall be added to the main structure, and that any change to the colors of said structure shall be subject to further review and approval by this Board.

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

The Dand Corporation
by: Harvey Pollak

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

On the _____ day of _____, 1990, before me personally came Harvey Pollak, 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 448 Griffing 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

786 APPOINTS PART-TIME DETENTION ATTENDANT

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Lombardi.

RESOLVED, that Christopher James be and is hereby appointed to the position of Part-time Detention Attendant with the Town of Riverhead Police Department at the hourly rate of compensation of \$11.20 effective December 4, 1990; and

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

787 APPOINTS CROSSING GUARDS

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Lombardi.

RESOLVED, that April Torborg and Rita Reecks be and are hereby appointed as Crossing Guards with the Town of Riverhead Police Department at the hourly rate of compensation of \$7.29 effective immediately; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to April Torborg, Rita Reecks, Chief Grattan and the Office of Accounting.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

788 AUTHORIZES ATTENDANCE OF OFFICERS AT SEMINAR

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti

WHEREAS, the Drug Enforcement Administration will be sponsoring a "Law Enforcement Training School" to be held at the Rockland County Police Academy, Pomona, New York on January 17 - 18, 1990; and

WHEREAS, it is the recommendation of Chief Grattan that two officers be authorized to attend said seminar.

NOW, THEREFORE, BE IT RESOLVED, that two officers from the Town of Riverhead Police Department be and are hereby authorized to attend the Law Enforcement Training School on the above mentioned dates; and

BE IT FURTHER RESOLVED, that all related expenses incurred by these officers will be fully receipted upon their return and thereafter reimbursed by the Accounting Department; and

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

789 APPOINTS LABORER TO RIVERHEAD TOWN LANDFILL

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

WHEREAS, a position of Laborer presently exists at the Riverhead Town Landfill; and

WHEREAS, said position has been posted and advertised; and

WHEREAS, all willing acceptors have been interviewed; and

NOW, THEREFORE, BE IT RESOLVED, that Robin Carr is hereby appointed to the position of Laborer, effective December 10, 1990, at an annual salary of \$19,768.15, Group 3 Step P of the Operational and Technical Salary Structure of the CSEA contract; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Robin Carr, P.O. Box 2291, Aquebogue, New York; John Reeve, Sanitation Supervisor; and the Office of Accounting.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

790 **AMENDS SITE PLAN OF LAURAMA PROPERTIES (PAUL ELLIOTT AND ROBERT RAPP, JR.)**

Councilperson stark offered the following resolution, which was seconded by Councilperson Prusinowski:

WHEREAS, by Resolutions #645 and #265, dated October 4, 1988, and April 17, 1990, respectively, the Town Board of the Town of Riverhead did approve and amend the site plan of Laurama Properties for the construction of an office building on a parcel located on the north side of County Route 58 (Old Country Road), known and designated as Suffolk County Tax Map Number 0600-84-4-30.1, and

WHEREAS, the covenants associated with the subject site plan were filed with the County Clerk and a Building Permit was made and approved, and

WHEREAS, Christopher P. Elliott, as agent for Soundview Property Management, Inc., current owner of the subject parcel, has requested a modification of the planting plan and schedule 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 with conditions;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby modify the site plan of Laurama Properties to provide for the following:

- The installation of black vinyl-coated chain link fence to secure the rear parking area;
- That one or a combination of the following species be provided along the fence on the east property line and screening the dumpster enclosure which shall be a minimum 3-4' in height on planting: Arbor Vitae, Glossy Abelia, Forsythia, Korean Spice Viburnum, Spirea Van Houttei;
- That three (3) London Plane, Red Maple, or Sweet Gum trees shall be provided on the east property boundary, and that one (1) London Plane tree shall be provided in each island on the west side of the access drive at the rear of the building;
- That Hershey Azaleas as well as a taller specie, such as but not limited to Burning Bush Euonymus, shall be located at the front of the building, in addition to two (2) Kevanzan Cherry trees;
- That Andorra or Shore Junipers shall be provided in the island southeast of the main entry door;

- That the plantings along the front of the building shall be sprinklered, and

BE IT FURTHER

RESOLVED, that the changes specified herein shall be indicated on the site plan on file with the Town Clerk as was initialled by a majority of the Town Board, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Paul Elliott, Robert Rapp, Jr., the Riverhead Planning Department, Building Department, and Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#791 AUTHORIZES PAYMENT OF BILLS.

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Lombardi.

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

ABSTRACT #27

<u>GENERAL TOWN</u>	<u>TOTAL</u> \$ 219,789.01
<u>PARKING METER</u>	12,279.00
<u>AMBULANCE</u>	584.13
<u>TEEN CENTER</u>	176.55
<u>POLICE ATHLETIC LEAGUE</u>	67.00
<u>RECREATION PROGRAM</u>	125.00
<u>HIGHWAY</u>	17,085.94
<u>STREET LIGHTING</u>	678.48
<u>PUBLIC PARKING</u>	2,890.33
<u>MUNICIPAL FUEL</u>	8,970.45
<u>MUNICIPAL GARAGE</u>	2,140.70
<u>DISCRETIONARY</u>	477.89
<u>REVOLVING LOAN PROGRAM</u>	1,809.24
<u>TRUST & AGENCY</u>	40,084.25
<u>TOWN HALL CAPITAL PROJECTS</u>	227.54
<u>RISK RETENTION</u>	879.08
<u>UNEMPLOYMENT INSURANCE RESERVE</u>	50.00
<u>EIGHT HUNDRED SERIES</u>	31,970.82
<u>PUBLIC PARKING DEBT SERVICE</u>	23.72
<u>GENERAL TOWN DEBT SERVICE</u>	383.65
<u>YOUTH SERVICES</u>	189.25
<u>SENIORS HELPING SENIORS</u>	72.00
<u>EISEP</u>	61.92

792 DECLARES DEFAULT OF BAYWOOD ESTATES, INC. (MAP OF THE MANORS AT BAITING HOLLOW)

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti,

WHEREAS, Salvatore Chiarelli, John Chiarelli, as co principals with Baywood Estates, Inc. have filed with the Town of Riverhead Performance Bonds covering the road and drainage improvements required by the final plat resolution of the Riverhead Planning Board covering the following sections in the following amounts:

Section I, First Indemnity of America Insurance Company in the original principal sum of \$226,000; reduced to the current amount of \$75,000; bond #621840.

Section II, First Indemnity of America Insurance Company in the original principal sum of \$286,000; reduced to the current amount of \$75,000; bond #621841.

Section III, First Indemnity of America Insurance Company in the original principal sum of \$170,000; bond #621949.

Section IV, First Indemnity of America Insurance Company in the original principal sum of \$156,000; bond #621948.

and

WHEREAS, such improvements were to be completed within two years from March 22, 1988,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby determines and finds that the road and drainage improvements covered by the above referenced bonds have not been completed within the required two year period and that Baywood Estates, Inc. and Salvatore Chiarelli and John Chiarelli be and hereby are declared in default of their obligation to construct the necessary road and drainage improvements within the subdivision known as Map of the Manors at Baiting Hollow and be it further

RESOLVED that the Town Board of the Town of Riverhead hereby calls upon First Indemnity of America Insurance Company as surety to perform the obligation of Baywood Estates, Inc. and John Chiarelli and Salvatore Chiarelli by completing the road and drainage improvements at their expense, and be it further

RESOLVED that the Town Clerk is authorized to cause a duplicate of this resolution to be personally served upon Salvatore Chiarelli, John Chiarelli, Baywood Estates, Inc. and the First Indemnity of America Insurance Company, 49 Ridgedale Avenue, East Hanover, New Jersey, by certified mail, return receipt requested.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

793 DECLARES DEFAULT OF DECANIO RESIDENTIAL COMMUNITIES, INC., AND VINCENT DECANIO; CALLS UPON THE INTERNATIONAL FIDELITY INSURANCE COMPANY TO PERFORM EXTENSION #28 OF THE RIVERHEAD WATER DISTRICT

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

WHEREAS, DeCanio Residential Communities, Inc. and Vincent DeCanio, as co-principals, have filed with the Town of Riverhead a Performance Bond, #819061-88, in the principal sum of \$645,000 to assure their payment for the cost of construction and all related costs incurred by the Riverhead Water District within Extension #28, and

WHEREAS, bond #819061-88 issued by the International Fidelity Insurance Company was accepted by Town Board resolution #466 adopted July 19, 1988, copy attached, and

WHEREAS, in reliance upon the bond the Town of Riverhead caused a public bid to be prepared and received and the construction awarded to Grimes Contracting, Inc., and

WHEREAS, from time to time payments have been made in respect to said Extension #28 by or on behalf of DeCanio Residential Communities, Inc and/or Vincent DeCanio in the sum of \$356,133.51, and

WHEREAS, further written demand of payment was made by the Town upon the principals for \$28,153.81, and

WHEREAS, a telephone FAX copy of this demand was transmitted November 29, 1990, and

WHEREAS, due to the requirements of the contract between the Town and the contractor, the Town in good faith reliance upon the surety is obligated to pay this sum and thereby will incur interest and other incidental costs, and

WHEREAS, payment has not been made to date, and

WHEREAS, the said Water District has incurred unpaid engineering fees and will incur additional construction and incidental costs,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District, does hereby declare DeCanio Residential Communities, Inc. and Vincent DeCanio, to be in default of their obligations to pay all costs

associated with Extension #28 of the Riverhead Water District, and be it further

RESOLVED, that the Town Board calls upon the International Fidelity Insurance Company to perform the obligations of DeCanio Residential Communities, Inc. and Vincent DeCanio to pay to the Town of Riverhead the sum of \$100,000 out of said principal sum of \$645,000, and be it further

RESOLVED, that said sum of \$100,000 shall be applied to the capital project of the Riverhead Water District known as Extension #28 and that upon the completion thereof any unused funds be returned to the surety, and be it further

RESOLVED, that the Town Clerk shall serve by certified mail, return receipt requested, certified copies of this resolution upon DeCanio Residential Communities, Inc.; Vincent DeCanio; and International Fidelity Insurance Company; and by regular mail upon H2M; and upon John J. Hansen and Gary Pendzick.

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

The resolution was thereupon duly declared adopted.