

# 152 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS RE: INSTALLATION OF WATER MAINS AND APPURTENANCES FOR THE RIVERHEAD WATER DISTRICT (BAITING HOLLOW COTTAGE CONDOMINIUMS)

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders for installation of water mains and appurtenances for the Riverhead Water District at the Baiting Hollow Cottage Condominiums.

DATED: Riverhead, New York  
March 6, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

## NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for Installation of Water Mains and Appurtenances for the Riverhead Water District, at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, NY 11901, at 11:00 A.M., prevailing time on Monday, March 19, 1990, at which time and place all bids will be publicly opened and read for the following contract:

RDWD 89-57            BAITING HOLLOW COTTAGE CONDOMINIUM

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

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

Copies of the contract documents may be obtained at the above locations on or after Friday, March 9, 1990, upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

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

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

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

BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD  
SUFFOLK COUNTY

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

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

DATED: MARCH 6, 1990

3/6/90

207  
OK

NO 153

DATE \_\_\_\_\_

PROVISIONAL APPOINTMENT OF ACCOUNT CLERK TYPIST IN  
THE ACCOUNTING OFFICE

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

WHEREAS, a position of Account Clerk Typist is currently vacant  
due to an intergovernmental transfer, and

WHEREAS, said position has been posted and advertised and the  
Suffolk County Department of Civil Service has authorized a  
provisional appointment and

WHEREAS, all willing acceptors have been interviewed

NOW THEREFORE BE IT RESOLVED, that Geneva Ormandy is hereby  
appointed provisionally to position of Account Clerk Typist at  
Group 9 Step P of the Clerical & Supervisory salary schedule at  
an annual salary of \$19,559.83 effective March 12, 1990.

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

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

The resolution was thereupon duly declared adopted.

# 154 AWARDS BID FOR THE DEMOLITION OF SUFFOLK TIRE SHOP

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

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for the demolition of Suffolk Tire Shop; and

**WHEREAS**, bids were received, opened and read aloud on the 25th day of February, 1990, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid for the demolition of Suffolk Tire Shop be and is hereby awarded to Riverhead Cement Block in the amount of five thousand six hundred eighty and 00/100 (\$5,680.00) dollars; and be it further

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

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

The resolution was thereupon duly declared adopted.

# 155 APPOINTS RICHARD M. SUTER TO ARCHITECTURAL REVIEW BOARD

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

WHEREAS, a vacancy presently exists on the Town of Riverhead Architectural Review Board, and

WHEREAS, by memo dated February 8, 1990, the Planning Director did make a recommendation to the Town Board with respect to filling said vacancy, in accordance with the dictates of the Code of the Town of Riverhead;

NOW, THEREFORE, BE IT

RESOLVED, that Richard M. Suter, R.A., be and is hereby appointed a member of the Architectural Review Board for a term of service of three (3) years effective March 6, 1990, and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Richard M. Suter, R.A., to the Planning Director, and to the Chairman of the Architectural Review Board.

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

The resolution was thereupon duly declared adopted.

Resolution 156 to Publish Notice of Public Hearing

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

WHEREAS, the Town of Riverhead is required by the U.S. Department of Housing and Urban Development to amend its FY85 Small Cities Community Development Block Grant program; and

WHEREAS, such an amendment requires notification of the public, including at least one public hearing, prior to submission of the amendment to HUD.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby directed to publish the attached notice of public hearing in the Suffolk County Life on March 7, 1990; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to Andrea Lohneiss, Community Development Director.

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

The resolution was thereupon duly declared adopted.

NOTICE OF PUBLIC HEARING

Please take notice that a public hearing will be held on the 20th day of March, 1990 at \_\_\_\_\_ p.m. in the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to an amendment to the Town of Riverhead's 1985 Community Development Grant application.

The amendment proposes the addition of a public service activity to the original projects included in the FY85 grant. To improve and expand the quantity and quality of community services, specifically those provided by the Town's programs for senior citizens, the purchase of two vans to be utilized by the Dial-A-Ride and Home Chore programs is planned. These programs provide benefit exclusively to senior citizens which constitute a limited clientele considered to be primarily low and moderate income persons.

The total amount of funds which will be allocated by this amendment is \$45,715, or 10% of the total grant amount for FY85. The benefit is considered to be townwide as services are available to all Riverhead citizens 60 years of age and older.

The hearing will provide citizens of the Town of Riverhead the opportunity to comment on this proposed amendment. Written comments may also be submitted to the Town of Riverhead, Attention Town Clerk, 200 Howell Avenue, Riverhead, New York 11901.

Further information concerning the amendment may be obtained at the Community Development office, Town Hall.

By Order of the Town Board  
Town of Riverhead

DATE: 3/6/90

IRENE J. PENDZICK, TOWN CLERK

APPROVES SITE PLAN OF FINK'S COUNTRY FARM HOUSE

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

**WHEREAS**, a site plan and elevations were submitted by Donald J. Fink for installation of site improvements to be completed in conjunction with replacement of underground tanks located at Fink's Country Farm House, Wading River-Manorville Road, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-74-1-53.1 & 55; and

**WHEREAS**, the Planning Department has reviewed the site plan dated February 21, 1990, as prepared by Architecture East, Box 1805, 131 Route 25A, Rocky Point, New York, 11778, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, the Environmental Quality Review Board has determined that the action is a(n) Unlisted Action without significant impact upon the environment; and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan and elevations submitted by Donald J. Fink, for installation of site improvements to be completed in conjunction with replacement of underground tanks, located at Fink's Country Farm House, Wading River-Manorville Road, Wading River, New York, site plan dated February 21, 1990, as prepared by Architecture East, Box 1805, 131 Route 25A, Rocky Point, New York, 11778, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

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

until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

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

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

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

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, DONALD & MARYLOU FINK hereby authorizes and consents to the Town of Riverhead to enter premises at Fink's Country Farm House, Wading River-Manorville Road, Wading River, New York, to enforce said handicapped parking regulations;

9. That by execution and filing of this document, DONALD & MARYLOU FINK hereby authorizes and consents to the Town of Riverhead to enter premises at Fink's Country Farm House, Wading River-Manorville Road, Wading River, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Donald J. Fink, Architecture East, the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

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

The resolution was thereupon duly declared adopted.

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1989, made by DONALD & MARYLOU FINK, residing at Herricks Lane, Jamesport, New York, 11947, 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;



APPROVES SITE PLAN OF HALLETT AVENUE INDUSTRIAL PARK

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

**WHEREAS**, a site plan and elevations were submitted by Richard Israel, as agent for Henry A. Pollak Riverhead Corporation for renovation of an existing building and construction of a new 5,580 square foot building for industrial use located at southeast corner of Lincoln Street at Hallett Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-1-25; and

**WHEREAS**, the Planning Department has reviewed the site plan dated October 22, 1988, and most recently revised July 27, 1989, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, NY 11901, and elevations dated February 7, 1990, as prepared by Fairweather/Brown Architects, Box 521, Greenport, NY 11944, consisting of three (3) sheets, and floor plan and elevations dated September 22, 1989, as prepared by Fairweather/Brown Architects, Box 521, Greenport, NY 11944, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, the Environmental Quality Review Board has determined that the action is a(n) Unlisted Action without significant impact upon the environment; and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan and elevations submitted by Richard Israel, as agent for Henry A. Pollak Riverhead Corporation, for renovation of an existing building and construction of a new 5,580 square foot building for industrial use, located at southeast corner of Lincoln Street at Hallett Avenue, Riverhead, New York, site plan dated October 22, 1988, and most recently revised July 27, 1989, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, NY 11901, and elevations dated February 7, 1990, as prepared by Fairweather/Brown Architects, Box 521, Greenport, NY 11944, consisting of three (3) sheets, and floor plan and elevations dated September 22, 1989, as prepared by Fairweather/Brown Architects, Box 521, 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 as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

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

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

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

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

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

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, HENRY A. POLLAK hereby authorizes and consents to the Town of Riverhead to enter premises at southeast corner of Lincoln Street at Hallett Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

10. That by execution and filing of this document, HENRY A. POLLAK hereby authorizes and consents to the Town of Riverhead to enter premises at southeast corner of Lincoln Street at Hallett Avenue, Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;

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

12. That all utilities shall be constructed underground;

13. That that portion of Hallett Avenue south of Lincoln Street shall be improved to Town of Riverhead Highway Department specifications for the length of the subject parcel, prior to the issuance of a certificate of occupancy for the premises or any portion thereof;

14. That the buffer planting indicated along the easternmost property boundary be supplemented with forsythia, or a similar deciduous flowering shrub, along its length, as per the site plan initialled by a majority of the Town Board;

15. That foundation plantings be provided on the north, south, and west sides of the proposed building, as indicated on the site plan initialled by a majority of the Town Board, and subject to the submission of a planting plan and schedule for same;

16. Subject to approval of the Zoning Board of Appeals for the substandard side and rear yards as shown on the site plan approved herein; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard Israel, as agent for Henry A. Pollak Riverhead Corporation, the Riverhead Planning Department, the Riverhead Building Department, and the Office of the Town Attorney.

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

The resolution was thereupon duly declared adopted.

**DECLARATION AND COVENANTS**

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1989, made by HENRY A. POLLAK, residing at P.O. Box 608, Riverhead, New York, 11901, Declarant.

**W I T N E S S E T H:**

**WHEREAS**, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

**WHEREAS**, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

**WHEREAS**, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

**NOW, THEREFORE, THIS DECLARANT WITNESSETH:**

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

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

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
4. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;
7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;
8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;
9. That by execution and filing of this document, HENRY A. POLLAK hereby authorizes and consents to the Town of Riverhead to enter premises at southeast corner of Lincoln Street at Hallett Avenue, Riverhead, New York, to enforce any and all codes, ordinances, and regulations of the Town of Riverhead;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all utilities shall be constructed underground;
12. That that portion of Hallett Avenue south of Lincoln Street shall be improved to Town of Riverhead Highway Department specifications for the length of the subject parcel, prior to the issuance of a certificate of occupancy for the premises or any portion thereof;
13. That the buffer planting indicated along the easternmost property boundary be supplemented with forsythia, or a similar deciduous flowering shrub, along its length, as per the site plan initialled by a majority of the Town Board;
14. That foundation plantings be provided on the north, south, and west sides of the proposed building, as

indicated on the site plan initialled by a majority of the Town Board, and subject to the submission of a planting plan and schedule for same.

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

\_\_\_\_\_  
HENRY A. POLLAK

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

On the \_\_\_\_\_ day of \_\_\_\_\_, 1989, before me personally came HENRY A. POLLAK, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at southeast corner of Lincoln Street at Hallett Avenue, Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

# 159 AUTHORIZES APPOINTMENT OF DETENTION ATTENDANTS WITH THE  
TOWN OF RIVERHEAD POLICE DEPARTMENT

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

RESOLVED, that Candee Ulmet be and is hereby appointed to  
serve as Detention Attendant with the Town of Riverhead Police  
Department effective March 6, 1990 at the hourly rate of  
compensation of \$11.20; and

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

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

The resolution was thereupon duly declared adopted.

# 160 ADOPTS AMENDMENTS TO SECTION 101-10.1 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amendments to Section 101-10.1 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 20th day of February, 1990, at 8:45 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

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

NOW, THEREFORE, BE IT

RESOLVED, that amendments to Section 101-10.1 of the Riverhead Town Code be and is hereby adopted as follows:

101-10.1. Parking, stopping and standing prohibited except for emergency and police vehicles.

The parking, stopping and standing of vehicles is hereby prohibited, except for emergency and police vehicles, in certain locations as follows:

StreetArea	Location
<u>Route 58, Riverhead, New York</u>	<u>County Seat Plaza (Waldbaum) parking field on the North side of the building.</u>

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Suffolk County Life and to post same on the signboard at Town Hall; and be it further

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

Dated: Riverhead, New York  
March 6, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

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

The resolution was thereupon duly declared adopted.

Resolution 161 Authorizing Funds for Hallockville, Inc.

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

WHEREAS, the Town of Riverhead receives funds from the U.S. Department of Housing and Urban Development under the Small Cities Community Development Block Grant Program; and

WHEREAS, funds must be expended on eligible activities meeting the National Objectives of the Housing and Community Development Act of 1974; and

WHEREAS, Hallockville Inc. has requested funds for the historic preservation and restoration of the Samuel Terry Hudson House (c.1840) in order to strengthen the Hallockville Museum Farm as a cultural resource important to Riverhead; and

WHEREAS, a Capital Initiative Grant from the New York State Council on the Arts in the amount of \$25,000.00 has been received by Hallockville which requires matching funds.

THEREFORE, BE IT RESOLVED, that the Town Board hereby approves payment to Hallockville, Inc. of \$20,000.00 in Community Development funds upon execution of a written agreement between the Town of Riverhead Community Development Director and the subrecipient; and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead be hereby directed to forward a certified copy of this resolution to Verity O'Brien, President, Hallockville, Inc. and to Andrea Lohneiss, Community Development Director.

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

The resolution was thereupon duly declared adopted.

Date \_\_\_\_\_

No. 162

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

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

BUDGET ADJUSTMENT

	<u>GENERAL FUND</u>	<u>FROM</u>	<u>TO</u>
001.5.1990.400	Contingency	\$8,500.00	
001.5.4545.415	Ambulance Building Maintenance		\$8,500.00
001.5.7180.108	Lifeguards Beaches	\$500.00	
001.5.7020.402	Travel Expense Recreation Administration		\$500.00

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

The resolution was thereupon duly declared adopted.

# 163 AUTHORIZES ATTENDANCE OF JANE VAN DEN THORN AT SEMINAR

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

WHEREAS, the National Recreation and Parks Association will be sponsoring a "Revenue Sources Management" seminar on March 11-15, 1990 to be held in Wheeling, West Virginia; and

WHEREAS, it is the desire of Jane Van Den Thorn to attend said seminar; and

NOW, THEREFORE, BE IT RESOLVED, that Jane Van Den Thorn be and is hereby authorized to attend the aforementioned seminar from March 11-15, 1990; and

BE IT FURTHER RESOLVED, that all related expenses incurred by Jane Van Den Thorn will be fully receipted upon her return and thereafter reimbursed by the Accounting Department; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jane Van Den Thorn, Stanley Grodski and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

## RESOLUTION # 164

AWARDS BID FOR ONE (1) 1985 AUTO-CAR K564 WITH SUPER PRODUCTS  
CAMEL SUPER/200 SEWER AND CATCH BASIN CLEANER

COUNCILPERSON Prusinowski OFFERED THE FOLLOWING RESOLUTION  
WHICH WAS SECONDED BY COUNCILPERSON Stark

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS  
ON THE PURCHASE OF ONE (1) 1985 AUTO-CAR K564 WITH SUPER PRODUCTS  
CAMEL SUPER/200 SEWER AND CATCH BASIN CLEANER FOR THE USE OF THE  
RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 1ST OF  
MARCH AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE,  
RIVERHEAD, NEW YORK THE DATE, TIME AND PLACE GIVEN IN THE NOTICE  
TO BIDDERS, AND

WHEREAS, ONE BID WAS RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR THE  
PURCHASE OF ONE (1) 1985 AUTO-CAR K564 WITH SUPER PRODUCTS CAMEL  
SUPER/200 SEWER AND CATCH BASIN CLEANER BE AND IS HEREBY AWARDED  
TO SAM ALLEN'S MODERN MACHINERY ROUTE 25, P.O. BOX P, CORAM, NEW  
YORK 11727 IN THE AMOUNT OF \$65,000.00.

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS  
HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION  
TO SAM ALLEN'S MODERN MACHINERY AND THE RIVERHEAD HIGHWAY  
DEPARTMENT.

CBB

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

The resolution was thereupon duly declared adopted.

# 165 AUTHORIZES SMITH, FINKELSTEIN, LUNDBERG, ISLER & YAKABOSKI TO ENTER APPEAL

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

RESOLVED, that the firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski be and is hereby authorized to appeal to the Appellate Division the damage award regarding property located at 414 East Main Street, Riverhead, New York; and be it further

RESOLVED, that Smith, Finkelstein, Lundberg, Isler & Yakaboski shall file with the Town Clerk a retainer agreement setting forth their hourly rate for said representation; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, the Accounting Department and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

Date \_\_\_\_\_

# 166 Establishes Budget for Extension 34A of  
the Riverhead Water District, Aquebogue Associates

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

BE IT RESOLVED, that the following budget is hereby established  
for Extension 34A of the Riverhead Water District:

851.5.2705.001	Developer Fees	\$112,400.00
851.5.8320.301	Construction	\$89,400.00
851.5.8320.302	Engineering	14,000.00
851.5.8320.306	Legal	4,000.00
851.5.8320.303	Contingency	5,000.00

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

The resolution was thereupon duly declared adopted.

#167 DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL SIGNIFICANCE OF RIVERHEAD DOWNTOWN PROJECT

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

WHEREAS, the Riverhead Town Board has made application to the New York State Urban Development Corporation for funds to improve private and public property within the Riverhead Central Business District, and

WHEREAS, such funds will be forthcoming and

WHEREAS, an Environmental Assessment Form has been prepared, and

WHEREAS, the Riverhead Planning Department has reviewed the Environmental Assessment Form as well as related and environmental information and has concluded that the project will not have a significant impact upon the environment, and

WHEREAS, the action as proposed is considered to be a Type II Action as defined by the New York State Environmental Conservation Law;

NOW, THEREFORE, BE IT

RESOLVED, that after careful consideration of the SEQR record and other pertinent project data and information as well as state environmental review procedures, the Riverhead Town Board declares itself to be the Lead Agency in the matter of the subject project, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board finds the proposed action to a Type II Action as defined by the New York State Environmental Conservation Law and that no further environmental review shall be required.

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

The resolution was thereupon duly declared adopted.

Date \_\_\_\_\_

No. 168- Establishes Budget for Extension 34B of the Riverhead Water District, Crystal Pine Estates

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

BE IT RESOLVED, that the following budget is hereby established for Extension 34B of the Riverhead Water District:

852.4.2705.001	Developer Fees	\$105,000.00
852.5.8320.301	Construction	\$82,000.00
852.5.8320.302	Engineering	14,000.00
852.5.8320.306	Legal	4,000.00
852.5.8320.303	Contingency	5,000.00

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

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

RESOLUTION #169  
AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS  
FOR ONE (1) 1988 4 WHEEL DRIVE PICKUP TRUCK OR EQUAL

COUNCILPERSON Civiletti OFFERED THE FOLLOWING RESOLUTION  
WHICH WAS SECONDED BY COUNCILPERSON Prusinowski.

**RESOLVED**, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED TO ADVERTISE FOR BIDS FOR ONE (1) 1988 4 WHEEL DRIVE PICKUP OR EQUAL FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND BE IT FURTHER

**RESOLVED**, THAT THE SPECIFICATIONS AND FORMS FOR BIDDING BE PREPARED BY THE SUPERINTENDENT OF HIGHWAYS, AND ALL BIDS BE RETURNABLE UP TO 11:15 A.M. ON MARCH 19, 1990 AND BE IT FURTHER

**RESOLVED**, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED AUTHORIZED TO OPEN PUBLICLY AND READ ALOUD ON MARCH 19, 1990 AT 11:15 A.M. AT THE TOWN CLERK'S OFFICE, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK ALL SEALED BIDS BEARING THE DESIGNATION "BID ON ONE (1) 1988 4 WHEEL DRIVE PICKUP TRUCK OR EQUAL".

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

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

## RESOLUTION #170

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS  
FOR ONE (1) 1988 4 WHEEL DRIVE DUMP TRUCK OR EQUAL

COUNCILPERSON Civiletti OFFERED THE FOLLOWING RESOLUTION  
WHICH WAS SECONDED BY COUNCILPERSON Prusinowski

**RESOLVED**, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED TO ADVERTISE FOR BIDS FOR ONE (1) 1988 4 WHEEL DRIVE DUMP TRUCK OR EQUAL FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND BE IT FURTHER

**RESOLVED**, THAT THE SPECIFICATIONS AND FORMS FOR BIDDING BE PREPARED BY THE SUPERINTENDENT OF HIGHWAYS, AND ALL BIDS BE RETURNABLE UP TO 11:00 A.M. ON MARCH 19, 1990 AND BE IT FURTHER

**RESOLVED**, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE AND IS HEREBY AUTHORIZED AUTHORIZED TO OPEN PUBLICLY AND READ ALOUD ON MARCH 19, 1990 AT 11:00 A.M. AT THE TOWN CLERK'S OFFICE, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK ALL SEALED BIDS BEARING THE DESIGNATION "BID ON ONE (1) 1988 4 WHEEL DRIVE DUMP TRUCK OR EQUAL".

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

The resolution was thereupon duly declared adopted.

# 171      CORRECTS RESOLUTION #14-1990 DESIGNATING OFFICIAL  
NEWSPAPERS

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

WHEREAS, Resolution #14-1990 adopted January 2, 1990, designated official newspapers for publication of all notices, resolutions, ordinances and other matters pursuant to Section 64(11) of Town Law; and

WHEREAS, through an inadvertent error, **This Week** was omitted from said resolution.

NOW, THEREFORE, BE IT

RESOLVED, that Resolution #14-1990 adopted January 2, 1990, be and is hereby corrected to include **This Week** to be designated as an official newspaper pursuant to Section 64(11) of Town Law; and be it further

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

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

The resolution was thereupon duly declared adopted.

# 172 AUTHORIZES EMERGENCY EXPENDITURES FOR RIVERHEAD WATER DISTRICT

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

WHEREAS, the Riverhead Water District must replace a pump located at the Osborne Avenue Plant, identified as Pump #4-1; and

WHEREAS, this pump is essential to meet the demands of the Riverhead Water District during the peak demand season; and

WHEREAS, pursuant to Section 103(4) of General Municipal Law, a case of Public Emergency arising out of an unforeseen condition whereby circumstances affecting public life, health, safety or property of the inhabitants of the Riverhead Water District exists; and

WHEREAS, the Riverhead Water District has to take immediate action which cannot wait for competitive bidding.

NOW, THEREFORE, BE IT

RESOLVED, that the Superintendent of the Riverhead Water District is hereby authorized to replace Pump #4-1, together with supplies, materials and equipment, in the amount of \$22,000.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Gary Pendzick, Pierre G. Lundberg, Esq. and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 173 RE-ESTABLISHES FARMLAND TASK FORCE

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

WHEREAS, Supervisor Janoski has requested the re-establishment of the Farmland Task Force.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be and are hereby appointed as members of the Farmland Task Force:

Victor Prusinowski  
Betty Brown  
Joseph Gergela  
Robert Hodge  
John Kujawski  
Richard Larsen  
Ernie Lewin  
Jake Rottkamp  
William Talmage  
Richard Hanley  
Lyle Wells  
Kenneth Zilnicki

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the above named individuals.

The vote, Stark, yes, Prusinowski, yes, Civiletti, no, Lombardi, absent, Janoski, yes.

The resolution was thereupon duly declared adopted.

#174

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on March 6, 1990, at 7:30 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Janoski, and upon roll being called, the following were

PRESENT: Supervisor Joseph F. Janoski  
Councilwoman Denise Civiletti  
Councilman James Stark  
Councilman Victor Prusinowski

ABSENT: Councilman John Lombardi

The following resolution was offered by Councilman Prusinowski who moved its adoption, seconded by Councilman Stark, to-wit:

BOND RESOLUTION DATED MARCH 6, 1990.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$209,000 SERIAL BONDS AND \$11,000 CAPITAL NOTES OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY ADDITIONAL COSTS OF THE ACQUISITION OF LAND IN SAID TOWN.

WHEREAS, by bond resolution dated August 4, 1987, as amended on March 15, 1988, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$190,000 serial bonds and \$10,000 capital notes of said Town to pay the cost of the acquisition of approximately 4 acres of land for the purpose of constructing thereon a salt storage facility in and for said Town; and

WHEREAS, it has now been determined that the maximum estimated cost of such acquisition is \$420,000, an increase of \$220,000 over that previously authorized; and

WHEREAS, it is now desired to authorize such additional funding for such acquisition; NOW, THEREFORE, BE IT

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

Section 1. For the purpose of paying additional costs of the acquisition of land for the purposes of constructing thereon a salt storage facility in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued an additional \$209,000 serial bonds and \$11,000 capital notes of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is \$420,000, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$190,000 serial bonds and \$10,000 capital notes of said Town authorized to be issued therefor pursuant to bond resolution dated August 4, 1987, as amended on March 15, 1988;
- b) By the issuance of the additional \$209,000 serial bonds of said Town authorized to be issued therefor pursuant to this resolution. Further details concerning said bonds will be prescribed in a further resolution or resolutions of this Town Board; and
- c) By the issuance of the additional \$11,000 capital notes of said Town authorized to be issued therefor pursuant to this resolution. Such capital notes shall be sold at private sale and all further powers in connection with the details and the sale thereof are hereby delegated to the Supervisor, the chief fiscal officer, in accordance with the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, the proceeds from the sale of such capital notes will be provided prior to the issuance of the bonds herein authorized or bond anticipation notes. Such capital notes shall constitute the down payment required by Section 107.00 of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby

further determined that the maximum maturity of the serial bonds herein authorized will not exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. The validity of such bonds, bond anticipation notes and capital notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution which takes effect immediately, shall be published in full in Suffolk County Life, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Supervisor Janoski</u>	<u>VOTING</u>	<u>yes</u>
<u>Councilwoman Civiletti</u>	<u>VOTING</u>	<u>yes</u>
<u>Councilman Prusinowski</u>	<u>VOTING</u>	<u>yes</u>
<u>Councilman Stark</u>	<u>VOTING</u>	<u>yes</u>
<u>Councilman Lombardi</u>	<u>VOTING</u>	<u>absent</u>

The resolution was thereupon declared duly adopted.

\* \* \* \*

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 6th day of March, 1990, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

Suffolk County Life

March 2, 1990

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)  
of posted notice

Date of Posting

Town Clerk's Bulletin Board

March 7, 1990

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of March, 1990.

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Town Clerk

(CORPORATE  
SEAL)

# 175 ESTABLISHES 1990 BEACH IMPROVEMENTS CAPITAL PROJECT  
BUDGET

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

WHEREAS, it is the desire of the Town Board to make necessary improvements at various beach facilities in the Town of Riverhead; and

WHEREAS, the Recreation Committee has made recommendation to the Town Board as to certain necessary improvements to be made at our beach facilities.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following Beach Improvements Capital Project Budget:

829 4.5031.001	Transfer from Special Trust	56,000.00
829 5.7180.401	Iron Pier Beach Capital Improvements	25,000
829 5.7180.402	Jamesport Beach Capital Improvements	25,000
829 5.7180.403	Wading River Beach Cap. Improvements	6,000

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

The resolution was thereupon duly declared adopted.

# 176 AWARDS BID FOR JANITORIAL PRODUCTS

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

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for janitorial products; and

**WHEREAS**, bids were received, opened and read aloud on the 5th day of March, 1990, at 11:10 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid for janitorial products be and is hereby awarded to Center Moriches Paper Co., Inc.; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Center Moriches Paper Co., Inc., the Purchasing Agent and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 177 AWARDS BID FOR THE PURCHASE OF A PICKUP TRUCK FOR USE BY  
THE BAY CONSTABLE

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

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for the purchase of a pickup truck for use by the Bay Constable; and

**WHEREAS**, bids were received, opened and read aloud on the 5th day of March, 1990, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid for the purchase of a pickup truck for use by the Bay Constable be and is hereby awarded to Sayville Ford in the amount of thirteen thousand two hundred ninety-one and 67/100 (\$13,291.67) dollars; and be it further

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

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

The resolution was thereupon duly declared adopted.

# 178 AUTHORIZES MEDICAL LEAVE OF ABSENCE OF THERESA MAHER

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

WHEREAS, Theresa Maher did submit her written request for a medical leave of absence not to exceed a period of six months from her position of Account Clerk Typist with the Riverhead Sewer and Scavenger Waste Districts.

NOW, THEREFORE, BE IT RESOLVED, that a six month medical leave of absence be and is hereby authorized to Theresa Maher effective March 19, 1990; and

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

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

The resolution was thereupon duly declared adopted.

3/6/90

249

#179 AUTHORIZES EXECUTION OF STIPULATION OF SETTLEMENT RE:  
SPECIAL PERMIT APPLICATION OF BROAD COVE, INC.

RESOLVED that SCHEINBERG, SCHNEPS, DePETRIS & DePETRIS, attorneys for the Town Board of the Town of Riverhead in the Article 78 proceeding commenced by Broad Cove, Inc., are hereby authorized to execute the stipulation of settlement annexed hereto, and be it further

RESOLVED that, pursuant to said stipulation of settlement, the Town Board hereby adopts the resolution annexed to said stipulation and hereby extends and modifies the special permit in accordance with the resolution annexed to said stipulation.

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

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

BROAD COVE, INC.,

Petitioner,

- against -

JOSEPH JANOSKI, JOHN LOMBARDI,  
LOUIS BOSCHETTI, ROBERT PIKE, and  
DENISE CIVILETTI, constituting the  
TOWN BOARD OF THE TOWN OF RIVERHEAD,

Respondents.

:  
: Name of Assigned Judge:  
:  
: H. PATRICK LEIS III  
:  
: Index No. 88-15256  
:  
: STIPULATION OF  
: SETTLEMENT  
:

WHEREAS, by notice of appeal dated September 12, 1989,  
petitioner appealed to the Appellate Division, Second Department  
from the judgment of the Supreme Court, Suffolk County entered in  
this Article 78 proceeding on August 25, 1989, and

WHEREAS, the parties now desire to settle this  
proceeding on specified terms and conditions,

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by  
and between the undersigned, the attorneys for the parties  
herein, that the above-entitled proceeding be and it hereby is  
settled upon the following terms and conditions:

1. Petitioner hereby discontinues and withdraws its  
appeal to the Appellate Division, Second Department from the  
judgment of the Supreme Court, Suffolk County entered August 25,  
1989.

2. The Town Board of the Town of Riverhead hereby  
adopts the resolution annexed hereto, and the Town Board hereby

extends and modifies the Special Permit involved in this proceeding in accordance with the resolution annexed hereto. Petitioner hereby consents to said adoption and said extension and modification, and petitioner hereby consents to the modifications and conditions set forth in the resolution annexed hereto.

DATED: March \_\_\_\_\_, 1990

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ANTHONY T. CONFORTI  
Attorney for Petitioner  
611 East Main Street  
Riverhead, New York 11901

SCHEINBERG, SCHNEPS,  
DePETRIS & DePETRIS

BY: \_\_\_\_\_  
Richard E. DePetris  
Attorneys for Respondents  
1 Union Square  
Aquebogue, New York 11931

# 180 GRANTS EXTENSION OF SPECIAL PERMIT, AS MODIFIED,  
TO BROAD COVE, INC.

WHEREAS, the applicant, BROAD COVE, INC., is the owner of a 106-acre parcel of property bounded to the north by the Long Island Railroad and to the west by the Suffolk County Park known as "Indian Island". This property is zoned Business A which provides for resort business. This parcel has been so zoned for a number of years.

WHEREAS, the applicant initially proposed to cluster 500 condominium units at the site, which units would be set back from the existing canals and waterways as required by the Department of Environmental Conservation ("DEC"). The site plan of Douglas Herrlin, with the latest revision dated May 24, 1985, has been found by the DEC to meet their concerns regarding the dredging of the waterways and disposition of the spoil materials. Correspondence of Robert M. Thurber, Senior Environmental Analyst with the DEC, dated July 23, 1984, is incorporated herein and specifically made a part of this resolution.

WHEREAS, DEC has issued its Permit No. 10-83-1034 covering this proposal.

WHEREAS, in compliance with the State Environmental Quality Review Act, this Town Board caused the preparation of a Draft Environmental Impact Statement, after a scoping hearing which resulted in a Final Environmental Impact Statement on which comments were received by the Suffolk County Planning Department,

the New York State DEC and the Riverhead Conservation Advisory Council.

WHEREAS, this application had been referred to the Long Island Regional Planning Board which by correspondence dated July 29, 1984 concurred with the determination of the DEC, which correspondence by DeWitt Davies, Chief Environmental Analyst, is incorporated in this resolution and specifically made a part hereof.

WHEREAS, Broad Cove, Inc. had applied to the Riverhead Conservation Advisory Council, which application had received approval in a memo from the Council concerning the Draft Environmental Impact Statement, which memo dated August 5, 1985 is specifically incorporated herein and made a part hereof.

WHEREAS, by resolution #612, on August 6, 1985 the Town Board granted a Special Permit to Broad Cove, Inc. to construct 400 two-bedroom units and 100 one-bedroom units on the parcel, subject to specific terms and conditions contained therein.

WHEREAS, by resolution #411, on July 1, 1986 the Town Board provided that said Special Permit shall have an expiration date of August 6, 1988.

WHEREAS, on or about February of 1988 Broad Cove applied to the Town Board for an extension of the Special Permit granted by the Town Board on August 6, 1985.

WHEREAS, by resolution #526, on August 4, 1988 the Town Board denied Broad Cove's application to extend the Special Permit for reasons stated in that resolution.

WHEREAS, on or about September 2, 1988 Broad Cove, Inc. commenced an Article 78 proceeding against the Town Board seeking to annul the determination which denied Broad Cove's application to extend.

WHEREAS, on August 25, 1989, a judgment was entered by Judge H. Patrick Leis III of the Supreme Court, Suffolk County, dismissing Broad Cove's petition to annul said determination.

WHEREAS, on September 12, 1989, Broad Cove, Inc. filed a notice of appeal with the Appellate Division, Second Department seeking a review of the Supreme Court determination.

WHEREAS, negotiations have taken place between the parties since filing said notice of appeal, and the parties desire to resolve the litigation by providing for an extension of said Special Permit with modifications thereto, including a modification which reduces the number of condominium units from 500 units to 396 units.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby extends and modifies said Special Permit to read as follows, so that the extended and modified Special Permit granted to Broad Cove, Inc. shall be a Special Permit for construction of 396 condominium units on the 106-acre parcel, subject to the following conditions:

1. That the duck sludge pumped from the site during all dredging must be removed from the site to the Riverhead Town Landfill or such other location as may be ordered by the DEC or

the Riverhead Town Board. The applicant shall pay the appropriate landfill fee before dumping such material.

2. That the applicant shall be restricted to the construction of 396 two-bedroom units. Each unit to be used only as a single-family dwelling of a gross square footage not to exceed an average of 1,350 square feet per unit.

3. That the applicant shall comply with the consent order issued by the DEC regarding DEC permit no. 10-83-1034, and any modifications thereof.

4. That the only access to the parcel permitted shall be the existing access from Meeting House Lane and a railroad crossing, to be constructed at applicant's expense, in a straight line from and aligned with Shade Tree Lane.

5. That the Town shall engage a professional with suitable training in environmental matters to oversee all phases of construction of the project at the applicant's expense up to an amount of \$25,000.00 without further notice to the applicant. In the event that such expense exceeds \$25,000.00, the applicant shall be notified before such additional expenses are incurred. It shall be the duty of the Town's environmental representative to inspect the work in progress with specific attention to the disposition of dredged materials, design and contours of pond development, bulkhead and dock construction, construction of drainage facilities and condominium unit construction. Such environmental specialist shall have the authority to direct the

manner and method of construction and site development to assure adherence to sound environmental policies and practices during all phases of construction. Applicant shall give reasonable notice to the Town regarding applicant's construction schedules, so as to enable the Town's environmental representative to inspect the work in progress.

6. All dredging shall be done only by the hydraulic method. No drag line shall be permitted. All duck sludge shall be deposited at the Town Landfill. However, clean sand may be deposited on-site as approved by the DEC. The decision as to whether dredging material is duck sludge or clean sand shall be made by the Town's environmental representative at his/her discretion.

7. That the construction of the condominium units shall not commence until either the improvements of public water and public sewer shall have been completed, or based upon an estimate of the cost thereof, procured from a licensed engineer chosen by the Town, shall have been bonded in full by the applicant.

8. The site plan as prepared by Douglas P. Herrlin, Architect, as most recently dated May 24, 1985, be and is hereby approved as to the configuration of the waterways and ponds. This Special Permit shall be subject to final site plan approval by the Riverhead Town Board and any and all other requirements of the Riverhead Town Code as pertains to the location and design of

buildings, site drainage, parking lot construction and striping, and architectural drawings showing complete exterior facades of all buildings. Such architectural drawings of building facades shall be submitted to the Riverhead Town Board for their review and recommendation, it being understood that the Town Board reserves the right to require the amendment or modification of any such architectural drawings of building facades.

9. Buffer yards must be maintained on the easterly lot line. Through the completion of construction, existing screening must be saved.

10. Centrally located solid waste receptacles shall be screened by permanent structures of a compatible design to the general architecture of the project.

11. No other use of the premises covered by this Special Permit shall be made by the owner of such premises unless specifically permitted by the Town Board.

12. All conditions of this Special Permit must be met before a building permit shall be issued for any of the condominium units permitted herein.

13. The applicant shall make a payment equal to the number of units permitted herein equal to the then current recreation and engineering fee charged per lot for a major subdivision approval.

14. This Special Permit shall be subject to the final approval of the condominium map to be recorded with the Suffolk

County Clerk, which approval shall be made after compliance with the General Municipal Law and Executive Law Sections concerning condominium maps.

15. The applicant shall provide public water to the site through application to the Riverhead Town Board for an extension of the Riverhead Water District to include the applicant's premises. All water mains and laterals constructed as a result of such application to the Riverhead Town Board for public water shall be of a design and specifically to be determined by the consulting engineer chosen by the Town of Riverhead to represent the Riverhead Water District. Such mains and laterals shall be constructed at no expense to the Riverhead Water District. The entire cost to be borne by the applicant.

16. The applicant shall make application to the Riverhead Town Board for expansion to the Riverhead Sewer District to include the whole of the applicant's property. This Special Permit shall be subject to approval by the Riverhead Town Board of said application. The engineering design of the improvements to be constructed shall be by a licensed engineer chosen by the Riverhead Town Board. The expense of both on-site and off-site Sewer District facilities including mains, pump stations, and appurtenances, legal costs and engineering costs shall be borne by the applicant, and such extension shall be at no cost to the Riverhead Sewer District. Additionally, the applicant shall pay to the Riverhead Sewer District an amount which represents

the construction cost of secondary sewage treatment for the effluent which is estimated to be generated.

17. All interior roads shall be constructed to Riverhead Highway specifications excepting width, which shall be determined by the site plan.

18. There shall be no more than one dock slip per condominium unit permitted by this Special Permit.

19. The Special Permit granted pursuant to this resolution shall remain in force and effect for a period of three years from the date hereof, provided that said permit shall automatically be extended on a year-to-year basis for a maximum of four years if applicant shall have obtained final site plan approval from the Town Board and all other approvals other than building permits, and paid all fees (or bonded said fees if then permitted to do so by the Town Board), prior to the expiration of the initial three year period.

20. The applicant shall execute a covenant binding itself and its heirs and assigns to the conditions set forth in this Special Permit and any other special permit granted by the Riverhead Town Board covering the premises herein.

21. The Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Anthony T. Conforti, attorney for the applicant, and the Riverhead Building Department.

The vote, Stark, yes, Prusinowski, yes, Civiletti, no, Lombardi, absent, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 181 ADOPTS AMENDMENTS TO SECTION 101-10.1 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amendments to Section 101-10.1 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of March, 1990, at 8:10 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

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

NOW, THEREFORE, BE IT

RESOLVED, that amendments to Section 101-10.1 of the Riverhead Town Code be and is hereby adopted as follows:

101-10.1. Parking, stopping and standing prohibited except for emergency and police vehicles.

The parking, stopping and standing of vehicles is hereby prohibited, except for emergency and police vehicles, in certain locations as follows:

Street Area	Location
<u>Riverhead Town Police Headquarters</u>	<u>Along the curb immediately adjacent to the building on the East and South sides.</u>
<u>Adjacent to Riverhead Town Police Headquarters</u>	<u>Marked stalls on the North side of of the building.</u>
<u>East side of Riverhead Town Police Headquarters</u>	<u>Marked parking stalls from the North, a distance of 130 feet.</u>

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Suffolk County Life and to post same on the signboard at Town Hall; and be it further

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

Dated: Riverhead, New York  
March 6, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

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