

# 504 AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER NO. 2  
RIVERHEAD SCAVENGER WASTE MISCELLANEOUS IMPROVEMENTS  
BENSIN CONTRACTING, INC.

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

WHEREAS, the Riverhead Town Board previously authorized the Supervisor to execute a contract on behalf of the Town of Riverhead with Bensin Contracting, Inc.; and

WHEREAS, the engineer retained by the Town has submitted a change order with a recommendation of approval.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute the attached change order; 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, the Engineer and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

# 505     AWARDS BID FOR INSTALLATION OF WATER MAINS AND APPURTENANCES FOR THE RIVERHEAD WATER DISTRICT (EXTENSION 34C - FOX MEADOW)

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for installation of water mains and appurtenances for the Riverhead Water District known as Extension 34C in the subdivision known as "Fox Meadow"; and

8/7/90

WHEREAS, bids were received, opened and read aloud <sup>725</sup> on the 16th day of July, 1990, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for installation of water mains and appurtenances for the Riverhead Water District known as Extension 34C in the subdivision known as "Fox Meadow" be and is hereby awarded to Tom Francis Consstruction Corp. in the amount of one hundred fourteen thousand three hundred thirty-three and 50/100 (\$114,333.50) dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tom Francis Consstruction Corp., Pierre G. Lundberg, Esq., Riverhead Water District, Planning Boardd and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 506 RESOLUTION CALLING PUBLIC HEARING, RE: APPLICATION OF PARVIZ FARAHZAD, SUNWOOD LATERAL WATER MAIN

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

WHEREAS, a petition has been filed by Parviz Farahzad, the owner of a subdivision, for the installation of a lateral water main of the Riverhead Water District to serve their realty subdivision known as Sunwood, and

WHEREAS, a map and plan has been proposed by H2M, consulting engineers to the Riverhead Water District, and

WHEREAS, the lateral will serve a subdivision located on the west side of Hulse Landing Road, south of Sound Avenue in Wildwood/Wading River, within the boundary of Extension 35, and

WHEREAS, the map and plan is available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours, and

WHEREAS, said map and plan calls for the installation of approximately 1,100 feet of eight inch pipe, 1,700 feet of twelve inch pipe, and appurtenances and hydrants associated therewith at a total cost of \$123,300, and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner and the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit. This cost represents the infrastructure costs to the Riverhead Water District to service these additional residences, and

WHEREAS, the Town Board desires to call a public hearing to consider the aforementioned petition,

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby authorized to publish and post a Notice of Public Hearing to be held on the 21st day of August, 1990, at 8:30 P.M. to hear all interested persons with regard to the petition of Parviz Farahzad to construct a lateral water main in the realty subdivision known as Sunwood and that such notice be published in the Suffolk Life Newspapers, and it is further

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

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

The resolution was thereupon duly declared adopted.

# 507 ORDER ESTABLISHING EXTENSION 37A TO THE RIVERHEAD WATER DISTRICT

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

WHEREAS, a petition has been filed by Peter S. Danowski, Esq., as attorney for the applicant, for an extension to the Riverhead Water District to provide public water to a realty subdivision, and

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, and

WHEREAS, the maximum amount to be expended for the installation of the mains is \$190,000 all to be borne by the applicant, with said extension to be at no cost to the district as a whole, and

WHEREAS, the applicant shall pay key money in the amount of \$2,500 per plot, or a minimum of \$67,500, and

WHEREAS, the Town Board called a public hearing for June 6, 1989, 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 as petitioned by Peter S. Danowski, on behalf of the applicant, to serve a realty subdivision more particularly 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 application for the installation of the water mains and appurtenances has been determined by the Riverhead Planning Board to be an unlisted action without significant impact upon the environment pursuant to their resolution dated July 25, 1988, which this Board adopts and confirms, 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 \$190,000, comprised of 6, 8, and 12 inch water mains, valves, hydrants and appurtenances, all being constructed subject to the following conditions:

1. The owner grants a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the streets of the proposed realty subdivision;

2. The owner has posted a bond or letter of credit covering the cost of construction in the amount of \$190,000;

3. Key money to be posted by cash or bond in the amount of \$2,500 per plot for a minimum amount of \$67,500; 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, and the applicant must record a covenant in a form to be approved by the Town stating that in the event that the use of the property causes water consumption in excess of the projected use of a single family dwelling, which has been used to calculate the key money of \$2,500 per plot, the owner of the property shall, within ten days, pay such additional key money to the Riverhead Water District. Such a covenant shall run with the land and be binding upon all heirs, successors and assigns, 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 Peter S. Danowski, Jr., Esq.

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

The resolution was thereupon duly declared adopted.

EXHIBIT A

RIVERHEAD WATER DISTRICTDESCRIPTION OF EXTENSION NO. 37A CENTRAL CALVERTON

BEGINNING at a point on the existing or proposed Extension No. 37R boundary of the Riverhead Water District where said boundary intersects the north line of New York State Route 25 (Main Road) at the southwest corner of Section 99, Block 2, Lot 6.2.

Running thence northerly and easterly along the lot lines of Lot 6.2 to its northeast corner at the west line of Lot 12.

Thence northerly along the west line of Lot 12 to the northwest corner of Lot 12.

Thence easterly along the north line of Lot 12 and the south line of Lot 5 and along the south line of Lot 5 to the southeast corner of Lot 5.

Thence southeasterly through Lot 13 to a point at the northwest corner of Lot 15 and on the east line of Lot 13.

Thence southerly along the east line of Lot 13 (also the west line of Lot 15) to the north side of New York State Route 25 (Main Road) said point also being the southeast corner of Lot 13.

Thence diagonally across New York State Route 25 to a point on the south side of New York State Route 25 which is the northwest corner of Section 99, Block 2, Lot 14.1 and is the northeast corner of Section 117, Block 2, Lot 9.1.

## EXHIBIT A (CONT'D.)

Thence southerly, westerly and northerly along the easterly, southerly and westerly line respectively of Lot 9.1 to a point which is 500 feet south of New York State Route 25.

Thence westerly along a line which is 500 feet south of New York State Route 15 and parallel thereto to the east side of Edwards Avenue.

Thence northerly along the east side of Edwards Avenue to the Extension No. 37R boundary line.

Thence easterly, northerly, easterly and northerly along the Extension No. 37R boundary line to the point of BEGINNING.

The above area contains approximately 52 acres.

# 508 ORDER ESTABLISHING EXTENSION 42A TO THE RIVERHEAD WATER DISTRICT, THE KNOLLS AT RIVERHEAD

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

WHEREAS, a petition has been filed by Alvin Benjamin for an extension to the Riverhead Water District to provide public water to the realty subdivision known as "The Knolls at Riverhead", and

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, and

WHEREAS, the maximum amount to be expended for the installation of the mains is \$235,000 all to be borne by the applicant, Alvin Benjamin, with said extension to be at no cost to the district as a whole, and

WHEREAS, the applicant shall pay key money in the amount of \$2,500 per plot for each of the 84 units, for a total of \$210,000, and

WHEREAS, the Town Board called a public hearing for December 19, 1989, 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 as petitioned by Alvin Benjamin, to serve the realty subdivision known as "The Knolls at Riverhead", more particularly 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, 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 \$235,000, comprised of 6, 8, and 12 inch water mains, valves, hydrants and appurtenances, all being constructed subject to the following conditions:

1. The owner grants a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the streets of the proposed realty subdivision;

2. The owner has posted a bond or letter of credit covering the cost of construction in the amount of \$235,000;

3. Key money to be posted by cash or bond in the amount of \$2,500 per plot for a total amount of \$210,000; 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, 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 Henry Saxtein, Esq.

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

The resolution was thereupon duly declared adopted.

EXHIBIT B-2

RIVERHEAD WATER DISTRICT

DESCRIPTION OF EXTENSION NO. 42A

THE KNOLLS AT RIVERHEAD

BEGINNING at a point on the existing Riverhead Water District boundary at the southeast corner of Extension No. 42, said point being 500 feet east of Roanoke Ave.

Running thence northerly along the east line of Extension No. 42 approximately 1,200 feet to a point.

Thence easterly through Section 64, Block 1, Lot 7.1 to the northwest corner of Section 82, block 2, Lot 4.7.

Thence easterly along the north line of Lot 4.7 to the northeast corner of Lot 4.7.

Thence southerly along the east line of Lot 4.7 to the existing Riverhead Water District boundary (north line of Extension No. 16, also southeast corner of Lot 4.7).

Thence westerly along the south line of Lot 47 (existing Riverhead Water District boundary) to the southwest corner of Lot 4.7)

Thence northerly and westerly along the existing Riverhead Water District boundary to the point of BEGINNING.

This description includes all of Section 82, Block 2, Lot 4.7 and a portion of Section 64, Block 1, Lot 7.1 for a total of approximately 62 acres.

# 509 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO  
BIDDERS FOR EXTENSION 34 OF THE RIVERHEAD WATER DISTRICT

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders once in the AUGUST 15, 1990, issue of the Suffolk County Life with regard to Extension 34 of the Riverhead Water District.

Dated: Riverhead, New York  
August 7, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

## NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the 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 AM., prevailing time on Thursday, August 30, 1990, at which time and place all bids will be publicly opened and read for the following contract:

RDWD 86-52 EXTENSION NO. 34 CENTRAL AQUEBOGUE

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, August 17, 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, NEW YORK

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

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

DATED: August 7, 1990

# 510      APPROVES EXTENSION OF RIVERHEAD PUBLIC PARKING DISTRICT  
NO. 1

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

WHEREAS, by petition dated April 12, 1990, the Peconic River Yacht Club, Reginald H. Tuthill Funeral Home, Inc., and Riverhead Building Supply Corp. applied to the Town Board of the Town to extend Public Parking District No. 1 to include their respective properties in said parking district; and

WHEREAS, a full Environmental Assessment Form (EAF) was submitted as part of said petition; and

WHEREAS, the Riverhead Planning Department reviewed the EAF and supporting documentation and determined the action to be a Type I Action pursuant to Part 617.12(b)(12) of the State Environmental Quality Review Act; and

WHEREAS, the Town Board has reviewed the EAF and all supporting documentation and has determined that the special permit applied for will not have a significant impact on the environment; and

WHEREAS, a public hearing was held on June 5, 1990, pursuant to Section 193 of Town Law and all persons wishing to be heard were heard.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby extends Public Parking District No. 1 as described in the aforesaid application and map attached thereto; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for petitioners, the Riverhead Parking District and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 511 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE RE:  
SPECIAL PERMIT APPLICATION OF JAMES WOODHULL

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to the special permit application of James Woodhull

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of August, 1990, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of James Woodhull for the extension of pre-existing, non-conforming uses by replacing old or damaged mobile homes with new mobile homes.

Dated: Riverhead, New York  
August 7, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

# 512 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE RE:  
SPECIAL PERMIT APPLICATION OF MOHRING ENTERPRISES, INC.

Councilperson Lombardi 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 following public notice with regard to the special permit application of Mohring Enterprises, Inc.:

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of August, 1990, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of Mohring Enterprises, Inc. for the construction of a gasoline service station and related services, including a car wash and mini-mart, on a parcel of real property located on the North side of Route 58, Riverhead, New York.

Dated: Riverhead, New York  
August 7, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

# 8/7/90  
513 ADOPTS AMENDMENT TO SECTION 108-3 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amend Section 108-3 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:40 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 amend Section 108-3 of the Riverhead Town Code be and is hereby adopted as follows:

DAY CARE CENTERNURSERY SCHOOL - A private establishment enrolling seven or more children between 0 and 5 years of age and where tuition, fees or other forms of compensation for the care of the children is charged, and which is licensed and approved to operate as a day care center or nursery school pursuant to Social Service Law.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Planning Department, Planning Board, Zoning Board of Appeals, Building Department and the Town Attorney's Office.

Dated: Riverhead, New York  
 August 7, 1990.

BY ORDER OF THE TOWN BOARD  
 OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

\*overstrike represents deletion(s)  
 \*\*underscore represents addition(s)

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

The resolution was thereupon duly declared adopted.

# 8/7/90  
514

ADOPTS AMENDMENT TO ARTICLE III RESIDENCE A ZONING USE  
DISTRICT OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amend Article III Residence A Zoning Use District of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:40 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 amend Article III Residence A Zoning Use District of the Riverhead Town Code be and is hereby adopted as follows:

108-7. Uses.

A. Permitted uses.

(3) Day care center or nursery school by special permit of the Town Board.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Planning Department, Planning Board, Zoning Board of Appeals, Building Department and the Town Attorney's Office.

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

8/7/90  
# 513

ADOPTS AMENDMENT TO ARTICLE IV RESIDENCE B ZONING USE  
DISTRICT OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amend Article IV Residence B Zoning Use District of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:40 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 amend Article IV Residence B Zoning Use District of the Riverhead Town Code be and is hereby adopted as follows:

108-11. Uses.

A. Permitted uses.

(8) Day care center or nursery school by special permit of the Town Board.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Planning Department, Planning Board, Zoning Board of Appeals, Building Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 8/7/90  
# 316ADOPTS AMENDMENT TO ARTICLE VII BUSINESS A ZONING USE  
DISTRICT OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amend Article VII Business A Zoning Use District of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:40 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 amend Article VII Business A Zoning Use District of the Riverhead Town Code be and is hereby adopted as follows:

108-27. Uses.

B. Special permit uses.

(5) Day care center or nursery school by special permit of the Town Board.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Planning Department, Planning Board, Zoning Board of Appeals, Building Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 8/7/90  
517

ADOPTS AMENDMENT TO ARTICLE VIII BUSINESS B ZONING USE  
DISTRICT OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amend Article VIII Business B Zoning Use District of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:40 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 amend Article VIII Business B Zoning Use District of the Riverhead Town Code be and is hereby adopted as follows:

108-34. Uses.

B. Special exception and special permit uses.

(5) Day care center or nursery school by special permit of the Town Board.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Planning Department, Planning Board, Zoning Board of Appeals, Building Department and the Town Attorney's Office.

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

# 8/7/90 ADOPTS AMENDMENT TO ARTICLE IX BUSINESS C ZONING USE  
DISTRICT OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amend Article IX Business C Zoning Use District of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:40 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 amend Article IX Business C Zoning Use District of the Riverhead Town Code be and is hereby adopted as follows:

108-39. Uses.

B. Special exception and special permit uses.

(5) Day care center or nursery school by special permit of the Town Board.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Planning Department, Planning Board, Zoning Board of Appeals, Building Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 8/7/90  
519

ADOPTS AMENDMENT TO ARTICLE X BUSINESS D ZONING USE  
DISTRICT OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amend Article X Business D Zoning Use District of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:40 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 amend Article X Business D Zoning Use District of the Riverhead Town Code be and is hereby adopted as follows:

108-42. Uses.

B. Special exception and special permit uses.

(5) Day care center or nursery school by special permit of the Town Board.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Planning Department, Planning Board, Zoning Board of Appeals, Building Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

8/7/90

# 520

ADOPTS AMENDMENT TO ARTICLE XXI BUSINESS CR ZONING USE  
DISTRICT OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amend Article XXI Business CR Zoning Use District of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:40 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 amend Article XXI Business CR Zoning Use District of the Riverhead Town Code be and is hereby adopted as follows:

108-110.1. Uses.

B. Special permit uses.

(5) Day care center or nursery school.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Planning Department, Planning Board, Zoning Board of Appeals, Building Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 521 ADOPTS AMENDMENT TO ARTICLE XXIV RESIDENCE RDC ZONING USE DISTRICT OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amend Article XXIV Residence RDC Zoning Use District of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:40 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 amend Article XXIV Residence RDC Zoning Use District of the Riverhead Town Code be and is hereby adopted as follows:

108-121. Uses.

A. Special permit uses.

(2) Day care center or nursery school.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Planning Department, Planning Board, Zoning Board of Appeals, Building Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 522ADOPTS AMENDMENT TO ARTICLE XXV RECREATIONAL ZONING USE DISTRICT OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amend Article XXV Recreatiolan Zoning Use District of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:40 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 amend Article XXV Recreatiolan Zoning Use District of the Riverhead Town Code be and is hereby adopted as follows:

108-125. Uses.

B. Special permit uses.

(4) Day care center or nursery school by special permit of the Town Board.

and be it further

RESOLVED, that the Town Clerk be and is hereby author-ized to publish a copy of this resolution 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 author-ized to forward a certified copy of this resolution to Planning Department, Planning Board, Zoning Board of Appeals, Building Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Section 101-10 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:10 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 an amendment to Section 101-10 of the Riverhead Town Code be and is hereby adopted as follows:

101.10. Parking prohibited.

Street	Side	Location
<u>West Main Street</u>	<u>South</u>	<u>From its intersection with Peconic Avenue (Route 24) westerly to a point 300 feet from said corner.</u>

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Police Department, Highway Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

ADOPTS AMENDMENT TO SECTION 101-14 OF THE RIVERHEAD 750  
TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Section 101-14 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 17th day of July, 1990, at 8:15 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 an amendment to Section 101-14 of the Riverhead Town Code be and is hereby adopted as follows:

101.14. Parking prohibited except for buses.

The parking of vehicles except buses is hereby prohibited between the hours of 8:00 a.m. and ~~5:00~~ 6:00 p.m., except on Sundays and holidays, in the following locations:

Street	Side	Location
West Main Street	South	Commencing <del>231</del> <u>300</u> feet west of Peconic Avenue (Route 24) and thence westerly to a point <del>405</del> <u>490</u> feet therefrom.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution 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 Police Department, Highway Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 525 ACCEPTS RESIGNATION OF DARRELL HARRIS RE: HIGHWAY DEPT.

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

WHEREAS, Darrell Harris did submit his written resignation from his position of Automotive Equipment Operator with the Town of Riverhead Highway Department.

NOW, THEREFORE, BE IT RESOLVED, that the resignation of Darrell Harris be and is hereby accepted effective July 27, 1990; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Darrell Harris, Charles Bloss and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

Resolution # 526 Accepting Transfer of Property from  
Suffolk County

COUNCILPERSON Lombardi offered the following  
resolution, which was seconded by COUNCILPERSON  
Prusinowski.

WHEREAS, the Town of Riverhead Community Development Agency has requested from Suffolk County the transfer of property referred to as 0600-126-2-27 for the purpose of providing affordable housing; and

WHEREAS, Suffolk County has approved the transfer for said purpose and subject to deed restrictions.

THEREFORE, BE IT RESOLVED, that the Town of Riverhead hereby accepts title to the property herein referred to from Suffolk County;

And, Be It Further Resolved, that a certified copy of this resolution be forwarded to Joseph Sanseverino, Director Suffolk County Community Development; Andrea Lohneiss, Community Development Director; Patricia Moore, Town Attorney; and Leroy Barnes, Chairman, Board of Assessors.

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

# 527 APPOINTS CSE HOME AIDE

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

RESOLVED, that Virginia Allen be and is hereby appointed to the position of CSE Home Aide at the hourly rate of compensation of \$6.13 effective July 23, 1990; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Virginia Allen, Lyn McDonald and the Office of Accounting.

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

# 528 APPOINTS EISEP HOME AIDE

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

RESOLVED, that Jacqueline Harris be and is hereby appointed to the position of EISEP Home Aide at the hourly rate of compensation of \$6.13 effective July 23, 1990; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jacqueline Harris, Lyn McDonald and the Office of Accounting.

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

# 529 APPOINTS PART-TIME GATE ATTENDANT TO THE RIVERHEAD LANDFILL

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

WHEREAS, a position of Part-Time Gate Attendant 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 Marcel Bader is hereby appointed to the position of Part-Time Gate Attendant at an hourly rate of \$7.29 effective August 9, 1990; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Marcel Bader, 1661-471 Old Country, Riverhead, New York; John Reeve, Sanitation Supervisor; and the Office of Accounting.

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

# 530 APPOINTS SUMMER INTERN TO THE ACCOUNTING DEPARTMENT

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

WHEREAS, a vacancy exists for a summer intern in the Accounting Department due to the resignation of Robert Danielowich; and

WHEREAS, it is beneficial to the Town to have this position filled so as to complete necessary projects;

NOW, THEREFORE BE IT

RESOLVED, that Christopher T. Reeve be and is hereby appointed to serve at the pleasure of the Town Board during the summer at the hourly rate of \$6.00 effective August 6, 1990; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Christopher T. Reeve, 132 Sound Avenue, Riverhead, New York 11901; and the Accounting Department.

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

The resolution was thereupon duly declared adopted.

# 531

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO CONSIDER A LOCAL LAW AMENDING THE HOURS OF OPERATION IN BUSINESS CR IN THE TOWN OF RIVERHEAD

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

Section 1. Purpose.

The Business CR District of the Town of Riverhead is described as the Rural Neighborhood Business District. The Business CR zone was designated predominantly in the hamlets of Wading River, Riverhead, Calverton, Jamesport, and Aquebogue. These hamlets are uniquely situated adjacent to residential areas. Because the Business CR District encroaches approximately 500 feet into adjacent residential districts and residential dwellings are interspersed within the Business CR District, the uses and style of development have been strictly limited in the Business CR District.

In an attempt to further promote harmony between the business development and adjacent residential neighborhoods, the Town Board finds that the hours of operation of retail business establishments should be regulated. The Wading River, Calverton, Jamesport and Aquebogue Business CR Zones are experiencing great development pressures. Major residential subdivisions have been developed adjacent to the Business CR districts.

In Wading River, all commercial areas are zoned Business CR (Rural Neighborhood Business). A new business center of Wading River was created in 1988 pursuant to the recommendations and findings of the Wading River Hamlet Study adopted by the Town Board of the Town of Riverhead and the Riverhead Planning Board. The Town Board further finds that the Wading River Hamlet area which is situated in the eastern part of the Town of Riverhead, adjacent to the Town of Brookhaven, and is predominantly residential in character, would be most benefited by regulating the hours of operation.

The Wading River Hamlet Study was the culmination of an extensive and detailed study prepared for the Town Board of the Town of Riverhead which set forth the plans and policy recommendations allowing for orderly growth and development. The Wading River Hamlet Study Task Force which consisted of community leaders, planners, and residents recommended regulating the hours of operations of retail business in order to maintain the residential character and integrity of the Business CR zone and adjacent residential communities.

In order to promote the public health, safety and welfare, the Town Board of the Town of Riverhead finds that the hours of operation of retail business establishments should be regulated. Such regulations will enhance the quality of life for the resi-

dents and visitors of the Town of Riverhead as well as the health, safety, peace, and comfort of persons residing near such retail establishments.

The hours of operation of premises licensed to sell alcoholic beverages at retail for on-premises consumption are expressly regulated by 106(5) of the Alcoholic Beverage Control Law. In view of the provisions of such express legislation, this Local Law does not attempt to regulate the hours of operation of retail establishments licensed to sell alcoholic beverages for on-premises consumption, such as restaurants, taverns, or bars.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the following public notice once in the Suffolk County Life as follows:

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 21st day of August, 1990, at 8:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider enacting the following local law:

108-110.3.

H. Hours of operation of retail business establishments. As used herein, a retail business establishment shall mean and include a retail store or shop or other business establishment in which goods, wares, foods, commodities, articles or products are sold at retail, except that a "retail business establishment" shall not be construed to include any business establishment licensed to sell alcoholic beverages at retail for on-premises consumption.

No retail business establishment shall remain open for business during the five-hour period between 12:00 p.m. and 5:00 a.m. Every retail business establishment shall be closed to the public during the aforementioned five-hour period, and business with the public therein is prohibited after the hour of 12:00 p.m. and before the hour of 5:00 a.m. of every day.

Dated: Riverhead, New York  
August 7, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.



## TOWN OF RIVERHEAD

RESOLUTION # 533

AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD  
RE: AUTOMOTIVE EQUIPMENT OPERATORS, HIGHWAY DEPARTMENT

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 FOLLOWING HELP WANTED AD FOR THE POSITION OF AUTOMOTIVE EQUIPMENT OPERATORS WITH THE TOWN OF RIVERHEAD HIGHWAY DEPARTMENT.

HELP WANTED

PLEASE TAKE NOTICE, THAT THE TOWN OF RIVERHEAD IS SEEKING QUALIFIED INDIVIDUALS TO SERVE IN THE POSITION OF AUTOMOTIVE EQUIPMENT OPERATORS. APPLICANTS MUST POSSESS A HIGH SCHOOL DIPLOMA AND A VALID CLASS 3 NEW YORK STATE DRIVERS LICENSE. INTERESTED INDIVIDUALS MUST SUBMIT AN APPLICATION TO THE ACCOUNTING DEPARTMENT, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK BETWEEN THE HOURS OF 8:30 A.M. AND 4:30 P.M. NO APPLICATIONS, FOR THIS POSITION, WILL BE ACCEPTED AFTER AUGUST 27, 1990. THE TOWN OF RIVERHEAD DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, AGE OR HANDICAPPED STATUS IN EMPLOYMENT OR THE PROVISION OF SERVICES.

BY ORDER OF:  
THE RIVERHEAD TOWN BOARD  
IRENE J. PENDZICK, TOWN CLERK

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

The resolution was thereupon duly declared adopted.

# 534

AUTHORIZED THE SOLICITATION OF BIDS FOR  
EMERGENCY AMBULANCE AND RESCUE EQUIPMENT

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

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of EMERGENCY EQUIPMENT for use by the AMBUALNCE CORPS, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read allowed said bids at 11:10 A. M. on August 20, 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, absent, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed bids for the purchase of EMERGENCY EQUIPMENT for use by the AMBULANCE CORPS will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead New York, 11901, until 11:10 A.M. on August 20, 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 EMERGENCY AMBULANCE AND RESCUE EQUIP.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Irene J. Pendick, Town Clerk

# 535 APPROVES APPLICATION OF HARRY E. WILKINSON

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

WHEREAS, Harry E. Wilkinson submitted an application for to conduct an Antique and Classic Car Show and 50's Festival to be held at at Route 58 and Mill Road, Riverhead, New York, New York, on August 26, 1990; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the application of Harry E. Wilkinson to hold to conduct an Antique and Classic Car Show and 50's Festival at at Route 58 and Mill Road, Riverhead, New York, New York, on August 26, 1990 be and is hereby approved; and be it further;

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this application to Harry E. Wilkinson, the Riverhead Police Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 536 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE RE:  
SPECIAL PERMIT APPLICATION OF HENRY LEE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice with regard to the special permit application Henry Lee.

Dated: Riverhead, New York  
August 7, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held before the Town Board of the Town of Riverhead at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 21st day of August, 1990 at 8:20 o'clock in the afternoon to hear all those persons interested in the application of Henry Lee for a special permit to construct and operate a one-hundred twenty unit residential condominium, pursuant to the provisions of Article XXV of Chapter 108 of the Code of the Town of Riverhead on 85.6 acres of real property owned and managed by Henry Lee on the north side of Sound Avenue with frontage on Long Island Sound in Baiting Hollow near the intersection of Sound Avenue and Osborne Avenue designated on the Suffolk County Tax Map as parcel 600-41-1-4.1 and more particularly bounded and described in the attached description. The applicant has approval on the site for eighty units in two buildings. He proposes forty units in a third building and proposes to dedicate 40 + acres of off-site farmland to the Suffolk County Farmlands Preservation Program. The applicant has dedicated 18+ acres of off-site farmland to the Suffolk County Farmlands Preservation Program as part of his approved permits. All persons interest in this application should appear at the above stated time and place and they will be heard.

By Order of the  
Riverhead Town Board  
Irene Pendzick  
Town Clerk

## PARCEL I

The premises in which the insured has the estate or interest covered by this policy

ALL those certain lots, pieces or parcels of land, situate, lying and being in the Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a monument on the northerly side of Sound Avenue, where same is intersected by the easterly side of premises herein described and land now or formerly of Friars Head Farm, Inc.;

RUNNING THENCE along the northerly side of Sound Avenue the following three (3) courses and distances:

1. North 89 degrees 53 minutes 20 seconds West 213.24 feet;
2. North 73 degrees 19 minutes 20 seconds West 143.95 feet;
3. North 60 degrees 41 minutes 20 seconds West 178.42 feet to land now or formerly of Otto DeFriest;

THENCE along said last mentioned land the following two (2) courses and distances:

1. North 19 degrees 43 minutes 10 seconds West 294.38 feet;
2. North 21 degrees 20 minutes 10 seconds West 4889.19 feet to a tie line and the waters of Long Island Sound;

THENCE North 88 degrees 23 minutes 50 seconds East along said tie line 448.76 feet to land now or formerly of Friars Head Farm, Inc.;

THENCE along said last mentioned land the following four (4) courses and distances:

1. South 21 degrees 05 minutes 30 seconds East and through a monument 2245.93 feet to a monument;
2. South 21 degrees 12 minutes 00 seconds East 1714.68 feet to a monument;
3. South 21 degrees 43 minutes 20 seconds East 1022.66 feet to a monument and
4. South 21 degrees 30 minutes 10 seconds East 353.23 feet to a monument and the northerly side of Sound Avenue the point or place of BEGINNING.

## PARCEL II

The premises in which the Insured has the estate or interest covered by this policy

ALL those certain plots, pieces or parcels of land, situate, lying and being in the Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at the northwesterly corner of land about to be described where the easterly line of land now or formerly of Eugene G. Warner strikes the highwater mark of Long Island Sound;

RUNNING THENCE South 20 degrees 45 minutes 10 seconds East along the land now or formerly of said Eugene G. Warner 1797.53 feet to a stone monument and land now or formerly of J. Howell Benjamin;

THENCE along the land now or formerly of said J. Howell Benjamin, the following courses and distances:

North 72 degrees 14 minutes 50 seconds East 227 feet;

THENCE South 23 degrees 45 minutes 10 seconds East 157 feet;

THENCE North 81 degrees 24 minutes 50 seconds East 168 feet;

THENCE South 23 degrees 45 minutes 10 seconds East 90 feet;

THENCE North 89 degrees 14 minutes 50 seconds East 396.53 feet to a stone monument in a certain right of way and the land now or formerly of William M. Young;

THENCE North 21 degrees 20 minutes 10 seconds West along land now or formerly of said William M. Young 1964.53 feet to Long Island Sound;

THENCE along the said Sound South 88 degrees 23 minutes 50 seconds West 800.73 feet to the point or place of BEGINNING.

~~Policy insures that Parcel I and Parcel II above described are contiguous.~~

# 537 AUTHORIZES ATTENDANCE OF AMBULANCE PERSONNEL AT EMS  
CONFERENCE

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

WHEREAS, the Concord Hotel will be hosting the EMS Conference in Kiamesha Lake, New York on September 7, 1990 through September 9, 1990; and

WHEREAS, it is the desire of Denise Groneman and Joanne Nethercott of the Riverhead Town Volunteer Ambulance Corp to attend said conference; and

WHEREAS, it is the recommendation of the Superiors of the above mentioned that they attend said seminar.

NOW, THEREFORE, BE IT RESOLVED, that Denise Groneman and Joanne Nethercott be and are hereby authorized to attend the aforementioned conference from September 7 through September 9, 1990; and

BE IT FURTHER RESOLVED, that all related expenses incurred by the above 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 authorized to forward a certified copy of this resolution to Denise Groneman, Joanne Nethercott, Chief Halliday and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

# 538 DETERMINES LEAD AGENCY AND ENVIRONMENTAL SIGNIFICANCE OF CHANGE  
OF ZONE PETITION OF EFCA-FA DEVELOPMENT CORPORATION

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

WHEREAS, the Riverhead Town Board is in receipt of a Change of Zone  
Petition from Efco-Fa Development Corporation to provide for alternative  
yard requirements (Wading River Business CR Zoning Use District) on a  
parcel of land located on the north side of New York State Route 25  
approximately 600' east of Union Avenue, and

WHEREAS, the Planning Department has reviewed the petition, as well  
as the attending Environmental Assessment Form and has issued a SEQR  
Report and recommendation to the Town Board, and

WHEREAS, the Planning Department has coordinated review of this  
petition to involved agencies;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Riverhead Town Board declare itself to be the  
Lead Agency in the matter of the zone change of Efco-Fa Development  
Corporation, and

**BE IT FURTHER**

**RESOLVED,** that the Town Board considers the subject petition to be  
an Unlisted Action without significant impact upon the environment and  
that an Environmental Impact Statement shall not be prepared, and

**BE IT FURTHER**

**RESOLVED,** that the Planning Director publish those notices as  
required by the State Environmental Conservation Law, and

**BE IT FURTHER**

**RESOLVED,** that this petition be referred to the Planning Board for  
its report and recommendation.

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

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD  
RESOLUTION # 539

DECLARES LEAD AGENCY AND DETERMINES SIGNIFICANCE OF ACTION ON  
NATIONAL SURVIVAL GAME 1990 SPECIAL PERMIT

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

**WHEREAS**, the Riverhead Town Board is in receipt of a petition for a Special Permit to utilize a portion of a 112 acre parcel zoned Industrial 'A' for a recreational use from National Survival Game of New York, Inc., and

**WHEREAS**, a Site Plan and Full Environmental Assessment Form were 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 an Unlisted Action for which coordinated review is optional, and

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board declare itself to be the Lead Agency in the Special Permit application of National Survival Game, and

**BE IT FURTHER**

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

**BE IT FURTHER**

**RESOLVED**, that if a Site Plan is deemed by this Board to be necessary, this classification and determination be considered valid for that action as well, and

**BE IT FURTHER**

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

**BE IT FURTHER**

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice once in the Suffolk County Life:

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of August, 1990, at 8:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the special permit application of National Survival Game of New York, Inc., to utilize a portion of a 112-acre parcel zoned Industrial "A" for a recreational use located Route 25, Calverton, New York, known and designated by SCTM #0600-98-1-1.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

State Environmental Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance

July 26, 1990

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Riverhead Town Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action** - National Survival Game of New York, Inc.

**SEQR Status** - Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** Applicant proposes to lease and use a 112 acre parcel as a recreational facility where teams of players compete to capture the opposition's "flag." Participants use CO<sub>2</sub> powered paint pellet-pistols to eliminate rival players. Portable sanitation is to be provided but no other formal construction is proposed.

**Location:** North of State Route 25 and east of Fresh Pond Avenue, Calverton, Riverhead Township; Suffolk County Tax Map Number 0600-98-1-1.

**Reasons Supporting This Document:**

A review of the Environmental Assessment Form accompanying this application as well as the Planning and SEQR report completed by the Riverhead Planning Department indicates that identified environmental impacts will not be significant. This determination is based upon the following.

The action as defined in 617.2(b) and 617.3(k) was considered by examination of the Environmental Assessment Form and supporting documentation. No potentially large and important impacts were discovered, and all impacts which can reasonably be expected to result from this action revealed no indications of environmental significance when compared to the criteria of 617.11.

For further information, contact:

Town of Riverhead Planning Department  
200 Howell Avenue  
Riverhead, NY 11901  
(516) 727-3200

#8/7/90  
~~340~~

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO SECTION 108-59 OF THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Section 108-59 of the Riverhead Town Code:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of August, 1990, at 8:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Section 108-59(h) of the Riverhead Town Code as follows:

108-59. Swimming Pools.

~~(h) A building wall may be used as part of such enclosure. All gates or doors through such enclosure shall be equipped with a self-closing and self-latching device at least forty (40) inches above the surface immediately adjacent to the outside of the enclosure for keeping the gate or door securely closed at all times when the owner or occupant of the premises is not present. Windows in the building wall shall have a latching device at least forty (40) inches above the floor.~~

(h) A wall or a dwelling is permitted to serve as part of the enclosure under the following conditions:

(i) Windows in the wall shall have a latching device at least forty (40) inches above the floor.

(ii) A swinging door in the wall shall be self-closing and self-latching.

(iii) A sliding door in the wall shall have a self-latching device.

Dated: Riverhead, New York  
August 7, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

\*overstrike represents deletion(s)  
\*\*underscore represents addition(s)

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

# 541 DECLARES SEQR LEAD AGENCY AND DETERMINES SIGNIFICANCE OF ACTION  
GO-SI-ME, CHANGE OF ZONE

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

WHEREAS, the Riverhead Town Board is in receipt of a petition for a Change of Zone on a 19.25 acre parcel from Agriculture 'A' and Industrial 'A' to Business 'B' from Go-Si-Me Company, and

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

WHEREAS, the Riverhead Planning Department has reviewed the Environmental Assessment Form and supporting documentation and recommends the petition be considered a Type I Action requiring coordinated agency review, and

WHEREAS, the Riverhead Planning Department did undertake that review with all other agencies involved in the action as defined in 617.2(b) and 617.3(k) and none expressed interest in assuming the Lead Agency role, and

WHEREAS, the Riverhead Planning Department, by preparation and evaluation of its SEQR staff report, has further recommended that the action may have a significant effect upon the environment;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board declare itself to be the Lead Agency in the Change of Zone of Go-Si-Me Company, and

**BE IT FURTHER**

**RESOLVED**, that the application be considered a Type I Action which may have a significant effect upon the environment and that a Draft Environmental Impact Statement will be prepared, and

**BE IT FURTHER**

**RESOLVED**, that the Lead Agency findings reached by that Draft Environmental Impact Statement process shall serve to satisfy the requirements of SEQR for the subsequent application for Site Plan, and

**BE IT FURTHER**

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

**BE IT FURTHER**

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

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish and post a Notice of Scoping Hearing to be held on the ~~21~~<sup>4<sup>th</sup></sup> day of ~~August~~<sup>Sept.</sup>, 1990, at ~~8:35~~<sup>7:45</sup> p.m.

BE IT FURTHER

RESOLVED, that the Town Clerk refer this petition to the Town Planning Board.

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

The resolution was thereupon duly declared adopted.

# 542 DECLARES SEQR LEAD AGENCY AND DETERMINES SIGNIFICANCE OF ACTION  
MILL ROAD COMMONS (A/K/A RAC INDUSTRIAL DEVELOPERS) CHANGE OF  
ZONE

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

WHEREAS, the Riverhead Town Board is in receipt of a petition for a  
Change of Zone on a 31.5 acre parcel from Agriculture 'A' and Industrial  
'A' to Redevelopment Community (RDC) from RAC Industrial Developers, and

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

WHEREAS, the Riverhead Planning Department has reviewed the  
Environmental Assessment Form and supporting documentation and  
recommends the petition be considered a Type I Action requiring  
coordinated agency review, and

WHEREAS, the Riverhead Planning Department did undertake that  
review with all other agencies involved in the action as defined in  
617.2(b) and 617.3(k) and none expressed interest in assuming the Lead  
Agency role, and

WHEREAS, the Riverhead Planning Department, by preparation and  
evaluation of its SEQR staff report, has further recommended that the  
action may have a significant effect upon the environment;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board declare itself to be the  
Lead Agency in the Change of Zone of RAC Industrial Developers, and

**BE IT FURTHER**

**RESOLVED**, that the application be considered a Type I Action which  
may have a significant effect upon the environment and that a Draft  
Environmental Impact Statement will be prepared, and

**BE IT FURTHER**

**RESOLVED**, that the Lead Agency findings reached by that Draft  
Environmental Impact Statement process shall serve to satisfy the  
requirements of SEQR for the subsequent application for Special Permit  
and Site Plan, and

**BE IT FURTHER**

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

**BE IT FURTHER**

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

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish and post a Notice of Scoping Hearing to be held on the 4th day of September, 1990, and

BE IT FURTHER

RESOLVED, that the Town Clerk refer this petition to the Town Planning Board.

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

The resolution was thereupon duly declared adopted.

# 543 ACCEPTS FINAL ENVIRONMENTAL IMPACT STATEMENT OF CHANGE OF ZONE  
PETITION OF CASILEN CORPORATION

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

WHEREAS, the Riverhead Town Board is in receipt of a petition from Casilen Corporation for a Change of Zone from Agriculture A and Industrial A to Residence C on a tract of land located at the southwest corner of Middle Road and Osborne Avenue, Riverhead, New York, and

WHEREAS, the Town Board, as Lead Agency, required the preparation of an Environmental Impact Statement, and

WHEREAS, a Draft Environmental Impact Statement was accepted by the Town Board on April 18, 1989, and such Draft submitted to involved agencies for their commentary, and

WHEREAS, the Town Board is in receipt of a Response to Commentary and a Supplemental Response to Commentary which addressed those issues raised upon the Draft by both the Lead Agency, involved agencies, and parties of interest;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board, as Lead Agency, after careful review of the SEQR record created for the subject petition, hereby accepts this record to form a Final Environmental Impact Statement, and

BE IT FURTHER

RESOLVED, that the Planning Director publish and post those notices of acceptance of Final Environmental Impact Statement as required by the State Environmental Conservation Law, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward a certified copy of this resolution to Guy Germano, Esq., as attorney for the applicant.

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

The resolution was thereupon duly declared adopted.

544      APPROVES SITE PLAN OF THE SOUTHLAND CORPORATION

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

WHEREAS, a site plan and elevations were submitted by The Southland Corporation for construction of a 3,171 square foot one-story building for retail use located at the southwest corner of New York State Route 25A and Wading River-Manorville Road, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-73-1-1.12; and

WHEREAS, the Planning Department has reviewed the site plan dated last February 26, 1990, as prepared by Teas, Barrett, Lanzisera & Frink, Middle Country Road, Ridge, New York, 11961, landscape plan, consisting of two (2) sheets, dated March 19, 1990, as prepared by Gary L. Gentile, R.L.A., 11 Scout Trail, Lake Panamoka, New York, 11961 and elevations, consisting of two (2) sheets, dated last January 24, 1990, as prepared by H. F. Necker & Associates, P.A., 326 Saddle River Road, Saddle Brook, New Jersey, 07662, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type I 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, landscape plan, and elevations submitted by The Southland Corporation, for construction of a 3,171 square foot one-story building for retail use, located at southwest corner of New York State Route 25A and Wading River-Manorville Road, Wading River, New York, site plan dated last February 26, 1990, as prepared by Teas, Barrett, Lanzisera & Frink, Middle Country Road, Ridge, New York, 11961, landscape plan, consisting of two (2) sheets, dated March 19, 1990, as prepared by Gary L. Gentile, R.L.A., 11 Scout Trail, Lake Panamoka, New York, 11961 and elevations, consisting of two (2) sheets, dated last January 24, 1990, as prepared by H. F. Necker & Associates, P.A., 326 Saddle River Road, Saddle Brook, New Jersey, 07662, 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. That litter receptacles of the Landscape Structures/Mexico Forge "Corner Forms" series (dark brown finish), or an approved equal, shall be maintained on the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

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

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, The Southland Corporation hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of New York State Route 25A and Wading River-Manorville Road, Wading River, New York, to enforce said handicapped parking regulations;

10. That by execution and filing of this document, The Southland Corporation hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of New York State Route 25A and Wading River-Manorville Road, Wading River, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

11. 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, and that a copy of the maintenance agreement affecting the subject premises in regard to these areas shall be provided to the Town of Riverhead, prior to the issuance of a Certificate of Occupancy;

12. That all utilities shall be constructed underground;

13. That the Southland Corporation, its successors or assigns, shall not be required to improve an easement shown on the map entitled "Subdivision Map of Wading River Manor Associates" filed in the Office of the County Clerk of Suffolk County on July 12, 1983, File #7201 and referred to in certain Covenants and Restrictions recorded at Liber 9406 Page 183;

14. That in the event the roadway, designated in-house on the site plan approved herein as "New Town Road" is not dedicated to the Town of Riverhead, said roadway will become an easement area and The Southland Corporation, its successors or assigns, shall provide a cross-easement in recordable form acceptable to the Town Attorney;

15. That The Southland Corporation shall provide an offer of dedication to the Town of Riverhead for the property noted in-house on the site plan approved herein as "New Town Road," and that such road shall be constructed to the highway specifications of the Town of Riverhead, and material specifications for the new Town road, and no Certificate of Occupancy shall be issued for any improvements until said road has been constructed, pursuant to Town Board Resolution #756, dated November 8, 1989;

16. That the site plan shall be revised to shown a thirteen (13) foot wide planted area along the "New Town Road," which planted area shall contain a five foot (5'-0") wide, handicap accessible sidewalk which shall connect to all other proposed sidewalks along said road, as well as plantings as noted in-house on the plans approved herein, that the proposed sidewalk shown along New York State Route 25A shall not be constructed, and that a sidewalk shall be required along Wading River-Manorville Road for the length of the subject property;

17. That the planting plan and schedule is approved as amended in-house and initialled by a majority of the Town Board. Said amendments shall include, but not be limited to: the use of Norway Maple (*Acer Platanoides*) as a street tree; the provision of foundation plantings; the sole use of materials which meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

18. That all landscaped areas shall be provided with a system of irrigation appropriate to and capable of complete coverage of the areas and designed to minimize runoff and other wasting of water. Such system shall be maintained in a fully operational condition;

19. That the RPZ valve shall be located within the building;

20. That mechanical elements carried on the roof shall be adequately and appropriately screened from view;

21. That all curbing shall be Belgian Block, and that the detail for same shall be acceptable to, and approved by, the Town Engineer;

22. That the building exterior shall be finished in smooth red brick, as per the sample provided, and that the dormers shall likewise be faced in said smooth red brick or in horizontal cedar clapboards and painted white;

23. That the dumpster enclosure shall be constructed, where indicated, of the same smooth red brick as the building;

24. That all drainage and grading details shall be subject to the final approval of the Town Engineer;

25. That all light standards shall be high-pressure sodium, eight (8) to fifteen (15) feet in height, with an acorn globe topper;

26. That this approval shall be subject to the provision of revised drawings addressing all conditions specific to the subject site; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to The Southland Corporation - Attention: Richard Bradley, Teas, Barrett, Lanzisera & Frink, Gary Gentile, H. F. Necker & Associates, the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

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

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

**DECLARATION AND COVENANTS**

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1990, by THE SOUTHLAND CORPORATION, residing at 732 Smithtown Bypass, Smithtown, New York, 11788, 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. That litter receptacles of the Landscape Structures/Mexico Forge "Corner Forms" series (dark brown finish), or an approved equal, shall be maintained on the premises;
6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;
7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;
8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;
9. That by execution and filing of this document, The Southland Corporation hereby authorizes and consents to the Town of Riverhead to enter premises at southwest corner of New York State Route 25A and Wading River-Manorville Road, Wading River, 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 all utilities shall be constructed underground;
12. That the Southland Corporation, its successors or assigns, shall not be required to improve an easement shown on the map entitled "Subdivision Map of Wading River Manor Associates" filed in the Office of the County Clerk of Suffolk County on July 12, 1983, File #7201 and referred to in certain Covenants and Restrictions recorded at Liber 9406 Page 183;
13. That in the event the roadway, designated in-house on the site plan approved herein as "New Town Road" is not dedicated to the Town of Riverhead, said roadway will become an easement area and The Southland Corporation, its successors or assigns, shall provide a cross-easement in recordable form acceptable to the Town Attorney;
14. That The Southland Corporation shall provide an offer of dedication to the Town of Riverhead for the property noted in-house on the site plan approved herein as "New Town Road," and that such road shall be constructed to the highway

specifications of the Town of Riverhead, and material specifications for the new Town road, and no Certificate of Occupancy shall be issued for any improvements until said road has been constructed, pursuant to Town Board Resolution #756, dated November 8, 1989;

15. That the site plan shall be revised to shown a thirteen (13) foot wide planted area along the "New Town Road," which planted area shall contain a five foot (5'-0") wide, handicap accessible sidewalk which shall connect to all other proposed sidewalks along said road, as well as plantings as noted in-house on the plans approved herein, that the proposed sidewalk shown along New York State Route 25A shall not be constructed, and that a sidewalk shall be required along Wading River-Manorville Road for the length of the subject property;

16. That the planting plan and schedule is approved as amended in-house and initialled by a majority of the Town Board. Said amendments shall include, but not be limited to: the use of Norway Maple (*Acer Platanoides*) as a street tree; the provision of foundation plantings; the sole use of materials which meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

17. That all landscaped areas shall be provided with a system of irrigation appropriate to and capable of complete coverage of the areas and designed to minimize runoff and other wasting of water. Such system shall be maintained in a fully operational condition;

18. That the RPZ valve shall be located within the building;

19. That mechanical elements carried on the roof shall be adequately and appropriately screened from view;

20. That all curbing shall be Belgian Block, and that the detail for same shall be acceptable to, and approved by, the Town Engineer;

21. That the building exterior shall be finished in smooth red brick, as per the sample provided, and that the dormers shall likewise be faced in said smooth red brick or in horizontal cedar clapboards and painted white;

22. That the dumpster enclosure shall be constructed, where indicated, of the same smooth red brick as the building;

23. That all drainage and grading details shall be subject to the final approval of the Town Engineer;

24. That all light standards shall be high-pressure sodium, eight (8) to fifteen (15) feet in height, with an acorn globe top;



# 545 RECOMMENDS THE PURCHASE OF A TRACT OF LAND TO THE SUFFOLK COUNTY ENVIRONMENTAL TRUST FUND

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

WHEREAS, the Town of Riverhead is eligible for a portion of those County funds established for the purchase of property to protect the existing groundwater shed, and

WHEREAS, the Planning Department has made a report to the Town Board of those parcels within the Town eligible for inclusion, and

WHEREAS, the property of Olin Warner exhibits attributes rendering it a priority parcel in this regard; such features including being within the Special Groundwater Protection Area and being contiguous with the Peconic River and lands currently owned by the Town of Riverhead;

**THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board hereby recommends to the Suffolk County Environmental Trust Fund for purchase of the 30 acre tract owned by Olin Warner located on the south side of River Road, Calverton; such parcel more particularly described as Suffolk County Tax Map Number 0600-118-4-5.1; 13, and 14, and

**BE IT FURTHER**

**RESOLVED**, that a certified copy of this resolution be forwarded to the Suffolk County Executive's Office; care of the Suffolk County Environmental Trust Fund.

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

The resolution was thereupon duly declared adopted.

# 546

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AN AMENDMENT TO ARTICLE XXIII RESIDENCE RC  
DISTRICT OF THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Article XXIII of the Riverhead Town Code:

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of August, 1990, at 8:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Article XXIII Residence RC District (Retirement Community) of the Riverhead Town Code as follows:

**Section 108-117. Uses.**

A. Special permit uses. All special permit uses set forth herein shall be subject to the approval of the Town Board pursuant to the definition of special permits in Section 108-3 of this chapter:

- (1) Multiple residences designed to provide living and dining accommodations for aged persons over the age of ~~sixty-two (62)~~ fifty-five (55) years or handicapped, including social, health care and other supportive services and facilities, to be owned and operated for such purposes under the laws of the State of New York.

Dated: Riverhead, New York  
August 7, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

# 547APPOINTS SPECIAL COUNSEL TO NEGOTIATE LABOR CONTRACTS  
FOR THE TOWN OF RIVERHEAD (EMPLOYEE CONTRACTS)

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

RESOLVED, that Rains & Pogrebin, P.C. be and is hereby retained as special counsel to negotiate labor contracts for the Town of Riverhead; and be it further

RESOLVED, that a Retainer Agreement for the rate to be charged to the Town of Riverhead for services rendered shall be filed with the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Rains & Pogrebin, P.C., the Accounting Office and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 548AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AN AMENDMENT TO ARTICLE XI INDUSTRIAL A  
DISTRICT (LIGHT INDUSTRIAL) OF THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Article XI Industrial A District (Light Industry) of the Riverhead Town Code:

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of August, 1990, at 9:00 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Article XI Industrial A District (Light Industry) of the Riverhead Town Code as follows:

**Section 108-45. Uses.**

A. Permitted uses.

~~(3) Automobile laundry.~~

B. Special exception and special permit uses. Except where Town Board approval is required herein for a special exception or special permit use, such use shall be subject to approval by the Board of Appeals pursuant to Sections 108-75, 108-76 and 108-77 of this chapter:

~~(4) Gasoline service station, by special permit of the Town Board.~~

Dated: Riverhead, New York  
August 7, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

# 549 AUTHORIZES SUPERVISOR TO EXECUTE WATER MAIN EASEMENT AGREEMENTS WITH NORDSTROM AND ANDERSON RE: PROPERTY LOCATED ON PARKER ROAD, WADING RIVER, RE: EXTENSION 35A TO THE RIVERHEAD WATER DISTRICT

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

WHEREAS, in conjunction with Extension 35A to the Riverhead Water District, it is necessary to lay water mains on property currently owned by Nordstrom and Anderson located on Parker Road, Wading River, New York, and

WHEREAS, property owners Nordstrom and Anderson 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 Nordstrom and Anderson located on Park Road, 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, absent, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 550 APPROVES SITE PLAN FOR THE BIRCHWOOD RESTAURANT WITH CONDITIONS

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

**WHEREAS**, a site plan and elevations were submitted by Michael Jacobchek, as agent for Wood Birch Realty Corporation, for the replacement of two (2) existing doors and the installation of two (2) pairs of windows, representing Phase 1 of a multi-phase exterior alteration project for the Birchwood Restaurant, 512 Pulaski Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-123-4-71, and

**WHEREAS**, the Planning Department has reviewed the elevations dated June 28, 1990, as prepared by Martin F. Sendlewski, AIA, Miller Associates, 931 Hallock Avenue, Port Jefferson, New York, 11776, 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 application will be an Exempt Action pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617, and

**WHEREAS**, the Town Board has reviewed the site plan application aforementioned;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan application of Michael Jacobchek, as agent for Wood Birch Realty Corporation, for the replacement of two (2) existing doors and the installation of two (2) pairs of windows, representing Phase 1 of a multi-phase exterior alteration project for the Birchwood Restaurant, 512 Pulaski Street, Riverhead, New York, elevations dated June 28, 1990, as prepared by Martin F. Sendlewski, AIA, Miller Associates, 931 Hallock Avenue, Port Jefferson, New York, 11776, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following conditions:

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

4 yes

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. That by execution and filing of this document, Michael Jacobchek hereby authorizes and consents to the Town of Riverhead to enter premises at 512 Pulaski Street, Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

7. 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;

8. That the necessary site plan approval for any and all subsequent phases of exterior alterations to the subject premises shall be obtained within six (6) months from the date of this resolution;

9. That this approval is limited to the replacement of two existing doors and the addition of two sets of French doors, and that the fabric awning shown within the perimeter of Phase 1 on the drawing approved herein shall be the subject of further review;

10. That the plywood panel on the westernmost side of the building and Phase 1 be improved in a manner acceptable to 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 Michael Jacobchek, Martin Sendlewski, the Riverhead Planning Department, Building Department, and Office of the Town Attorney.

**DECLARATION AND COVENANTS**

**THIS DECLARATION**, made the \_\_\_\_\_ day of \_\_\_\_\_, 1990, made by Michael Jacobchek, residing at Oak Hills, Baiting Hollow, New York, 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. That by execution and filing of this document, Michael Jacobchek hereby authorizes and consents to the Town of Riverhead to enter premises at 512 Pulaski Street, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

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

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

---

Michael Jacobchek

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

On the \_\_\_\_\_ day of \_\_\_\_\_, 1990, before me personally came Michael Jacobchek, 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 512 Pulaski Street, 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.

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NOTARY PUBLIC

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

The resolution was thereupon duly declared adopted.

# 551 ADOPTS FINDINGS STATEMENT OF SPECIAL PERMIT PETITION OF SPLISH-SPLASH AT ADVENTURE ISLAND, INC.

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

WHEREAS, the Riverhead Town Board is in receipt of a Special Permit petition from Splish-Splash at Adventure Island, Inc. to allow the development of a recreational use within an industrial zone, and

WHEREAS, the Riverhead Town Board declared itself to be the Lead Agency by resolution, and

WHEREAS, the Town Board determined the petition to be an Unlisted Action with a potential for a significant impact upon the environment and required the preparation of an Environmental Impact Statement, and

WHEREAS, the Riverhead Town Board accepted the Draft Environmental Impact Statement of the subject petition by resolution adopted April 17, 1990, and submitted copies of the Draft to involved agencies and parties of interest, and

WHEREAS, commentary upon the Draft was made part of the record as a result of transmittal of the Draft Environmental Impact Statement and the SEQR hearing held on May 15, 1990, and

WHEREAS, the Planning Department submitted correspondence to the applicant outlining those issues to be addressed prior to acceptance of the Final Environmental Impact Statement, and

WHEREAS, the applicant provided the Lead Agency with a Response to Commentary which together with the SEQR record already formed, was accepted by the Town Board as a Final Environmental Impact Statement by resolution with a Notice of Completion of Final Environmental Impact Statement published and posted as required by the State Environmental Conservation Law on July 23, 1990, and

WHEREAS, the appropriate time period has elapsed for the review of the Final Environmental Impact Statement, and

WHEREAS, the Planning Director has submitted to the Town Board a Draft Statement making those findings required of the Lead Agency as required by the State Environmental Conservation Law, and

WHEREAS, the Town Board, as Lead Agency, has reviewed the Draft Findings Statement together with the subject petition's SEQR record made to date;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby makes the attached Statement as the Lead Agency findings in the matter of the Special Permit petition of Splish-Splash at Adventure Island, Inc., and

**BE IT FURTHER**

**RESOLVED**, that the Planning Director be authorized to notice the subject findings pursuant to 6 NYCRR Part 617, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk forward a certified copy of this resolution to the Planning Director and Allen M. Smith, Esq., as attorney for the applicant.

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

The resolution was thereupon duly declared adopted.

## State Environmental Quality Review

## FINDINGS STATEMENT

Pursuant to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Riverhead Town Board, as Lead Agency, makes the following findings:

**Name of Action:** Special Permit of Splish-Splash at Adventure Island, Inc.

**Description of Action:** Special Permit to allow the development of a recreational use within an industrial zone; more specifically, the construction of a water theme park on a 27.6 acre parcel to include non-mechanical water rides, access roadway, parking areas, drainage structures, and ancillary buildings.

**Location:** The subject parcel is located on the south side of New York State Route 25, approximately 2,000 west of the terminus of the Long Island Expressway, Calverton, New York, Suffolk County Tax Map Number 0600-118-1-3.1.

**Agency Jurisdiction:**

- (i) Riverhead Town Board - Special Permit  
Site Plan Review
- (ii) Suffolk County Department of Health Services - Article 6  
Permit
- (iii) New York State Department of Environmental Conservation - Part  
666 (WSR) Permit
- (iv) New York State Department of Transportation - Curb Cut Permit
- (v) Riverhead Water District - Extension of Service
- (vi) Riverhead Town Building Department - Building Permit

**Date Final Environmental Impact Statement Filed:** July 26, 1990

**Facts and Conclusions in the Final Environmental Impact Statement Relied Upon to Support the Decision:**

First, that the Draft Supplemental Environmental Impact Statement identified the following relevant environmental issues and impacts with regard to the proposed development:

- (i) Impacts upon geological resources;
- (ii) Impacts upon surface water resources;
- (iii) Impacts upon groundwater resources;

- (iv) Impacts upon terrestrial ecology;
- (v) Impacts upon economic and cultural resources;
- (vi) Impacts upon existing transportation networks;
- (vii) Project integration with the Riverhead Master Plan and attending Zoning Use District Map;

Second, that the Draft Environmental Impact Statement, as accepted by the Town Board, analyzed those environmental impacts as identified by the Lead Agency and provided a description of mitigation measures and project alternatives;

Third, that comments received upon the Draft Environmental Impact Statement from both involved agencies and parties of interest centered upon the following:

- (i) The need to analyze the impact of stormwater runoff from hard surfaces upon both ground and surface water;
- (ii) The need for an expanded analysis of vehicular traffic impacts upon New York State Route 25 and associated intersections;
- (iii) The need for an analysis of the site's identified oak-pine woods, a discussion of their value relative to the Suffolk County Pine Barrens Zone, and a discussion of mitigation measures to be employed in site development;
- (iv) A discussion of the value of the habitat of the adjoining state property to support an endangered species (Tiger Salamander) and the project's impacts upon such habitat;
- (v) The need for the submission of a traffic study to be reviewed by both the Lead Agency and New York State Department of Transportation;
- (vi) The need for an analysis of the expected impacts upon groundwater within Hydrogeologic Zone III integrated with the impact of other projects being considered within the general vicinity;
- (vii) An analysis of those chemicals required for the proposed operation with a discussion of procedural conformance with Article 7 of the Suffolk County Sanitary Code;
- (viii) A discussion of the method of water discharge to be made on site with a discussion of mitigations against flooding impact;
- (ix) The need for a discussion of potential growth-inducing aspects of this project relative to the need for ancillary commercial development;

- (x) The need for a discussion of the limitations presented by existing soils upon the proposed development; particularly Carver and Plymouth sands at 15-35 percent slopes;
- (xi) The potential impact of the proposed project and possible future development upon the Town's rural character;
- (xii) The need for an analysis of discharge of chlorinated water and other compounds and their impacts upon the Peconic River and its tributaries, as well as the provision of mitigation measures in this regard;
- (xiii) A description of the potential for road improvements on roadway crossing the Peconic River;
- (xiv) The provision of vegetated buffers to be maintained along all roadways and property lines in order to mitigate against visual and noise impacts.

Fourth, the Draft Environmental Impact Statement, together with the applicant's Response to Commentary, forms a description of an action which, to the greatest extent practical, minimizes adverse impacts upon the natural environment. The basis for this finding is centered in the judgment that the Final Environmental Impact Statement has addressed each of the major environmental issues and impacts relating to groundwater, surface water, terrestrial ecology, transportation networks, community services, cultural resources, visual quality, and Town planning and zoning. In its consideration of the subject Special Permit, the Riverhead Town Board specifically finds the following:

- (i) That due to a water slide design which incorporates slides into the natural landscape and a grading plan which minimizes cuts, fills, and excavation, the geology of the project site will not be impacted;
- (ii) That the total amount of water required for the subject project (36,123 gallons per day; 4,052 gallons consumptive - 32,071 recharged) is available upon extension of the Riverhead Water District;
- (iii) That the groundwater quantity and elevation within the immediate area of the project site will not be significantly impacted in that water will be purveyed by the Riverhead Water District and no private wells will be constructed on site;
- (iv) That the quantity of groundwater existing within the service area of the Riverhead Water District will not be significantly impacted in that the quantity of water to be purveyed to the project site is presently available. Further, the daily water requirement for the project is not considered inordinate in comparison with either other users or an industrial buildout of the subject site, and the identified demand is not considered to be either an irreversible or irretrievable commitment of resources.

- (v) That the quality of the groundwater existing beneath the project site will not be significantly impacted in that all waste water will be discharged in conformance with the Suffolk County Sanitary Code (Article 6);
- (vi) That the impact of the subject project upon the quality of the groundwater existing within the Deep Recharge Hydrogeologic Zone, when assessed cumulatively with other petitioned development projects within the general vicinity (Zone III), is not considered to be significant. This finding is based upon the fact that the amount of nitrogen to be discharged to the groundwater by the subject project is considered to be in conformance with the non-structural recommendations of the Long Island Comprehensive Waste Treatment Management Plan (208) and is expected to discharge nitrogen at a level less than that of a residential buildout at densities recommended by 208. Since all other projects being considered by the Lead Agency within the Zone III area will also be required to treat wastewater in conformance with 208 recommendations and the Suffolk County Health Department, the cumulative impact of such projects is not expected to be significant. It is the judgment of the Lead Agency that 208 land use planning, and its recommendations, was predicated upon the assumption of total buildout of the privately-held land within the study area and that land development in conformance with 208 is prima facie evidence of nonsignificant impact, individually or cumulatively, upon the groundwater resource;
- (vii) That the project will not have a significant impact upon surface water in that the identified surface water within the project vicinity is the Peconic River and its tributaries and such resource is protected and potential impacts mitigated through the regulation of land use by the New York State Department of Environmental Conservation through Part 666;
- (viii) That the impacts of generated vehicular traffic is not expected to either overload existing roadways or significantly reduce the level of service of intersections within the general vicinity of the project site. In addition, the quantification of vehicular trip ends associated with the proposed project revealed an impact significantly less than that which would occur under the buildout of the site as an office park/industrial park as permitted by the Town of Riverhead Zoning Code. In order to mitigate the impacts of increased vehicular traffic, the project sponsor shall:
  - (a) Re-stripe westbound New York State Route 25 to provide a separate left turn lane for westbound to southbound left turns from New York State Route 25 to Manor Road;
  - (b) Install a two-phase semi-activated traffic signal at the intersection of New York State Route 25 and Manor Road;

- (c) Provide a covenant to the Town Board of the Town of Riverhead compelling the applicant to provide access to the project site from the Long Island Expressway when such access is made available.
- (ix) That though the predominant land use in the general vicinity of the project is agricultural and though the project does not preserve agricultural use, the 1973 Master Plan and recent revisions made by the Riverhead Planning Board provides for industrial use of the project site as well as those parcels south of New York State Route 25 from the Expressway terminus west to the boundary of the U.S.A. property. The use is considered to be a specially-permitted use within an industrial zone;
- (x) That the project site is neither physically bounded by the extent of the Suffolk County Pine Barrens Zone nor characteristic of a Pine Barrens habitat. Therefore, the project will have a negligible impact upon the identified Pine Barrens habitat and the species which inhabit the same;
- (xi) That the project is considered to be in conformance with the regulations associated with the recreational portion of the Peconic River (Part 666) which provides for non-motorized recreational use;
- (xii) The project is considered to have a positive impact upon the economic environment of the Town of Riverhead through the diversification of the tourist industry, the attraction of the travel dollar of on and off Island vacationers, and the provision of public infrastructure;
- (xiii) That the noise emanated from the project site is not expected to be greater than ambient noise levels of the movement of vehicular traffic along the Long Island Expressway or New York State Route 25 and is, therefore, not considered significant;
- (xiv) That the chemicals required to be used and stored on site are not considered toxic/hazardous materials as defined by the Suffolk County Sanitary Code (Articles 7 and 12) and such storage and use will not have a significant impact upon existing groundwater and surface water quality.

Fifth, that having considered the Supplemental Draft Environmental Impact Statement and the Supplementary Final Environmental Impact Statement, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR Part 617.9, this Statement of Findings certifies that:

- (i) The requirements of 6 NYCRR Part 617 have been met;
- (ii) Consistent with the social, economic, and other essential considerations from among the reasonable alternatives thereto, the action approved is one which minimizes or avoids adverse

environmental effects to the maximum extent practicable; including the effects disclosed in the Environmental Impact Statement; and

- (iii) Consistent with social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the Environmental Impact Statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable; and
- (iv) (If applicable) consistent with the applicable policies of Article 42 of the Executive law, as implemented by 19 NYCRR 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

# 552 APPROVES SPECIAL PERMIT APPLICATION OF SPLISH-SPLASH AT ADVENTURE ISLAND, INC.

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

**WHEREAS**, by application dated November 20, 1989, Splish-Splash at Adventure Island, Inc. did apply to this Town Board for a special permit for a recreational use for the construction of a water slide theme park at premises located in Calverton, North of the Long Island Expressway (NYS Route 495) and South of NYS Route 25, New York, known and designated as Suffolk County Tax Map #0600-118-1-3, said application made pursuant to Section 108-69 of the Code of the Town of Riverhead; and

**WHEREAS**, by letter dated July 12, 1990, the Suffolk County Planning Commission has recommended that the Town Board approve the application of Splish Splash at Adventure Island, Inc., subject to certain conditions; and

**WHEREAS**, this matter was referred to the Planning Board for its review and recommendation; and

**WHEREAS**, by letter dated August 3, 1990, the Planning Board recommended that the special permit of Splish-Splash at Adventure Island, Inc. be approved; and

**WHEREAS**, on the 17th of July, 1990, this Town Board held a public hearing wherein all persons wishing to be heard were heard; and

**WHEREAS**, the site is served by public water; and

**WHEREAS**, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determined that the special permit applied for was a Type I action wherein an Environmental Impact Statement was prepared pursuant to the State Environmental Quality Review Act.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board determines as follows:

a. The use will not prevent or substantially impair either the reasonable and orderly use or development of other properties in the neighborhood;

b. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;

c. The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use;

d. Such use will be in harmony with and promote the general purposes and intent; and be it further

**RESOLVED**, that the Town Board of the Town of Riverhead hereby approves the special permit application of Splish-Splash at Adventure Island, Inc. for property located at in Calverton North of the Long Island Expressway (NYS Route 495) and South of NYS Route 25, New York, known and designated as Suffolk County Tax Map #0600-118-1-3, pursuant to Section 108-69 of the **Code of the Town of Riverhead**; and be it further

**RESOLVED**, that approval is further conditioned upon and subject to the following conditions:

1. That the service of the Riverhead Water District be extended to the project site;

2. That the following improvements be made by the developer to mitigate the impact of vehicular traffic:

(i) The restriping of West-bound lane of N.Y.S. Route 25 to provide a separate turn lane for West-bound to South-bound left turns from Route 25 to Manor Road;

(ii) The installation of a two-phase, semi-activated traffic signal at the intersection of Route 25 and Manor Road;

(iii) The provision of an engineered site plan in conformance with the requirements of Article XXVI of the **Riverhead Town Code**, which site plan is to incorporate the following:

a. Trees with a 8-inch diameter or larger saved to the greatest extent practical;

b. Non-disturbance buffer areas to be provided along roadways and property lines;

c. Clearing not to exceed 75% of the project site;

d. Structures not to exceed 35 feet or the existing tree line, whichever is lower;

e. Foundation areas to minimize excavation, cuts and fills and disturbance of areas with slopes 20% or greater;

f. Parking areas to be located in cleared areas to the greatest extent practical.

3. That discharge of large quantities of chlorinated water will not occur in the recharge areas. Project operations will provide for recovery and retention of all pool water.

and be it further

**RESOLVED**, that consistent with the Findings, a covenant will be made by the applicant to provide access to the project site from the Long Island Expressway (NYS Route 495) when such access becomes available; and be it further

**RESOLVED**, that the Town Board hereby adopts and incorporates the recommendations of the Suffolk County Planning Commission and the Riverhead Planning Board into this approval; and be it further

**RESOLVED**, that the premises covered by this special permit shall be maintained in conformity with such plan which may, from time to time, be approved by the Riverhead Town Board; and be it further

**RESOLVED**, that no building permit shall be issued until the Town Board has approved the site plan, by resolution; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Splish-Splash at Adventure Island, Inc., Allen M. Smith, Esq., attorney for applicant, the Riverhead Planning Department, the Town Attorney's Office and the Riverhead Building Department.

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

The resolution was thereupon duly declared adopted.

# 553      AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT RE: PROPOSAL  
TO ESTABLISH A BUSINESS IMPROVEMENT DISTRICT

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

RESOLVED, that the Supervisor be and is hereby authorized to execute an agreement with Downtown Planning Associates to establish a business improvement district within the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Downtown Planning Associates, the Riverhead Community Development Agency and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 554

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER A LOCAL LAW ADOPTING ARTICLE 19-A OF THE  
GENERAL MUNICIPAL LAW

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider a local law adopting Article 19-A of the General **Municipal Law** in the August 15, 1990 issue of the Suffolk County Life.

Dated: Riverhead, New York  
August 7, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

\* \* \* \* D R A F T \* \* \* \*

LOCAL LAW

A Local Law providing that the provisions of Article 19-A of the General Municipal Law shall be applicable to the establishment or extension of Business Improvement Districts in the Town of Riverhead.

The Town Board of the Town of Riverhead hereby enacts the following:

Section I. The provisions of Article 19-A of the General Municipal Law are hereby applicable to the establishment or extension of Business Improvement Districts in the Town of Riverhead.

Section II. This law shall take effect immediately upon filing with the Secretary of State provided, however, that such local law is subject to a permissive referendum and the Town Clerk shall forthwith proceed to notice such fact and conduct such referendum if required by petition.

## PUBLIC NOTICE

"Notice is hereby given that the Town Board of the Town of Riverhead will hold a Public Hearing on August 28, \_\_\_\_\_, 1990 at 7:30 P.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 for the purpose of considering a local law adopting Article 19-A of the General Municipal Law of the State of New York entitled 'Business Improvement District', at which time all interested parties will be heard."

8/7/90

**#555 AUTHORIZES PAYMENT OF BILLS.**

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

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

**GENERAL TOWN**

Abstract #11 vouchers 2177-2335 totalling \$ 373,792.73

**HIGHWAY**

Abstract #11 vouchers 375-388 totalling \$ 57,329.70

**CHIPS**

Abstract #11 vouchers 1 totalling \$ 80,910.58

**REPAIR & MAINTENANCE**

Abstract #11 vouchers 16 totalling \$ 20,290.00

**TEEN CENTER**

Abstract #11 vouchers 11-13 totalling \$ 677.19

**STREET LIGHTING**

Abstract #11 vouchers 99,105-109 totalling \$ 4,842.95

**POLICE ATHLETIC LEAGUE**

Abstract #11 vouchers 15-19 totalling \$ 677.19

**PUBLIC PARKING**

Abstract #11 vouchers 65-67 totalling \$ 2,238.08

**DISCRETIONARY**

Abstract #11 vouchers 89-95 totalling \$ 2,986.70

**MUNICIPAL GARAGE**

Abstract #11 vouchers 162-185 totalling \$ 11,898.20

**MUNICIPAL FUEL**

Abstract #11 vouchers 22-24 totalling \$ 9,756.63

**SENIORS HELPING SENIORS**

Abstract #11 vouchers 56-61 totalling \$ 2,071.85

**EISEP**

Abstract #11 vouchers 58-60 totalling \$ 677.58

**YOUTH SERVICES**

Abstract #11 vouchers 46 totalling \$ 1,248.84

**EIGHT HUNDRED SERIES**

Abstract #11 vouchers 83-87 totalling \$ 169,287.66

8/7/90

RECREATION PROGRAM

Abstract #11 vouchers 70-76 totalling \$ 341.41

TOWN HALL CAPITAL PROJECTS

Abstract #11 vouchers 45-46 totalling \$ 18,200.00

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

The resolution was thereupon duly declared adopted.