

Avenue, Box 389, East Moriches, NY 11940, and elevations dated last April 16, 1993, as prepared by Richard M. Suter, R.A., Suter & Suter, 6 Atlantic Avenue, Box 389, East Moriches, NY 11940, 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 any restrictions imposed as a condition of the site plan approval granted herein;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

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

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

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto. Further, by execution and filing of this document, Aldo T. Iacono, M.D. hereby authorizes and consents to the Town of Riverhead to enter premises at the northeast corner of Roanoke Avenue and Ackerly Street, Riverhead, New York, to enforce said handicapped parking regulations;

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

10. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

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

12. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

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

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 signs shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign shall be installed prior to being installed at the property; that all signs proposed shall be coordinated in appearance and location; and that all provisions of Section 103-56 of the Riverhead Town Code shall be complied with, and that all other provisions of the Town Code shall be complied with, and that all other provisions of the Town Code shall be complied with, and that all other provisions of the Town Code shall be complied with, and that all other provisions of the Town Code shall be complied with;

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1993, made by Aldo T. Iacono, M.D., residing at _____, 419 Noble Street, Pittsburgh, PA, 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 any restrictions imposed as a condition of the site plan approval granted herein;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

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

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

7. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto;

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

9. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

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

11. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

Aldo T. Iacono, M.D.

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

On the ___ day of ___, 1993, before me personally came Aldo T. Iacono, M.D., to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the northeast corner of Roanoke Avenue and Ackerly Street, Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

THE VOTE

Gilliam [checked] Yes ___ No ___ Creighton [checked] Yes ___ No ___
Stark [checked] Yes ___ No ___ Prusinowski [checked] Yes ___ No ___
Janoski [checked] Yes ___ No ___

THE RESOLUTION WAS [checked] WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD

RESOLUTION # 415

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR LABOR AND MATERIALS FOR REPAIRS OF TOWN OWNED 1982 MOBILE 2TE4 ROAD SWEEPER

COUNCILMAN STARK

COUNCILPERSON OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON COUNCILMAN PRUSINOWSKI

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED TO ADVERTISE FOR SEALED BIDS FOR LABOR AND MATERIALS FOR REPAIRS TO TOWN OWNED 1982 MOBILE 2TE4 ROAD SWEEPER FOR THE RIVERHEAD HIGHWAY DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THE SPECIFICATIONS AND BID FORMS BE PREPARED BY THE SUPERINTENDENT OF HIGHWAYS, AND ALL BIDS BE RETURNABLE UP TO 11:00 A.M. ON JUNE 23, 1993 AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED TO OPEN PUBLICLY AND READ ALOUD ON JUNE 23, 1993 AT 11:00 A.M. AT THE TOWN CLERK'S OFFICE, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK ALL SEALED BIDS BEARING THE DESIGNATION " BID FOR LABOR AND MATERIALS FOR REPAIRS OF TOWN OWNED 1982 MOBILE 2TE4 ROAD SWEEPER ".

JUNE 15, 1993

CBB/sb

THE VOTE

Gilliam Yes No Creighton Yes No
Stark Yes No Prusinowski Yes No
Janoski Yes No

THE RESOLUTION WAS X WAS NOT
THEREUPON DULY DECLARED ADOPTED

NOTICE TO BIDDERS

SEALED BIDS FOR LABOR AND MATERIALS FOR REPAIRS OF TOWN OWNED 1982 MOBILE 2TE4 ROAD SWEEPER FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT WILL BE RECEIVED BY THE TOWN CLERK OF THE TOWN OF RIVERHEAD AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901 UNTIL 11:00 A.M. ON JUNE 23, 1993.

INSTRUCTIONS FOR BIDDERS, SPECIFICATIONS AND FORMS MAY BE OBTAINED AT THE OFFICE OF THE TOWN CLERK AT THE TOWN HALL MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:30 A.M. AND 4:30 P.M..

ALL BIDS WILL BE SUBMITTED ON THE BID FORM PROVIDED. ANY AND ALL EXCEPTIONS TO THE SPECIFICATIONS WILL BE LISTED ON A SEPARATE SHEET OF PAPER BEARING THE DESIGNATION "EXCEPTIONS TO THE SPECIFICATIONS", AND ATTACHED TO THE BID FORM.

THE TOWN BOARD RESERVES THE RIGHT AND RESPONSIBILITY TO REJECT AND OR ALL BIDS OR WAIVE ANY FORMALITIES IF IT BELIEVES SUCH ACTION TO BE IN THE BEST INTERESTS OF THE TOWN.

ALL BIDS WILL BE SUBMITTED IN A SEALED ENVELOPE BEARING THE DESIGNATION "BID FOR LABOR AND MATERIALS FOR REPAIRS TO TOWN OWNED 1982 MOBILE 2TE4 ROAD SWEEPER".

**BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA A. GRATTAN, TOWN CLERK**

DATE: JUNE 15, 1993

6/15/93

416 DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL SIGNIFICANCE OF VARIANCE PETITION OF STANLEY TANGER AND ASSOCIATES

COUNCILMAN CREIGHTON offered the following resolution

which was seconded by **COUNCILWOMAN GILLIAM**

WHEREAS, the Riverhead Town Board has considered and approved the Change of Zone and Special Permit petition of Stanley Tanger and Associates to provide for the development of a manufacturers outlet center on real property located on Route 58, Riverhead, and

WHEREAS, prior to its approval, the Riverhead Town Board, as Lead Agency, issued Findings pursuant to the Article 8 of the New York State Environmental Conservation Law, and

WHEREAS, as part of its site plan review of the subject development, the Town Board required vehicular access from New York State Route 25, and

WHEREAS, the development of such access will require the issuance of a variance from Part 666.26 of the Regulation for Administration and Management of the Wild, Scenic and Recreational Rivers (ECL Article 15, Title 27), and

WHEREAS, Stanley K. Tanger and Associates has made variance application to the New York State Department of Environmental Conservation for such access roadway, and

WHEREAS, the Riverhead Town Board in the SEQRA record created to date, did consider those environmental issues associated with the proposed roadways, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board, in the matter of the variance application of Stanley K. Tanger and Associates considers itself to be an involved agency pursuant to Article 8 of the Environmental Conservation Law, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board hereby declares itself to be the Lead Agency in this matter, and

BE IT FURTHER

RESOLVED, that the environmental issues associated with the subject variance were made part of the Final Environmental Impact Statement and the associated Findings of this Board and

based upon this comprehensive environmental review the Riverhead Town Board hereby determined the action to be Unlisted and that an additional environmental impact statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Planning Director be authorized to publish a Notice of Non-Significance as required by Article 8 of the Environmental Law.

THE VOTE

Gilliam	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Creighton	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Stark	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Prusinowski	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
					Janoski	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

NO. 417

DATE: JUNE 15, 1993

COUNCILWOMAN GILLIAM
COUNCILPERSON OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON **COUNCILMAN CREIGHTON**

BE IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

BUDGET ADJUSTMENT
DAYCARE CENTER
CAPITALPROJECT

		FROM:
406.073100.481000.70090	TRANSFER FROM GENERAL FUND	\$25,750.00
406.073100.547900.70090	CONTINGENCY	10,000.00
		TO:
406.073100.522150.70090	BUILDING CONSTRUCTION	\$4,000.00
406.073100.543505700.90	ENGINEER CONSTRUCTION	27,750.00
406.073100.523000.70090	SITE IMPROVEMENTS	4,000.00

THE VOTE

Gilliam Yes No Creighton Yes No
 Stark Yes No Prusinowski Yes No
 Janoski Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

NO. 418

DATE: JUNE 15, 1993

COUNCILMAN PRUSINOWSKI

COUNCILPERSON OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY **COUNCILPERSON COUNCILMAN STARK**.

BE IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

BUDGET ADJUSTMENT
GRANGEBEL PARK IMPROVEMENTS
CAPITAL PROJECT

406.071100.481900.90001 SPECIAL TRUST TRANSFER	FROM:	\$ 4,000.00
406.071100.523011.90001 CONSTRUCTION	TO:	\$ 4,000.00

THE VOTE

Gilliam <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Creighton <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Stark <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Prusinowski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Janoski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

6/15/93

419 ORDER AUTHORIZING INCREASE AND IMPROVEMENT FOR RIVERHEAD SEWER DISTRICT, RE: IMPROVEMENTS TO PUMP STATIONS

Councilperson COUNCILMAN STARK offered the following resolution which was seconded by Councilperson COUNCILMAN PRUSINOWSKI

WHEREAS, the Town Board of the Town of Riverhead caused a map, plan and estimate of cost relating to the increase and improvement of the facilities of the Riverhead Sewer District specifically the renovation and improvement of the existing pump station facilities located at Cranberry Street, Howell Avenue, East Main Street, Elton Street and the DeFriest Station on Route 25, to be prepared, and which map, plan and estimate of cost is on file with the Riverhead Town Clerk, and

WHEREAS, the proposed improvements to the Riverhead Sewer District has been estimated to cost \$622,440 which will be borne by the entire Riverhead Sewer District as a whole and to be paid from existing funds, and

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

WHEREAS, in accordance with Section 202-b of the Town Law, a public hearing was held on the 1st day of June, 1993, and all persons wishing to be heard were heard,

NOW, THEREFORE, upon the proceedings, the map, plan and cost estimate, and the public hearing, the Town Board of the Town of Riverhead, as governing body of the Riverhead Sewer District, hereby determines as follows:

RESOLVED, that the renovation and improvement of the existing pump station facilities will not have a significant impact upon the environment, and it is further

RESOLVED, that the renovation and improvement of the existing pump station facilities is in the best interest of the properties served by the Riverhead Sewer District, and it is further

RESOLVED, that the renovation and improvement of the existing pump station facilities at a total cost not to exceed \$622,440, is hereby approved, and it is further

RESOLVED, that a certified copy of this resolution be forwarded to Pierre Lundberg, Esq., and Michael Reicher.

THE VOTE

Gilliam	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Creighton	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Stark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Prusinowski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Janoski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Page 15, 1993

420 AMENDS SITE PLAN OF ERNEST AND CAROLE KEMPERMANN (VILLAGE CROSSROADS RESTAURANT)

Councilperson COUNCILMAN CREIGHTON offered the following resolution, which was seconded by Councilperson COUNCILWOMAN GILLIAM:

WHEREAS, by Resolution # 65, dated January 19, 1988, and Resolution # 67, dated October 3, 1989, the Riverhead Town Board did approve and amend the site plan of Ernest and Carole Kempermann for the renovation of the Village Crossroads restaurant, with attendant site improvements, located at the southeast corner of New York State Route 25 (Middle Country Road) and Edwards Avenue, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-99-2-27, and

WHEREAS, Ernest and Carole Kempermann have requested that a modification of said site plan approval in regard to the omission of the white railing above the roof, as indicated on elevation drawings prepared by James V. DeLucca, Linda Lane East, Riverhead, NY 11901, dated July, 1989 be approved by the Riverhead Town Board, and

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

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

WHEREAS, the site plan amendment fee, as required by Section 108-B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 16501 of the Office of the Supervisor of the Town of Riverhead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does amend the site plan approval of Ernest and Carole Kempermann to provide for the following:

the omission of the white railing above the roof, as indicated on elevation drawings prepared by James V. DeLucca, Linda Lane East, Riverhead, NY 11901, dated July, 1989, and

BE IT FURTHER

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

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
Stark Yes ___ No ___ Prusinowski Yes ___ No ___
Janoski Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

6/15/93

421 REDUCES ROAD AND DRAINAGE BOND FOR TALL OAKS ESTATES

Councilperson **COUNCILWOMAN GILLIAM** offered the following resolution which was seconded by Councilperson **COUNCILMAN CREIGHTON**

WHEREAS, by resolution dated August 22, 1988, the Riverhead Planning Board approved the realty subdivision map entitled, "Tall Oaks Estates", and required the posting of a performance bond to insure the faithful completion of roads, drainage and other subdivision improvements, and

WHEREAS, by resolution of the Riverhead Planning Board dated January 7, 1993, it has been recommended by the engineer and approved by the Planning Board that the current cost of the improvements remaining to be completed is in the estimated amount of \$594,000,

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board approves a reduction in the road and drainage bond to \$594,000, and that the applicant file such bond in a form acceptable to the Town Attorney, and upon such filing the Town Clerk shall return the original, and be it further

RESOLVED, that the Town Clerk shall forward copies of this resolution to the Planning Board, Building Department, and J. Stanton Pohl, Esq.

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark ___ Yes ___ No Prusinowski Yes ___ No
Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

6/15/93

422 RELEASES LETTER OF CREDIT AND DETERMINES FINAL ORDER FOR WATER MAIN EXTENSION 19B, TALL OAKS ESTATES

COUNCILMAN PRUSINOWSKI

Councilperson COUNCILMAN PRUSINOWSKI offered the following resolution which was seconded by Councilperson COUNCILMAN STARK

WHEREAS, by resolution of the Riverhead Town Board, adopted December 6, 1988, the order was conditional upon the applicant faithfully paying for the construction of the improvements required to serve the benefitted parcels within the extension, and

WHEREAS, such construction has been completed and paid for by the applicant,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District hereby finally determines the condition of the order adopted December 6, 1988, that the improvements be constructed at the sole expense of the applicant to have been met and hereby finally orders the extension as set forth in the attached description Exhibit parcel 1, parcel 2 and Exhibit B, and be it further

RESOLVED, that the Letter of Credit approved by this Town Board, May 2, 1989, by resolution #320, covering the cost of the installation of water mains in the amount of \$249,000 be returned to the applicant, care of its attorney, J. Stanton Pohl, Esq., and the applicant be hereby released from any obligation under such letter of credit.

RESOLVED, that the town Clerk shall cause a certified copy of this resolution to be recorded with the Clerk of the County of Suffolk and a certified copy filed with the State Comptroller, and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Pierre G. Lundberg, Esq., Gary Pendzick, and J. Stanton Pohl, Esq.

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
Stark Yes ___ No ___ Prusinowski Yes ___ No ___
Janoski Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

#751 ORDER EXTENDING THE RIVERHEAD WATER DISTRICT, 19B TARRA ESTATES

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

WHEREAS, Tarra Associates has petitioned the Town Board as governing body of the Riverhead Water District for an extension to the district covering premises north of Middle Road, Riverhead, New York (see Exhibit A), and

WHEREAS, H2M have prepared a map and extension report detailing the costs and plan of the proposed extension, and

WHEREAS, such plan and report has been filed with the Riverhead Town Clerk and is available for public inspection during regular business hours at 200 Howell Avenue, Riverhead, New York, and

WHEREAS, the maximum estimated cost is \$249,000 for the installation of approximately \$7,500 feet of 6, 8, and 12 inch diameter water mains, hydrants and appurtenances, and

WHEREAS, the applicant proposes to subdivide the property into 99 parcels, which application has been given preliminary subdivision approval by the Riverhead Planning Board, and

WHEREAS, a long Environmental Assessment Form has been filed with the Town Clerk, and

WHEREAS, the Superintendent of the district with the consultation of the consulting engineer have requested a site for a district well field, as more particularly described in attached Parcels 1 and 2 including a non-pollution easement, and

WHEREAS, the district has established a key money charge of \$2,500 per proposed dwelling unit, which without offset totals \$247,500, and

WHEREAS, the engineer has estimated the differential cost of the larger pipe required to serve the well field to be \$50,000 which may properly be considered a district wide benefit, and

WHEREAS, the proposed allowance for the two-acre well site is \$70,000 which results in a total proposed offset of \$120,000 from the total key money charge leaving \$127,500 key money to be paid upon application for certificate of occupancy or the passage of two years from the date of final order, whichever occurs first, and

corrected to legal title which provides future access to the site of the water district (see Exhibit B). This parcel has been offered by the County of Suffolk to the Town of Riverhead for future water main access; all costs to be borne by the applicants. The annexed land to be deeded to the applicant (see Exhibit C), and

WHEREAS, the Town Board held a public hearing on October 18, 1988, and all those wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, as governing body to the Riverhead Water District, that it is determined as follows:

1. The aforesaid petition is signed and acknowledged as provided by law and is otherwise sufficient;

2. That all of the property and property owners, within the proposed Water District Extension are benefitted thereby;

3. That all of the property and property owners benefitted are included within the proposed Water District Extension;

4. It is in the public interest to establish the proposed Water District Extension as hereinafter described, and it is further

RESOLVED, that the Town Board, as governing body of the Riverhead Water District, hereby approves Extension 19B, subject to the following conditions:

1. the applicant has posed a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District in the amount of \$70,000, which is equal to the first 28 applications for certificates of occupancy at the rate of \$2,500 for each certificate or the passage of two years from the date hereof, when the entire balance shall be due and owing.

2. the applicant has posted a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District, in the amount of \$249,000.

3. a grant of a sub-surface easement to the Riverhead Water District covering all locations of the proposed water main installation.

4. the applicant deed to the Riverhead Water District a two acre well site shown on its subdivision plan as more particularly described as parcel 1 and parcel 2 attached hereto; and it is further

RESOLVED, that the Supervisor be and is hereby authorized to accept in the name of the Riverhead Water District the deed from the County of Suffolk to the legal interest in the property described as Exhibit B attached hereto, and it is further

RESOLVED that the Supervisor be and is hereby authorized to accept in the name of the Riverhead Water District a quitclaim deed from the applicant to the property described in Exhibit B attached hereto, and it is further

RESOLVED, that the Supervisor be and is hereby authorized to execute and deliver a deed to the applicant conveying the premises described as parcel 2 attached hereto, and it is further

RESOLVED, that the Town Clerk forward certified copies of this resolution to the Suffolk County Department of Real Estate, Pierre Lundberg, H2M Group, J. Stanton Pohl, Esq., and Gary Pendzick.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RIVERHEAD WATER DISTRICT

DESCRIPTION OF PROPOSED EXTENSION NO. 19B

BEGINNING at a point on the Riverhead Water District boundary line (Extension No. 15), said point being approximately 600 feet north of Middle Road on the southwesterly lot line of Section 84, Block 2, lot 34;

Running thence northwesterly along the southwest line of lot 34 and along the northwest line of Section 65, Block 1, lot 29.1 to the northwest corner of lot 29.1;

Thence northeasterly along a line between lot 29.1 and lot 9.2 to the southeast corner of lot 9.2;

Thence northwesterly along the northeast line of lot 9.2 (southwest line of lots 9.3 and 3.1) to the northwest corner of lot 3.1;

Thence northeasterly along the northwest line of lot 3.1 to the northeast corner of lot 3.1, said point being on the existing Riverhead Water District boundary line (Extension 19A);

Thence generally southeasterly, southerly and westerly along the existing boundary of the Riverhead Water District (Extensions 19A, 19 and 15) to the point or place of BEGINNING.

Above extension describes some 72 acres consisting of all of Section 65, Block 1, lot 29.1 and remaining portions of Section 65, Block 1, lot 9.3; Section 65, Block 1, lot 3.1 and Section 84, Block 2, lot 34.

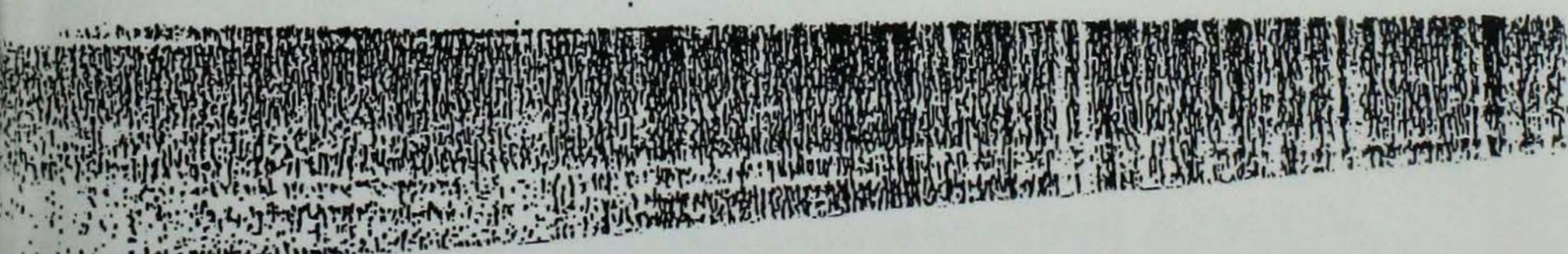


Exhibit B

that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, and being located at Riverhead in the Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows: A certain strip of property approximately 33 feet in width BEGINNING at a point on the westerly side of Doctors Path at a point which is intersected by lands owned now or formerly of Cedric Luce to the North and the herein described property to the South, from said point of beginning THENCE South 23 degrees 00 seconds 30 seconds East 33.01 feet in a northerly direction along the westerly side of Doctors Path to a point; THENCE North 65 degrees 37 minutes 00 seconds West 913.19 feet to a point; THENCE North 15 degrees 15 minutes 00 seconds West 188.30 feet to a point; THENCE South 67 degrees 00 minutes 00 seconds West 388.94 feet to a point; THENCE North 21 degrees 50 minutes 00 seconds West 33.0 feet to a point; THENCE North 67 degrees 45 minutes 00 seconds East 421.70 feet to a point; THENCE South 22 degrees 15 minutes 00 seconds East 105 feet to a point; THENCE North 65 degrees 37 minutes 00 seconds East 879.73 feet to a point on the westerly side of Doctors Path, the point or place of BEGINNING.

strip of property containing an area of 0.462 acres, more or less.

(1) ...

(2) ...

(3) ...

(4) North 55° 01' 27" East 217.27 feet to a point on the westerly line of land now or formerly of ...

THENCE South 34° 47' 32" East along the westerly line of land now or formerly of ... 215.47 feet to the point or place of beginning.

The party of the first part reserves a grouting and drainage easement over the described parcel of land, said easement being 25 feet in width adjacent to the westerly line of the above described parcel of land and being 30 feet in width adjacent to the southerly line of above described parcel of land.

The party of the first part covenants that it will establish a non-polluting well over land within a radius of 200 feet from the proposed well to be drilled at approximately the center of the above described parcel of land.

TABLE 2

beginning at a point on the westerly line of land now or formerly of ... 37 feet ... which point is North 24° 02' 11" West 25.71 feet from the southeast corner of land now or formerly of ... 37 feet ... and ...

THENCE North 34° 12' 11" West 109.17 feet,

THENCE North 33° 53' 02" West 111.25 feet,

THENCE northeasterly, southeasterly and westerly through the land of the ...

The first part the following courses and distances:

(1) North 41° 32' 20" East 24.71 feet,

(2) South 41° 27' 40" East 22.27 feet,

November 11, 1988

Suggested description of parcels of land to be conveyed by Tarra Associates to the Riverhead Water District at Roanoke, Town of Riverhead, County of Suffolk, State of New York.

PARCEL 1

Beginning at a point in the westerly line of land now or formerly of Margaret Booker, which point is North 34° 44' 32" West 680.06 feet from the northwest corner of a parcel of land designated as "play ground" on a certain realty subdivision entitled, "Subdivision Plan of Section 1-Northville Homes" filed in the office of the clerk of Suffolk County on February 4, 1958 as Map No. 2795; and running thence westerly, northwesterly and easterly through the land of the party of the first part the following courses and distances:

- (1) South 55° 43' 57" West 293.49 feet,
- (2) North 48° 27' 40" West 238.82 feet,
- (3) on a curve to the right with a radius of 353.66 feet for a distance of 40.00 feet, this curve being tangent to the preceding course,
- (4) North 55° 03' 29" East 357.39 feet to a point in the westerly line of land now or formerly of Margaret Booker;

thence South 34° 44' 32" East along the westerly line of land now or formerly of Margaret Booker 275.00 feet to the point or place of beginning.

The party of the first part reserves a grading and drainage easement over the above described parcel of land, said easement being 75 feet in width adjacent to the easterly line of the above described parcel of land and being 40 feet in width adjacent to the southerly line of above described parcel of land.

The party of the first part covenants that it will establish a non-pollution easement over land within a radius of 200 feet from the proposed well to be driven to the approximate center of the above described parcel of land.

PARCEL 2

Beginning at a point in the easterly line of land now or formerly of Route 347 Realty Corp., which point is North 34° 12' 11" West 25.11 feet from the southeast corner of land now or formerly of Route 347 Realty Corp.; and

running thence from said point of beginning northerly along the easterly line of land now or formerly of Route 347 Realty Corp. the following courses and distances:

- (1) North 34° 12' 11" West 100.17 feet,
- (2) North 33° 53' 02" West 111.28 feet;

thence northeasterly, southeasterly and westerly through the land of the party of the first part the following courses and distances:

- (1) North 41° 32' 20" East 16.47 feet,
- (2) South 48° 27' 40" East 222.27 feet,
- (3) South 55° 43' 57" West 71.32 feet to the point or place of beginning.

~~12/6/88~~

Goes with Res. #422, Dated 6/15/93 (Page 8)

The party of the first part reserves a grading and drainage easement over the above described parcel of land, said easement being 40 feet in width adjacent to the southerly line of above described parcel of land.

Suggested description of parcel of land proposed to be conveyed by the Town of Riverhead to Tarra Associates at Roanoke, Town of Riverhead, County of Suffolk, State of New York.

Beginning at the northwest corner of the land now or formerly of Harry W. Bambo; and

running thence westerly, northerly and again westerly along the land of the party of the second part the following courses and distances:

- (1) South 53° 07' 28" West 33.02 feet,
- (2) North 34° 44' 32" West 188.30 feet,
- (3) South 55° 15' 29" West 389.21 feet to a point in the easterly line of the land now or formerly of Route 347 Realty Corp.;

thence North 34° 12' 11" West along the land now or formerly of Route 347 Realty Corp. 33.00 feet;

thence North 55° 15' 29" East along the land of the party of the second part 421.90 feet to a point in the westerly line of land now or formerly of Margaret Booker;

thence South 34° 44' 32" East along the lands now or formerly of Margaret Booker and of the party of the first part 220.07 feet to the point or place of beginning.

JUNE 15, 1993

COUNCILWOMAN GILLIAM

June 15, 1993

424 Appoints Lifeguard to the Riverhead Recreation Department

COUNCILMAN CREIGHTON

offered the following

resolution and seconded by **COUNCILWOMAN GILLIAM**

RESOLVED, That Wesley Kujawski is hereby appointed to serve as Lifeguard effective June 26, 1993 to and including September 6, 1993, to be paid biweekly at the rate of \$ 6.50 per hour and to serve at the pleasure of the Town Board.

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark Yes ___ No Prusinowski Yes ___ No
Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

DATE: JUNE 15, 1993

COUNCILWOMAN GILLIAM

COUNCILPERSON OFFERED THE FOLLOWING RESOLUTION WHICH WAS
SECOND BY COUNCILPERSON COUNCILMAN CREIGHTON

IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED TO
ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

BUDGET ADJUSTMENT
GENERAL FUND

		FROM:
001.031200.524217	POLICE, RECORDING EQUIP.	\$ 2,340.00
001.070200.542600	REC. ADMIN., PRINTING	\$ 10.00
001.070200.511500	REC. ADMIN., PERSONAL SERV.	2,000.00
001.014100.549000	TOWN CLERK, MISC.	38.00
001.014100.541400	TOWN CLERK, REPAIRS	50.00
001.082115.421098	PLANNING BOARD FEES	23,000.00
001.019900.547900	CONTINGENCY ACCT.	40,000.00

		TO:
001.012200.511500	SUPERVISOR, PERSONAL SERVICE	\$20,000.00
001.031200.541403	POLICE, RECORD. EQUIP. MAINT.	2,340.00
001.070200.524000	REC. ADMIN., EQUIPMENT	10.00
001.071800.542112	BEACHES, PROGRAM SUPPLIES	2,000.00
001.080200.543310	PLANNING, LEGAL CONSULTANT	3,000.00
001.080200.543950	PLANNING, PLANNING CONSULTANT	20,000.00
001.016250.541202	BUILD. & GROUNDS, TOWN DREDGING	20,000.00
001.014100.541400	TOWN CLERK, EQUIPMENT	50.00
001.014100.541400	TOWN CLERK, EQUIP. REPAIR	38.00

THE VOTE

Gilliam abstain Yes ___ No ___ Creighton Yes ___ No ___
 Stark Yes ___ No ___ Prusinowski Yes ___ No ___
 Janoski Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY DECLARED ADOPTED

426

DATE: JUNE 15, 1993

COUNCILMAN PRUSINOWSKI OFFERED THE FOLLOWING RESOLUTION WHICH WAS
COUNCILPERSON
COUNCILPERSON COUNCILMAN STARK

IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED TO
ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

BUDGET ADJUSTMENT
AMBULANCE EQUIPMENT FUND

		FROM:
003.045400.597009	TRANSFER TO AMBULANCE VEHICLE CAPITAL PROJECT	\$10,000.00
330.000000.390599	APPROP. FUND BALANCE	10,000.00
		TO:
003.045400.524000	AMBULANCE EQUIPMENT	\$20,000.00

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
 Stark Yes ___ No Prusinowski Yes ___ No
 Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY DECLARED ADOPTED

NO. 427

DATE: JUNE 15, 1993

COUNCILMAN STARK
COUNCILPERSON OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILPERSON **COUNCILMAN PRUSINOWSKI**

BE IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

BUDGET ADJUSTMENT
REPAIR & MAINTENANCE RESERVE FUND

113.092705.421050	DEVELOPER FEES	FROM: \$20,000.00
113.083200.541100	GENERAL REPAIRS	TO: \$20,000.00

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
 Stark ___ Yes ___ No Prusinowski Yes ___ No
 Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

6-15-93

constable.rd

428 RESOLUTION AND CONSENT APPROVING THE DEDICATION OF HIGHWAYS KNOWN AS CONSTABLE DRIVE

COUNCILMAN CREIGHTON

offered the following
COUNCILWOMAN GILLIAM

resolution, which was seconded by _____ :

At a regular meeting of the Town Board of the Town of Riverhead, in the County of Suffolk, State of New York, held at 200 Howell Avenue, Riverhead, New York, on the 15th day of June, 1993.

P R E S E N T:

- HON. Joseph F. Janoski, Supervisor
- Frank Creighton, Councilman
- Harriet Gilliam, Councilwoman
- Victor Prusinowski, Councilman
- James R. Stark, Councilman

-----X

In the Matter of the Dedication of Certain Highways in the Town of Riverhead, County of Suffolk and State of New York, Known as

RESOLUTION and CONSENT

CONSTABLE DRIVE

-----X

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the County of Suffolk, known as "OSBORNE MEADOWS"; and

WHEREAS, plans for the construction of various improvements to said roads known and designated as the extension oof CONSTABLE DRIVE were submitted to the Planning Board of the Town of Riverhead; and

WHEREAS, said roads, drainage systems, sumps and other improvements have been completed in accordance with the plans and specifications of the Town of Riverhead Planning Board; and

WHEREAS, the construction of the said roads, drainage systems, sumps and other improvements have met with the approval of the Superintendent of Highways of the Town of Riverhead; and

WHEREAS, a copy of the letter from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof.

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead, make an order laying out the extension of certain roads known as **CONSTABLE DRIVE**, together with proper drainage facilities, the said Town road to consist of the land described in the deed of dedication dated June 14, 1993, and to extend same as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forthwith cause such deed of dedication to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

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

Dated: Riverhead, New York
June 15, 1993.

TOWN BOARD OF THE TOWN OF RIVERHEAD

JOSEPH F. JANOSKI

FRANK CREIGHTON

HARRIET GILLIAM

VICTOR PRUSINOWSKI

JAMES R. STARK

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark Yes ___ No Prusinowski Yes ___ No
Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD

RESOLUTION # 429

RESOLUTION AND CONSENT APPROVING THE DEDICATION OF HIGHWAYS KNOWN AS GRANT DRIVE

ADOPTED JUNE 15, 1993

At a regular meeting of the Town Board of the Town of Riverhead, in the County of Suffolk, State of New York, held at 200 Howell Avenue, Riverhead, New York, on the 15th day of June, 1993.

P R E S E N T:

- HON. Joseph F. Janoski, Supervisor
- Frank Creighton, Councilman
- Harriet Gilliam, Councilwoman
- Victor Prusinowski, Councilman
- James R. Stark, Councilman

-----X

In the Matter of the Dedication of Certain Highways in the Town of Riverhead, County of Suffolk and State of New York, Known as

RESOLUTION and CONSENT

GRANT DRIVE and RECHARGE BASIN.

-----X

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the County of Suffolk, known as "AQUEBOGUE ASSOCIATES"; and

WHEREAS, plans for the construction of various improvements to said roads known and designated as GRANT DRIVE and a recharge basin were submitted to the Planning Board of the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead did approve a performance bond as to form, sufficiency, manner of execution and surety; and

WHEREAS, said roads, drainage systems, sumps and other improvements have been completed in accordance with the plans and specifications of the Town of Riverhead Planning Board; and

WHEREAS, the construction of the said roads, drainage systems, sumps and other improvements have met with the approval of the Superintendent of Highways of the Town of Riverhead; and

WHEREAS, a copy of the letter from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof; and

WHEREAS, a special search street dedication from First American Title Company, under title number PAC-1541, has been filed with the Clerk of the Town of Riverhead, together with a deed of dedication and release affecting said roads, drainage systems, sumps and/or other improvements.

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead, make an order laying out certain roads known as GRANT DRIVE, together with proper drainage facilities and RECHARGE BASIN, the said Town road to consist of the land described in the deed of dedication dated June 4, 1993, and to extend same as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forthwith cause such deed of dedication to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto; and be it further

RESOLVED, that the maintenance bond received has been reviewed and approved by the Town Attorney as to form and that the Town Clerk is hereby directed to release the performance bond upon adoption of this resolution by the Town Board; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Marshall Oakes Crowley, Jr., Esq., attorney for Aquebogue Associates, 26 Newberry Lane, P. O. Box VVV, Southampton, New York, 11968; the Superintendent of Highways, the Riverhead Planning Board and Town Attorney's Office.

Dated: Riverhead, New York
June 15, 1993.

TOWN BOARD OF THE TOWN OF RIVERHEAD

JOSEPH F. JANOSKI

FRANK CREIGHTON

HARRIET GILLIAM

VICTOR PRUSINOWSKI

JAMES R. STARK

THE VOTE
Gilliam Yes
Stark Yes
Creighton No
Prusinowski Yes
Janoski Yes
No
THE RESOLUTION WAS NOT REPORTED
THEREUPON DULY DECLARED ADOPTED

6-15-93

430

AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT WITH EAST END RECYCLING & COMPOSTING CO., L.P.

COUNCILMAN PRUSINOWSKI

_____ offered the following resolution, which was seconded by COUNCILMAN STARK :

WHEREAS, the Town Board of the Town of Riverhead adopted Resolution #548 authorizing the Supervisor to negotiate a contract with East End Recycling and Composting Co., L.P.; and

WHEREAS, the Town Board has successfully negotiated said contact.

NOW, THEREFORE, BE IT RESOLVED, that after careful review and consideration, the Town Board hereby authorizes the Supervisor to execute the contract with East End Recycling and Composting Co., L.P.; and be it further

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

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark Yes ___ No Prusinowski Yes ___ No
Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

6/15/1993

431 APPROVES APPLICATION OF EMMANUEL BAPTIST CHURCH OF RIVERHEAD, INC. TO HOLD PRESENTATION

COUNCILPERSON **COUNCILMAN CREIGHTON** offered the following resolution, which was seconded by COUNCILPERSON **COUNCILWOMAN GILLIAM**

WHEREAS, the Emmanuel Baptist Church of Riverhead, Inc. submitted an application for the purpose of holding a presentation entitled "Surrender" to be held at 941-951 Roanoke Avenue, Riverhead, New York, on Saturday, June 26, 1993; 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 the Emmanuel Baptist Church of Riverhead, Inc. for the purpose of holding a presentation entitled "Surrender" to be held at 941-951 Roanoke Avenue, Riverhead, New York, on Saturday, June 26, 1993 be and is hereby approved; and be it further

RESOLVED, that this approval is subject to the applicant's suppling the Town of Riverhead with a certificate of insurance in the amount \$1,000,000.00 naming the Town of Riverhead as additional insured; and be it further

RESOLVED, that the Town of Riverhead be and is hereby directed to forward a certified copy of this resolution to the Emmanuel Baptist Church of Riverhead, Inc. and the Riverhead Police Department.

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark ___ Yes ___ No Prusinowski Yes ___ No
Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

6/15/93

432 APPROVES APPLICATION OF POLISH TOWN CIVIC ASSOCIATION STREET FAIR

COUNCILPERSON **COUNCILMAN STARK** offered the following resolution, which was seconded by COUNCILPERSON **COUNCILMAN PRUSINOWSKI**

WHEREAS, The Polish Town Civic Association Inc. submitted an application for the purpose of holding a Street Fair to be held at Pulaski Street, Lincoln Street, Osborne Avenue, and Hamilton Avenue, Riverhead, New York, on Saturday, August 21, 1993 and Sunday, August 22, 1993; and

WHEREAS, a request has been made to exempt this event from Chapter 46 of the Riverhead Town Code regarding the consumption of alcoholic beverages; and

WHEREAS, alcoholic beverages shall only be consumed during the hours of 10 a.m.- 5 p.m. on August 21, 1993 and 12 noon- 5 p.m. on August 22, 1993; 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 The Polish Town Civic Association Inc. for the purpose of holding a Street Fair on August 21, 1993 and August 22, 1993 be and is hereby approved; and be it further;

RESOLVED, that this approval is subject to the applicant's suppling the Town of Riverhead with a certificate of insurance in the amount of \$1,000,000.00 naming the Town of Riverhead as additional insured; and be it further

RESOLVED, that the Town Board hereby exempts this event from the provisions of Chapter 46 of the Riverhead Town Code regarding the consumption of alcoholic beverages and limited to the said hours of consumption; and be it further

RESOLVED, that the Town of Riverhead be and is hereby directed to forward a certified copy of this resolution to the Polish Town Civic Association and the Riverhead Police Department.

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
 Stark Yes ___ No ___ Prusinowski Yes ___ No ___
 Janoski Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY DECLARED ADOPTED

RESOLUTION # 433 AUTHORIZING SUBMISSION OF APPLICATION

COUNCILWOMAN GILLIAM

COUNCILPERSON _____ offered the following resolution which was seconded by COUNCILPERSON **COUNCILMAN CREIGHTON**

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit application from the Okeanos Ocean Research Foundation, Inc. for the development of a research, rehabilitation and education aquarium facility to be located on East Main Street in downtown Riverhead; and

WHEREAS, the Town Board did by Resolution #227-93 make a commitment to provide infrastructure improvements on and adjacent to the site which are necessary for and associated with the development of the facility; and

WHEREAS, the Community Development Director has pursued development of an application for funding to support a major tourism destination project in the Town of Riverhead.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the submission of said application for Business Infrastructure Loan/Grant funds to the New York State Department of Economic Development/Urban Development Corporation; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to execute any and all documents necessary for the proper and timely submission of such application; and

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

THE VOTE

Gilliam	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Creighton	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Stark	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Prusnowski	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
					Janoski	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

June 15, 1993

434 AMENDS RESOLUTION #277 (SITE PLAN OF LITTLE FLOWER CHILDREN'S SERVICES)

COUNCILMAN PRUSINOWSKI

Councilperson COUNCILMAN PRUSINOWSKI offered the following resolution which was seconded by Councilperson ~~COUNCILMAN STARK~~:

WHEREAS, by resolution # 277, dated May 4, 1993, the Town Board of the Town of Riverhead did approve the site plan for a clinic, office building, pump house, and shed for Little Flower Children's Services; and

WHEREAS, covenants have previously been filed on the subject parcel, the Board deems that additional covenants are unnecessary,

NOW, THEREFORE, BE IT

RESOLVED, that resolution # 277 be and is hereby ratified as adopted with the exception that the covenants contained therein shall not be filed; and be it further

RESOLVED, that copies of this resolution be forwarded to Peter S. Danowski, Esq., and to the Riverhead Planning and Building Departments.

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark Yes ___ No Prusinowski Yes ___ No
Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

June 15, 1993

#435
APPROVES SITE PLAN OF THE BANK OF NEW YORK (HANDICAP RAMP
 AND NIGHT DEPOSIT BOX)

Councilperson **COUNCILMAN STARK** offered the following resolution, which was seconded by Councilperson **COUNCILMAN PRUSINOWSKI**

WHEREAS, a site plan and elevations were submitted by John Landy as agent for The Bank of New York for the reconstruction of a handicap ramp and the addition of a night deposit box located at 7 West Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-3-67.1; and

WHEREAS, the Planning Department has reviewed the site plan dated April 5, 1993, as prepared by Landy Associates, 475 Northern Blvd., Great Neck NY 11021, and elevations dated May 18, 1993, as prepared by Landy Associates, 475 Northern Blvd., Great Neck NY 110217, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type II Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, a copy of the site plan has been marked and initialled by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 16204 of the Office of the Supervisor of the Town of Riverhead; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by John Landy as agent for The Bank of New York, for the reconstruction of a handicap ramp and the addition of a night deposit box, located at 7 West Main Street, Riverhead, New York, site plan dated April 5, 1993, as prepared by Landy Associates, 475 Northern Blvd., Great Neck NY 11021, and elevations dated May 18, 1993, as prepared by Landy Associates, 475 Northern Blvd., Great Neck NY 110217, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

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

7. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "**No Parking, Handicap Only**", and the universal symbol affixed thereto. Further, by execution and filing of this document, Riverhead Savings Bank, c/o The Bank of New York hereby authorizes and consents to the Town of Riverhead to enter premises at 7 West Main Street, Riverhead, New York, to enforce said handicapped parking regulations;

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

9. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site

plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John Landy as agent for The Bank of New York, the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

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 prior to the site plan process and the sign permit procedure prior to being installed at the property; that all signage be designed in accordance with the appearance and design of the Riverhead Town Code and that all signage be installed in accordance with the Riverhead Town Code and any restrictions imposed as a condition of the site plan approval herein.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1993, made by Riverhead Savings Bank, c/o The Bank of New York, residing at 101 Barclay St., New York NY 10286, 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 Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

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

6. 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;

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. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

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

RIVERHEAD SAVINGS BANK
(THE BANK OF NEW YORK)

By: _____

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1993, before me personally came _____, who, being sworn by me, did depose and say: that (s)he is the _____ of the Riverhead Savings Bank (The Bank of New York); that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the corporation.

NOTARY PUBLIC

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
Stark Yes ___ No ___ Prusinowski Yes ___ No ___
Janoski Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

DATE JUNE 15, 1993

436 APPOINTS SUMMER INTERN TO THE COMMUNITY DEVELOPMENT OFFICE.

COUNCILMAN CREIGHTON

Councilperson _____ offered the following resolution, which was seconded by Councilperson **COUNCILWOMAN GILLIAM**

WHEREAS, Pat Hodun has been granted an extended leave, now therefore,

BE IT RESOLVED, that Mary Harte is appointed to the position of summer intern with the Community Development Office effective June 14, 1993 at the compensatory rate of \$7.00 per hour.

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
Stark Yes ___ No ___ Prusinowski Yes ___ No ___
Janoski Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

6/15/93

RESOLUTION # 437 IN SUPPORT OF EXPLORING OTHER OPTIONS TO THE PROPOSED HIGH SPEED FERRY AT SHOREHAM

COUNCILWOMAN GILLIAM offered the following Resolution which was seconded by COUNCILMAN CREIGHTON.

WHEREAS, the State of New York has determined that a high speed ferry would promote the economy on Long Island; and

WHEREAS, the State of New York has identified the Shoreham Nuclear Site as a possible location for said high speed ferry operation; and

WHEREAS, the State of New York has recently solicited requests for proposals for this project before a final report of the Long Island Ferry Study Group has been issued;and

WHEREAS, the Request for Proposals prematurely identifies the Shoreham site as the proposed location of the origin of the high speed ferry; and

WHEREAS, there exists strong opposition from local residents and businesses to the location of the ferry at the Shoreham site; and

WHEREAS, there has not been a full environmental and economic feasibility study of the proposed Shoreham site;and

WHEREAS, there may exist alternative sites for the proposed ferry which have not been fully explored; and

WHEREAS, due consideration has not been given to enhancing existing ferry operations, NOW THEREFORE BE IT

RESOLVED, That the Town Board of Riverhead calls on the Governor of the State of New York to fully evaluate local environmental and economic impact before proceeding with the awarding of any bid; and be it further

RESOLVED, That the Town Board of Riverhead calls on the Governor of the State of New York to explore alternative sites and to consider enhancing existing ferry operations before proceeding with the awarding of any bid, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this Resolution to Governor Mario Cuomo, New York State Senator Ken LaValle, New York State Assemblyman Joseph Sawicki, Suffolk County Executive Robert Gaffney, Suffolk County Legislator Michael J. Caracciolo, Brookhaven Town Supervisor John LaMura and

Sid Bail, Chair of the Coalition for a sound ferry study.

THE VOTE

Gilliam	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Creighton	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Stark	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Prusinowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
			Janoski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

June 15, 1993

438 AMENDS RESOLUTION #407 (SITE PLAN OF SANDY POND GOLF COURSE (FOOT BRIDGE))

COUNCILMAN PRUSINOWSKI

Councilperson _____ offered the following resolution which was seconded by Councilperson **COUNCILMAN STARK** :

WHEREAS, by resolution # 407, dated June 1, 1993, the Town Board of the Town of Riverhead did approve the site plan for a 110 foot long foot bridge between the second green and third tee of the par three golf course; and

WHEREAS, the Board deems that, in light of the minimal nature of the improvement relative to the size of the parcel, covenants are unnecessary,

NOW, THEREFORE, BE IT

RESOLVED, that resolution # 407 be and is hereby ratified as adopted with the exception that the covenants contained therein shall not be filed; and be it further

RESOLVED, that copies of this resolution be forwarded to Gregory Bucholz as agent for Sandy Pond Golf Course, and to the Riverhead Planning and Building Departments.

THE VOTE

Gilliam	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Creighton	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Stark	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Prusinowski	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
					Janoski	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

June 15, 1993

439 APPROVES SITE PLAN OF RIVERHEAD ENTERPRISES (SWEZEY'S SPECIAL SIZE SHOP)

COUNCILMAN STARK

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

WHEREAS, a site survey and elevations were submitted by Sheldon Gordon as agent for Riverhead Enterprises for facade improvements located at 121 East Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-129-1-13; and

WHEREAS, the Planning Department has reviewed the elevations dated May 26, 1993, as prepared by Fairweather/Brown, Architects, Box 521, 122 Front Street, Greenport NY 11944, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type II Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, a copy of the site plan has been marked and initialled by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 16615 of the Office of the Supervisor of the Town of Riverhead; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the site survey and elevations submitted by Sheldon Gordon as agent for Riverhead Enterprises, for facade improvements, located at 121 East Main Street, Riverhead, New York, and elevations dated May 26, 1993, as prepared by Fairweather/Brown, Architects, Box 521, 122 Front Street, Greenport NY 11944, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

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

7. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sheldon Gordon as agent for Riverhead Enterprises, the Riverhead

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1993, made by Riverhead Enterprises c/o Ashel Corp., residing at 375 Sunrise Highway, Lynbrook NY 11563, 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;

Res. #439, dated 6/15/93 (Page 5)

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

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

6. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

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

RIVERHEAD ENTERPRISES

By: _____

6/15/93

440 APPOINTS INTERN TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN CREIGHTON

offered the following resolution which was seconded

by COUNCILWOMAN GILLIAM

RESOLVED, that Kelly Grattan is hereby appointed to serve as Intern in the Riverhead Recreation Department effective June 14, 1993, to be paid bi-weekly at the rate of \$8.50 per hour and to serve at the pleasure of the Town Board.

THE VOTE

Gilliam Yes ___ No Creighton Yes ___ No
Stark Yes ___ No Prusinowski Yes ___ No
Janoski Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREFORE BEING DECLARED ADOPTED

442

ADOPTS AMENDING VARIOUS SECTIONS OF CHAPTER 47 "BAYS & CREEKS"

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amending various section of Chapter 47 entitled "Bays & Creeks"; and

WHEREAS, a public hearing was held on the 15th day of June, 1993, at 7:15 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.

NOW, THEREFORE, BE IT

RESOLVED, that the amendments to various sections of Chapter 47 entitled "Bays & Creeks" be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption 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 the Suffolk County Planning Commission; the L.I. State Park Commission; the Towns of Brookhaven, Southold and Southampton; and the L.I. Pine Barrens Review Commission, the Bay Constable and the Riverhead Police Department.

THE VOTE

Gilliam Yes ___ No ___ Creighton Yes ___ No ___
Stark Yes ___ No ___ Prusinowski Yes ___ No ___
Janoski Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted amendments to various sections of Chapter 47 of the Riverhead Town Code entitled "Bays & Creeks" at its regular meeting held on June 15, 1993. The amendments include, but are not limited to, the definition of "temporary resident", permit applications, who may take shellfish, when, where and how shellfish may be taken and penalties for violations. A copy of the entire amendment to these sections may be obtained at the Town Clerk's Office during normal business hours Monday through Friday from 8:30 a.m. to 4:30 p.m.

Dated: Riverhead, New York
June 15, 1993.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

- 3. Taking of shellfish
- A. No person shall take shellfish from any bay or creek unless such person is a resident or temporary resident as defined herein, and shall obtain a permit as prescribed by this chapter.
- B. Shellfish may be taken by a resident as temporary upon first applying for and obtaining a shellfish permit from the Town Clerk of the Town of Riverhead. There shall be no fee for such permit, and such permit shall expire on the last day of the third year after the date of issue.
- C. To remain as is.
- D. Shellfish may be taken from commercial purposes by a resident or temporary over the age of sixteen (16) years upon first applying for and obtaining a commercial permit from the Town Clerk of the Town of Riverhead. The fee for such permit shall be five dollars (\$5.) and shall expire on the last day of December in the year of issue. A resident or temporary under the age of sixteen (16) years may obtain a commercial permit with parental consent.
- E. Shellfish may be taken without obtaining a permit hereunder by a guest of a permittee if accompanied by such permittee or by a child under the age of sixteen (16) who is a member of the immediate family or a resident or employee. A guest shall be deemed to be one (1) person with the permittee for all purposes hereunder. This subsection shall not apply to a commercial permittee.
- F. To remain as is.

BAYS & CREEKS

Chapter 47

**ARTICLE I
Usage of Terms**

47-1. Definitions.

TEMPORARY RESIDENT -- A person who is temporarily visiting and occupying living quarters within the Town of Riverhead for a minimum of 90 days each year.

**ARTICLE II
Shellfish**

47-3. Taking of shellfish restricted; permits and fees.

- A. No person shall take shellfish from town waters unless such person is a resident ~~or taxpayer~~, as defined herein, and has obtained a permit as prescribed by this chapter.
- B. Shellfish may be taken by a resident ~~or taxpayer~~ upon first applying for and obtaining a shellfish permit from the Town Clerk of the Town of Riverhead. There shall be no fee for such permit, and such permit shall expire on the last day of the third year after the date of issue.
- C. To remain as is.
- D. Shellfish may be taken from commercial purposes by a resident ~~or taxpayer~~ over the age of sixteen (16) years upon first applying for and obtaining a commercial permit from the Tow Clerk of the Town of Riverhead. The fee for such permit shall be five dollars (\$5.) and shall expire on the 31st day of December in the year of issue. A resident ~~or taxpayer~~ under the age of sixteen (16) years may obtain a commercial permit with parental consent.
- E. Shellfish may be taken without obtaining a permit hereunder by a guest of a permittee if accompanied by such permittee or by a child under the age of sixteen (16) who is a member of the immediate family or a resident ~~or taxpayer~~. A guest shall be deemed to be one (1) person with the permittee for all purposes hereunder. This subsection shall not apply to a commercial permittee.
- F. To remain as is.

47-4. Permit applications.

- A. Any person qualified as set forth may obtain a permit for taking shellfish and setting of nets and fykes from the waters or lands under the waters of the Town of Riverhead by making an application therefor and paying the fee as set forth above.
- B. Such application shall be made in duplicate, in writing, in the form prescribed by the Town Clerk and shall state:
 - (1) through (6) to remain as is.
 - (7) Any permits issued hereunder shall become void if the holder ceases to be a resident, or temporary resident. ~~or taxpayer.~~
- C. To remain as is.

47-7. Conch pots.

- A. Conch pots shall not interfere with designated channels of navigation.
- B. No commercial conch pots or other similar commercial pots shall be set in the waters of the Town of Riverhead without a commercial permit.
- C. The placement of more than five (5) pots in the waters of the Town of Riverhead shall be considered the taking of conchs for commercial purposes.

47-8. Crabs.

- A. No person shall take female crabs bearing eggs visible thereon from town waters nor offer for sale or possess the same within the Town of Riverhead.
- B. Crab traps shall not interfere with designated channels of navigation.
- C. No commercial crab traps or other similar commercial trap shall be set in the waters of the Town of Riverhead without a commercial permit.
- D. The placement of more than five (5) traps in the waters of the Town of Riverhead shall be considered the taking of crabs for commercial purposes.

47-9. Escallops.

- A. Escallops may be taken with a dredge or scrape, having an opening at the mouth not to exceed thirty-six (36)

inches in width, when towed by a boat operated by mechanical power or other means, provided that such dredge or scrape is brought aboard by hand power without the use of a mechanical device, only from the bottom of the following-described waters within the Town of Riverhead. ~~No escallops shall be taken from town waters by any device when towed by a boat operated by mechanical power.~~

- B. To remain as is.
- C. Escallops may be taken from the town waters of the Town of Riverhead during the period from the ~~third~~ first Monday in October to March 31, both inclusive, in each year. Bay escallops shall not be taken on Sundays by use of a dredge or other device operated by power.
- D. To remain as is.

ARTICLE III General Provisions

47-16. Nets and fykes.

- A. To remain as is.
- ~~B. No person shall cast, draw or set any net, seine or other device for the purpose of taking fish from the waters as shown on the official Map filed with the Town Clerk.~~
- B. No resident shall cast, draw or cast any nets, seines or other devices for the commercial purpose of taking fish from the waters of the Town of Riverhead without first obtaining a commercial permit.
- C. A resident may cast, draw or set a seine, limited in size to fifty (50) feet or less, or other device for the purpose of taking nonedible fish from the waters as shown on the official map filed with the Town Clerk.

Paragraphs C through F to be relettered D through G.

- H. Commercial fishing permit. A commercial shellfish permit issued pursuant to the provisions of Section 47-3 shall constitute a valid commercial fishing permit.

47-17. Dragging or dredging.

- A. To remain as is.
- B. Nothing herein contained shall be construed to apply to a bona fide dredging service while engaged in any work

duly authorized by permit from the Town Board, to any bona fide haul seine not in excess of ~~one thousand two hundred fifty (\$1,250)~~ fifty (50) feet in length or to the taking of eels by a mechanically operated eel spear.

C. To remain as is.

47-18. Eel dredges.

A. Eel pots shall not interfere with designated channels of navigation.

B. No commercial eel pots or other similar commercial trap shall be set in the waters of the Town of Riverhead or eels taken from the waters of the Town of Riverhead without a commercial permit.

C. The placement of more than five (5) pots in the waters of the Town of Riverhead shall be considered the taking of crabs for commercial purposes.

D. Between April 1 and November 15, both inclusive, No eels, fluke, flounders or fish shall be taken from the bottom of or caught from the waters as shown on the Official Map as filed with the Town Clerk by the so-called eel dredge or by any mechanical device operated either by sail or power gas engine or electric motor. ~~between April 1 and November 15, both inclusive, in each year, with the exception of any manually operated apparatus.~~

47-20. Bays and ponds.

No person shall dam, open up or drain, in any manner whatsoever, any of the bays, ponds or streams within the boundaries of the Town of Riverhead unless duly authorized by written permit, after application and public hearing thereon of the Town Board.

ARTICLE IV
Penalties

47-26. Penalties for offenses.

Any person who shall violate any of the above provisions of these regulations shall be liable to a penalty of ~~fifty dollars (\$50.) to be recovered in a civil action no more than two hundred~~ fifty dollars (\$250.), and each and every violation of said provisions shall constitute a separate violation for which a separate penalty of ~~fifty dollars (\$50.)~~ two hundred fifty dollars (\$250.) may be recovered in the same action. Nothing herein contained shall prevent, impair or deny the maintenance of any action or proceeding to compel compliance with or restrain by injunction any violation of these rules.

The amendments to this chapter shall take effect immediately.

1823-93-443-CK RUN JUN 3, 1993 (18M 06-15-93)
 Sup. Janoski offered the following resolution, which was
 RESOLVED, that the SUPERVISOR
 is hereby authorized to pay the following:

TBM 6/15/93

*****ACCOUNTS*****	*****TOTALS*****
GENERAL TOWN 001	\$422,695.74
WORKING METER 002	\$0.00
BALANCE 003	\$0.00
OLICE ATHLETIC LEAGUE 004	\$0.00
EN CENTER 005	\$0.00
RECREATION PROGRAM 006	\$1,209.00
IGHWAY 111	\$4,172.28
ATER 112	\$213,073.82
REPAIR & MAINTENANCE 113	\$0.00
OWER 114	\$30.90
REFUSE & GARBAGE COLLECTION 115	\$76,187.43
ETREET LIGHTING 116	\$8,200.00
UBLIC PARKING 117	\$1,700.00
USINESS IMPROVEMENTS DISTRICT 118	\$0.00
HOSPITALIZATION SELF INSURANCE 174	\$24,896.21
ILK RETENTION 175	\$125.00
UNEMPLOYMENT INSURANCE RESERVE 176	\$0.00
ANON ST. REHAB 177	\$0.00
ECONOMIC REVOLVING LOAN 178	\$0.00
RESIDENTIAL REHAB 179	\$3,381.72
CRETIONARY/SMALL CITIES 180	\$0.00
COBG CONSORTIUM ACCOUNT 181	\$0.00
URBAN DEVEL CORP WORKING 182	\$0.00
ESTORE 184	\$0.00
UBLIC PARKING DEBT 381	\$0.00
OWER DISTRICT DEBT 382	\$0.00
ATER DEBT 383	\$164,786.00
ENERAL FUND DEBT SERVICE 384	\$371,559.00
CAVANGER WASTE DISTRICT DEBT 385	\$0.00
OWN HALL CAPITAL PROJECTS 406	\$0.00
IGHT HUNDRED SERIES 408	\$21,441.06
ATER IMPROVEMENT CAP PROJ 409	\$0.00
CHIPS 451	\$0.00
OUTH SERVICES 452	\$0.00
ENIORS HELPING SENIORS 453	\$75.88
ETSEP 454	\$58.24
MUNICIPAL FUEL FUND 625	\$6,082.24
MUNICIPAL GARAGE 626	\$84.00
TRUST & AGENCY 735	\$7,000,000.00
PECIAL TRUST 736	\$0.00
JOINT SCAVENGER WASTE 918	\$25.00
*****GRAND TOTAL*****	\$8,319,783.52

THE VOTE

Gilliam Yes No
 Creighton Yes No
 Stark Yes No
 Prusinowski Yes No
 Janoski Yes No

THE RESOLUTION WAS NOT DULY DECLARED ADOPTED

124-93-Res. #443 JUNE 10, 1993 (TBM 06-15-93)
 Sup. Janoski RESOLVED, that the SUPERVISOR
 by COUNCILPERSON Prusinowski
 hereby authorized to pay the following:

ACCOUNTS	TOTALS
GENERAL TOWN 001	\$331,808.74
WATER METER 002	\$0.00
WATER 003	\$0.00
ATHLETIC LEAGUE 004	\$0.00
CENTER 005	\$975.00
RECREATION PROGRAM 006	\$1,817.83
RECREATION 111	\$51,835.82
RECREATION 112	\$25,682.12
RECREATION & MAINTENANCE 113	\$0.00
RECREATION 114	\$11,245.28
WASTE & GARBAGE COLLECTION 115	\$102,581.19
STREET LIGHTING 116	\$26,330.49
PUBLIC PARKING 117	\$4,292.74
BUSINESS IMPROVEMENTS DISTRICT 118	\$117.40
LIABILITY SELF INSURANCE 174	\$22,783.48
EMPLOYMENT RETENTION 175	\$0.00
EMPLOYMENT INSURANCE RESERVE 176	\$0.00
ST. REHAB 177	\$0.00
ECONOMIC REVOLVING LOAN 178	\$1,132.34
RESIDENTIAL REHAB 179	\$1,713.50
RECREATIONARY/SMALL CITIES 180	\$0.00
WATER CONSORTIUM ACCOUNT 181	\$0.00
WATER DEVEL CORP WORKING 182	\$600.00
RECREATION 184	\$0.00
PUBLIC PARKING DEBT 381	\$0.00
WATER DISTRICT DEBT 382	\$0.00
WATER DEBT 383	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00
WATER WASTE DISTRICT DEBT 385	\$0.00
WATER HALL CAPITAL PROJECTS 406	\$570.74
WATER HUNDRED SERIES 408	\$0.00
WATER IMPROVEMENT CAP PROJ 409	\$0.00
WATER 451	\$0.00
WATER SERVICES 452	\$1,339.02
WATER HELPING SENIORS 453	\$1,518.66
WATER 454	\$1,140.59
MUNICIPAL FUEL FUND 625	\$0.00
MUNICIPAL GARAGE 626	\$2,951.93
WATER & AGENCY 735	\$4,349,298.33
MUNICIPAL TRUST 736	\$0.00
WATER SCAVENGER WASTE 918	\$6,976.12
GRAND TOTAL	\$4,946,711.32

THE VOTE

Gilliam Yes No
 Stark Yes No
 Creighton Yes No
 Prusinowski Yes No
 Janoski Yes No

THE RESOLUTION WAS WAS NOT
 UPON DULY DECLARED ADOPTED

JUNE 10, 1993

TOWN OF RIVERHEAD, NEW YORK

REPORT 100-300

FUND ACCOUNTING INFORMATION SYSTEM

CHECK REGISTER - BY FUND

FOR CHECKS DATED JUNE 10, 1993

779

FUND OR FUND GROUP	BANK NAME AND ACCOUNT NUMBER	GROSS AMOUNT	DISCOUNT	SALES TAX	NET AMOUNT
001	- GENERAL FUND	331,808.74	0.00	0.00	331,808.74
005	- TEEN CENTER FUND	975.00	0.00	0.00	975.00
006	- RECREATION PROGRAM FUND	1,817.83	0.00	0.00	1,817.83
111	- HIGHWAY FUND	51,835.82	0.00	0.00	51,835.82
112	- WATER DISTRICT	25,682.12	0.00	0.00	25,682.12
114	- SEWER DISTRICT	11,245.28	0.00	0.00	11,245.28
115	- REFUSE & GARBAGE COLLECTION DI	102,581.19	0.00	0.00	102,581.19
116	- STREET LIGHTING DISTRICT	26,330.49	0.00	0.00	26,330.49
117	- PUBLIC PARKING DISTRICT	4,292.74	0.00	0.00	4,292.74
118	- BUSINESS IMPROVEMENT DISTRICT	117.40	0.00	0.00	117.40
174	- HOSPITALIZATION SELF INSURANCE	22,783.48	0.00	0.00	22,783.48
178	- REVOLVING LOAN PROGRAM	1,132.34	0.00	0.00	1,132.34
179	- RESIDENTIAL REHAB LOAN PROGRAM	1,713.50	0.00	0.00	1,713.50
182	- URBAN DEVELOPMENT CORP WORKING	600.00	0.00	0.00	600.00
406	- TOWN HALL CAPITAL PROJECTS	570.74	0.00	0.00	570.74
452	- YOUTH SERVICES CAP PROJECT	1,339.02	0.00	0.00	1,339.02
453	- SENIORS HELP SENIORS CAP PROJE	1,518.66	0.00	0.00	1,518.66
454	- EISEP CAP PROJECT	1,140.59	0.00	0.00	1,140.59
620	- MUNICIPAL GARAGE FUND	2,951.93	0.00	0.00	2,951.93
735	- TRUST & AGENCY	4,349,298.33	0.00	0.00	4,349,298.33
918	- JCINT SCAVANGER WASTE DISTRICT	6,976.12	0.00	0.00	6,976.12
TOTAL ALL FUNDS		4,946,711.32	0.00	0.00	4,946,711.32

RESOLUTION #443 TBM 6/15/93

#443 dated 6/15/93