

472 DENIES SPECIAL PERMIT APPLICATION OF ALVIN BENJAMIN AND
ISSUES FINDINGS STATEMENT PURSUANT TO SEQR

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti, to be brought off the table.

WHEREAS, the Riverhead Town Board is in receipt of a special permit application submitted by Alvin Benjamin for the development of 181 condominium units on 52 acres pursuant to Section 108-20 of the Riverhead Town Code, and

WHEREAS, the Town Board of the Town of Riverhead as lead agency has accepted a Draft Environmental Impact Statement respecting this project, and

WHEREAS, the Town Board has received commentary on this project at such times as appropriate throughout the SEQR process, and

WHEREAS, the applicant has responded adequately to such commentary, and

WHEREAS, the lead agency has reviewed the response to commentary and considers it complete, and

WHEREAS, the lead agency has published a Notice of Completion of a Final Environmental Impact Statement (FEIS) respecting this project in a manner pursuant to 6 NYCRR Part 617.21, and

WHEREAS, the required comment period described in such Notice of Completion has elapsed; now

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board accept the conclusions of the attached Findings Statement respecting the special permit petition of Alvin Benjamin as required by 6 NYCRR Part 617.9, and

BE IT FURTHER RESOLVED, that on the basis of said Findings, that the Riverhead Town Board deny the special permit petition of Alvin Benjamin in order that the identified environmental impacts of the project be mitigated through a development alternative, proposed by the applicant, which would reduce the amount of vehicular traffic and persons ultimately residing in the project, and

BE IT FURTHER RESOLVED, that the Town Board complete a Certification of Findings to deny and forward this Certification with the Findings Statement to all other involved agencies and to the applicant.

See vote following findings statement on following pages

The Riverhead Town Board, as Lead Agency, after careful consideration of all relevant materials and comments received into the record on this action, makes the following findings of fact and reaches the following conclusions:

- (i) That the property involved in this action is zoned Residence C as depicted on the Town of Riverhead Zoning Use District Map;
- (ii) That the as of right use of this property is residential development at a minimum lot size of 20,000 sq. ft. subject to Suffolk County Department of Health approval;
- (iii) That the applicant has made application for a special permit use under Section 108-20 of the Riverhead Town Code for the development of 181 one, two, and three bedroom, attached town houses (condominium units) at a density of 3.47 dwelling units per acre.;
- (iv) That the applicant has provided to the Lead Agency alternatives which include a standard yield plan and a clustered detached subdivision of 90 units;
- (v) That the proposed development has the following advantages over the standard and clustered subdivision:
 1. An average of 100 percent less school age children generated (a range of 28-163 for the condominium project as compared to a range of 84-168 for the realty subdivision alternative);
 2. A reduction of disturbed area (33 acres for the condominium as compared to 40 acres for the clustered subdivision);
 3. An increase in preserved open space (19 acres for the condominium compared to 11.7 for the clustered subdivision);
 4. An increase in the total tax revenue to be generated (\$404,000) for the condominium project as opposed to \$170,550 for the realty subdivision with relatively equal cost to the Riverhead School District (approximately \$729,099).
- (vi) That the proposed development has the following disadvantages over the standard and clustered subdivision:
 1. That the condominium project would produce more solid waste (2,626 LBS/day as compared to 1,625 for the subdivision);
 2. That the condominium project would generate more waste water (45,000 gallons/day) than the subdivision (25,200);

3. That the condominium project would generate 16 percent more trip ends (941) than the subdivision (840).

(vii) That the DEIS indicated that the proposed project would have an impact on the social environment in that:

1. The proposed project would introduce 181 families into an area which is characterized by a 114 unit elderly housing project. Commentary to the DEIS centered upon "involuntary interactions" between the residents of the proposed project and the residents of John Wesley Village.
2. The proposed project would generate 941 trip ends per day which might disturb the safety and residential quality of existing roadways (Nadel Drive).

(viii) That the response to commentary made by the applicant relating to impacts on the social environment included:

1. That analysis of pedestrian and motor vehicle movement analysis in both John Wesley Village and Nadel Drive indicates that the frequency of involuntary interaction will increase with the proposed project;
2. That noise impact upon John Wesley Village would be proportional to the number of residents residing in the proposed project;
3. That the applicant has investigated possible alternatives to the planned access to the project site and has determined that no other access is possible;
4. That identified rare species of birds which may potentially exist on the project site have not been observed;
5. That an analysis of the fiscal impact upon the Riverhead School District has been made part of the response to comments.

(ix) That the applicant has recommended that, in order to address the identified impacts upon the human environment, the following mitigation measures be considered:

1. Selection of a development alternative which would yield less vehicular traffic as so to reduce risk of accidents;
2. Selection of development alternative where fewer persons are expected as to reduce interactions with individuals already residing in the project area;
3. Eliminate proposed development plan entirely in order to eliminate all impacts and risks;

4. Increase landscaping in order to mitigate the visual impacts of the proposed development on John Wesley Village residents;
5. Increase buffer area between the project and John Wesley Village;
6. Limit population in project by constructing only one and two-bedroom units;
7. Limit access to adjacent communities by encouraging car pools;
8. Provide public transportation to project site and encourage use;
9. Relocate tot lots to an area buffered from John Wesley Village;
10. Restrict access to project to Nadel Court, thereby reducing all motor vehicle traffic through Aldersgate Court.

(x) That the lead agency in consideration of the environmental impacts of the proposed project and the mitigation measures proposed by the applicant finds that the standard subdivision plan, included as an alternative in the FEIS, is the preferred development scheme; this conclusion reached in recognition that the realty subdivision alternative succeeds in the mitigation of identified environmental impacts on the human environment.

(1) That the lead agency, in consideration of commentary on the record relating to appropriate access to the proposed realty subdivision, would require the Planning Board, in its review of subdivision maps on the subject parcel, to consider the following alternative access to proposed lots:

- (i) The extension of Ostrander Avenue, at no cost to the developer, in order to provide additional legal access;
- (ii) The pursuit of an 800 ft. + right-of-way from the owners of John Wesley Village complex (Suffolk County Tax Map No. 0600-082-002-004.600) along the eastern property line to provide legal access from Middle Road with subsequent improvement to Town specifications to allow eventual dedication;

(1) That in recognition of the existence of Class I and Class II soils existing on the subject parcel, that the Riverhead Planning Board consider the submission of a cluster development plan which to the greatest extent practical succeeds in the preservation of prime agricultural soils, consistent with the "Recommendations for the Preservation of Farmland" (H2M Study).

4. Increase landscaping in order to mitigate the visual impacts of the proposed development on John Wesley Village residents;
5. Increase buffer area between the project and John Wesley Village;
6. Limit population in project by constructing only one and two-bedroom units;
7. Limit access to adjacent communities by encouraging car pools;
8. Provide public transportation to project site and encourage use;
9. Relocate tot lots to an area buffered from John Wesley Village;
10. Restrict access to project to Nadel Court, thereby reducing all motor vehicle traffic through Aldersgate Court.

(x) That the lead agency in consideration of the environmental impacts of the proposed project and the mitigation measures proposed by the applicant finds that the standard subdivision plan, included as an alternative in the FEIS, is the preferred development scheme; this conclusion reached in recognition that the realty subdivision alternative succeeds in the mitigation of identified environmental impacts on the human environment.

FINDINGS STATEMENT

Pursuant to Article 8 (State Environmental Quality Review Act -- SEQRA) of the Environmental Conservation Law and 6 NYCPR Part 617, the Riverhead Town Board, as lead or involved agency, makes the following findings.

Name of Action: Alvin Benjamin Condominium Project

Description of Action: Construction of 181 condominium units on 52 acres pursuant to Section 108-20 of the Riverhead Town Code.

Location: (Include street address and the name of the municipality and county.) 800 feet north of Middle Road and 836 feet east of Roanoke Avenue, Riverhead, New York, Suffolk County Tax Map No. 0600-082-002-004.700

Agency Jurisdiction(s): Town of Riverhead - Special Permit
Town of Riverhead - Condominium Map
County of Suffolk - Sanitary Permit

Effects and Conclusions in the EIS Relied Upon to Support the Decision: See attached document.

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

The resolution was thereupon duly brought off table for action.

Councilman Boschetti offered resolution #472 which was seconded by Councilman Pike.

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

The resolution was thereupon duly declared adopted.

489 AWARDS BID FOR SEWER LATERAL TO SERVICE "SANDY HOLLOW WOODS"

Councilperson Pike offered the following resolution which was seconded by Councilperson Boschetti.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for furnishing and installation of sewer lateral to service the subdivision known as "Sandy Hollow Woods"; and

WHEREAS, bids were received and read aloud on the 7th day of July, 1988 at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, the time and place given in the notice to bidders; and

WHEREAS, a total of twelve (12) bids were received.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the furnishing and installation of water lateral to service the subdivision known as "Sandy Hollow Woods" be and is hereby awarded to F Noto, Inc. in the amount of Twenty One Thousand, Three Hundred and Twenty (\$21,320.00) dollars; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Pat Noto, Inc., Pierre G. Lundberg, Esq. and the Riverhead Sewer District.

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

The resolution was thereupon duly declared adopted.

490 AWARDS BID FOR WATER LATERAL TO SERVICE "SANDY HOLLOW WOODS"

Councilperson PIKE offered the following resolution which was seconded by Councilperson BOSCHETTI.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for furnishing and installation of water lateral to service the subdivision known as "Sandy Hollow Woods"; and

WHEREAS, bids were received and read aloud on the 7th day of July, 1988 at 11:10 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, the time and place given in the notice to bidders; and

WHEREAS, a total of eight (8) bids were received.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the furnishing and installation of water lateral to service the subdivision known as "Sandy Hollow Woods" be and is hereby awarded to Pat Noto, Inc. in the amount of Seventeen Thousand, Nine Hundred Twenty Two (\$17,922.36) dollars; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Pat Noto, Inc., Pierre G. Lundberg, Esq. and the Riverhead Water District.

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

The resolution was thereupon duly declared adopted.

491 AWARDS BID FOR SERVICE MATERIALS FOR RIVERHEAD WATER DISTRICT

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for service materials for the Riverhead Water District; and

WHEREAS, bids were received and read aloud on the 21st of July, 1988, 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; and

WHEREAS, a total of three (3) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for service materials for the Riverhead Water District be and is hereby awarded to Blackman of Riverhead for Items 2, 5, 12, 13, 14, 17 and 18 of specifications; Joseph G. Pollard Co. for Items 8 and 9 of specifications; and Eastern Water Works for Items 1, 3, 4, 6, 7, 10, 11, 15 and 16 and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Blackman of Riverhead, Joseph G. Pollard Co., Eastern Water Works and Riverhead Water District.

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

The resolution was thereupon duly declared adopted.

492 AWARDS BID FOR WATER IMPROVEMENTS RE: SILVERLININGS

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

WHEREAS, the Town Clerk was authorized to publish and post notice to bidders for water improvements on Osborne Avenue to serve subdivision known as Silverlinings; and

WHEREAS, bids were received and read aloud on the 21st day of April, 1988 at 11:00 a.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of seven bids were received.

NOW, THEREFORE, BE IT RESOLVED, that the bid for water improvements to Silverlinings be and is hereby awarded to Elmore Associates, Inc., for \$34,379.70.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Elmore Associates, Inc., Andrea Lohneiss, Gary Pendzick, and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

493 AUTHORIZES TOWN CLERK TO REPUBLISH & REPOST PUBLIC NOTICE
RE: LOCAL LAW # _____-88 ENTITLED, "ENVIRONMENTAL SAFETY
AND ZONING ACT OF THE TOWN OF RIVERHEAD"

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, the Town Clerk was authorized to publish and post a public notice with regard to Local Law # _____-88 entitled, "Environmental Safety and Zoning Act of the Town of Riverhead"; and

WHEREAS, a public hearing on said notice was held on the 3rd day of May, 1988, at 7:55 p.m. wherein all persons wishing to be heard were heard; and

WHEREAS, as a result of said public hearing, additional amendments were to be made to said Local Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to republish and repost the following public notice with regard to Local Law # _____-88 entitled, "Environmental Safety and Zoning Act of the Town of Riverhead", which incorporates the changes of the previous public hearing:

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of August, 1988, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to Local Law # _____-88 entitled, "Environmental Safety and Zoning Act of the Town of Riverhead".

**ENVIRONMENTAL SAFETY AND ZONING
ACT OF THE TOWN OF RIVERHEAD**

(HISTORY: Adopted by the Town Board of the Town of Riverhead pursuant to Municipal Home Rule Section 10 and The Code of the Town of Riverhead Section 67.)

Article I	Title
Article II	Definitions
Article III	Nuclear Powerplants
Article IV	Transportation of Radioactive Materials
Article V	Waste Disposal Sites
Article VI	Penalties for Offenses
Article VII	Severability
Article VIII	Effective Date

Article I. Title.

This Chapter shall be known and cited as the "Environmental Safety and Zoning Act of the Town of Riverhead".

Article II. Definitions.

AGENCY - The relationship which results from the manifestation of consent by one person to another that the other shall act on his behalf and subject to his control and consent by the other to so act.

BI-PRODUCT MATERIALS - Any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

DEPARTMENT - A branch or division of governmental administration.

NUCLEAR POWERPLANT - Any stationary unit which generates all forms of energy released in the course of nuclear fission or nuclear transformation.

SPECIAL NUCLEAR MATERIAL - Plutonium, uranium enriched in the isotope 233 or in the isotope 235 and any other material which the Atomic Energy Commission deems to be source material or ores containing one or more of the foregoing materials, in such concentration as the Atomic Energy Commission may, by regulation, determine.

WASTE DISPOSAL CENTER - A facility where nuclear waste is disposed of in such a way as to be permanently isolated from the environment for a period of time that is necessary for such wastes to become harmless, even if such facility contains a means for retrieving such wastes.

ZONED DISTRICT - Those parts or sections of land within the boundaries of the Town of Riverhead specifically designated for certain permitted uses of such land.

Article III. Nuclear Powerplants.

The construction and operation of nuclear powerplants shall be prohibited from any zoned district in the Town of Riverhead.

Article IV. Transportation of Bi-Product Materials and Special Nuclear Material.

No bi-product materials nor special nuclear material shall be transported on Riverhead Town roads, streets or highways within the Town of Riverhead.

Article V. Waste Disposal Sites.

The construction and operation of waste disposal centers to store, collect or dispose of bi-product materials shall be prohibited from all zoning districts within the Town of Riverhead.

Article VI. Penalties for Offenses.

Whosoever violates the provision of this law shall be punished by a fine of one thousand dollars (\$1,000.) and imprisonment for six (6) months, and vehicles and equipment used in connection with the violation shall be seized.

Article VII. Severability.

In the event that any Article, Section, subsection, sentence, clause or phrase of this law shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other Articles, Sections, subsections, sentences, clauses or phrases of this law, which shall remain in full force and effect, as if the Article, Section, subsection, sentence, clause or phrase so declared adjudged invalid or unconstitutional were not originally a part hereof.

Article VIII. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

Dated: Riverhead, New York
August 2, 1988.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

494 AWARDS BID FOR ROADS AND DRAINAGE FACILITIES
RE: SILVERLININGS

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

WHEREAS, the Town Clerk was authorized to publish and post notice to bidders for the construction of roads and drainage facilities to serve subdivision known as Silverlinings located on Osborne Avenue; and

WHEREAS, bids were recieved and read aloud on the 23rd of June, 1988 at 11:00 a.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time, and place given in the notice to bidders; and

WHEREAS, a total of seven bids were received.

NOW, THEREFORE, BE IT RESOLVED, that the bid for roads and drainage facilities be and is hereby awarded to Riverhead Cement Block Co. for \$245,721.00.

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 Co., Andrea Lohneiss, Charles Bloss, and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

495 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE RE: AMENDMENT TO SECTION 101-8 OF THE RIVERHEAD TOWN CODE

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti:

WHEREAS, there is a need to restrict the weight of vehicles which travel upon the Town Road known as Sound Avenue, Riverhead, New York, which restriction will benefit the residents of the Town of Riverhead in that unnecessary wear and tear of said road will be alleviated.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to amending Section 101-8 of the Riverhead Town Code:

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of August, 1988, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending Section 101-8 of the Riverhead Town Code as follows:

101-8. Weight limits.

Street	Location
<u>Sound Avenue</u>	<u>From the intersection of Manor Lane and Sound Avenue to the intersection of Osborne Avenue and Sound Avenue.</u>
<u>Middle Road</u>	<u>From the intersection of Middle Road with N.Y.S. Route 25 to the intersection of Middle Road and Roanoke Avenue.</u>

Dated: Riverhead, New York
August 2, 1988.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

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

The vote was thereupon duly declared adopted.

⁴⁹⁶ AMENDS SITE PLAN AND PROVIDES SUPPLEMENTAL SEQR DETERMINATIONS FOR MAP OF EXPANSION OF MOBILE HOME PARK OF ARTHUR THURM

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti TO BE TABLED.

WHEREAS, Arthur Thurm is the owner and proprietor of the Thurm's Mobile Home Estates located on the west side of Fresh Pond Avenue at Fresh Pond, Riverhead, New York; and

WHEREAS, an application for a special permit for the expansion of the Thurm's Mobile Home Estates was submitted to the Riverhead Town Board with such application approved through amendments to provide 86 units on a parcel of 42 acres (plan of Young & Young dated November 15, 1985); and

WHEREAS, the applicable procedures of the New York State Environmental Quality Review Act were made part of the existing special permit approval, i.e. the Riverhead Town Board to act as lead agency and a determination by the lead agency that the application constituted of a Type I Action to have no significant effect upon the environment (negative declaration); and

WHEREAS, the applicant has petitioned the Riverhead Town Board for an amendment to the existing special permit approval which would reduce the total number of mobile home sites from 86 to 76 on 42.3 acres (total yield of two units per acre).

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board, after consideration of the mobile home extension map and amending Environmental Assessment Form, hereby amends the existing special permit resolution dated January 21, 1986 in order that the total number of units be reduced from 86 to 76 as depicted on a map prepared by Young & Young dated April 7, 1988; and

BE IT FURTHER RESOLVED, that the Riverhead Town Board reaffirms decisions made in this matter regarding both procedures and determinations respecting the New York State Environmental Quality Review Act; specifically that the Riverhead Town Board will act as lead agency and that the action is determined to be a Type I Action having no significant effect upon the environment, such determination affirmed due to the reduction of the total number of units and overall area of the project (64 acres to 42.66 acres); and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert Tooker, Esq., as attorney for the applicant Arthur Thurm.

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

The resolution was thereupon duly declared TABLED.

497 AUTHORIZES ATTENDANCE OF BUILDING DEPARTMENT INSPECTORS
TO ATTEND N.Y.S. BUILDING OFFICIALS CONFERENCE, INC.

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

WHEREAS, it is the desire of Senior Building Inspector Raymond Wiwczar and Building Inspector John Ziemacki be and hereby authorized to attend the N.Y.S. Building Officials Conference, Inc. to be held yearly location this year at Ellenville, N. Y. September 20 thru 23, 1988, and

BE IT FURTHER, that Senior Building Inspector Raymond Wiwczar and Building Inspector John Ziemacki receive advance monies in the amount of \$300 each for related expenses and be allowed the use of the Town vehicle said expenses to be fully receipted upon their return.

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

The resolution was thereupon duly declared adopted.

498 AUTHORIZES ATTENDANCE OF FIRE MARSHAL TO ATTEND
N.Y.S. FIRE ACADEMY ANNUAL FIRE INSPECTOR SEMINAR

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

WHEREAS, it is the desire of Fire Marshal Edward Kukla be and
hereby authorized to attend the N.Y.S. Annual Fire Inspectors Seminar
to be held October 12 thru 14, 1988 at Montour Falls, New York, and

BE IT FURTHER, that Fire Marshal Edward Kukla receive advance
money in the amount of \$300 for related expenses and be allowed the
use of the Town vehicle said expenses to be fully receipted upon
his return.

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

The resolution was thereupon duly declared adopted.

499 ADOPTS ADDITION TO TOWN CODE, CHAPTER 72, "ARCHITECTURAL REVIEW"

Councilperson Lombardi offers the following resolution, which was seconded by Councilperson Civiletti.

WHEREAS, it is a goal of this Town Board to promote and enhance those visual qualities in the environment which bring value to, and foster attractiveness in, the Town of Riverhead, while preserving the character of our heritage by appropriate treatment of buildings which exhibit historical significance, and

WHEREAS, a land use plan for the hamlet of Wading River was undertaken and a draft planning study and land use plan, with attending proposed amendments to the Code of the Town of Riverhead, have been presented and have been adopted, in principle, by this Town Board, and

WHEREAS, the Town Board finds that an Architectural Review Board will be in the best interest of the residents of the entire Town of Riverhead, and

WHEREAS, a public hearing was held on July 5, 1988, regarding the adoption of Chapter 72, "Architectural Review," wherein all persons wishing to be heard were heard; now, therefore, be it

RESOLVED, that Chapter 72 of the Code of the Town of Riverhead, "Architectural Review," be and is hereby adopted in the form as dated July 27, 1988, which Chapter, in its entirety, is on file and available at the Office of the Town Clerk of the Town of Riverhead for review, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish this resolution once in the Riverhead News Review.

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

The resolution was thereupon duly declared adopted.

Chapter 72
ARCHITECTURAL REVIEW

ARTICLE I

Purpose

- S 72 - 1 Declaration of Policy and Purpose
- S 72 - 2 Aspects of Review
- S 72 - 3 Limitations of Review

ARTICLE II

Definitions

- S 72 - 4 Words and Terms Defined

ARTICLE III

Architectural Review Board

- S 72 - 5 Creation and Membership
- S 72 - 6 Powers and Duties
- S 72 - 7 Officers

ARTICLE IV

Regulation of Development

- S 72 - 8 Compliance Required
- S 72 - 9 Review of Plans; Requirements
- S 72 - 10 Statement of Minimum Acceptable Conditions

ARTICLE I

Purpose

§ 72 - 1 Declaration of Policy and Purpose

The Town Board of the Town of Riverhead finds that new development can have a substantial impact on the character of the area in which it is located. While some harmful effects of one land use upon another can be prevented through zoning, subdivision controls, and housing and building codes, other aspects of development are more subtle and less amenable to exacting rules of thumb, promulgated without regard to specific development proposals. Among these are the appearance of buildings and open spaces as they contribute to an area as it is being developed or redeveloped. Such matters require the timely exercise of judgment in the public interest by people qualified to evaluate the architectural design and appearance of a development.

It is, therefore, the purpose and intent of architectural review:

- (1) To promote those visual qualities in the environment which bring value to the community;
- (2) To foster the attractiveness of the community as a place to live and work;
- (3) To preserve the character and quality of our heritage by maintaining the integrity of those areas which have a discernible character or are of special historic significance;
- (4) To protect public and private investments in the area;
- (5) To raise the level of community awareness and expectations for the quality of its environment.

Aspects of Review

§ 72 - 2 The Architectural Review Board, in examining applications for site plan review is to consider the various aspects of design, with special emphasis on these objectives:

- (1) To prevent the unnecessary destruction or blighting of the natural landscape or of the achieved man-made environment;

ARTICLE V

Operations of the Architectural Review Board

- S 72 - 11 Time Limitation
- S 72 - 12 Notice
- S 72 - 13 Procedure for Meetings
- S 72 - 14 Quorum
- S 72 - 15 Voting
- S 72 - 16 Conflicts of Interest
- S 72 - 17 Annual Report

ARTICLE VI

Severability

- S 72 - 18 Severability

- (2) To ascertain that architectural treatments have been designed so as to relate harmoniously to significant existing buildings that have a visual relationship to the proposed development;
- (3) To coordinate compliance with other municipal ordinances that affect visual impact, such as the sign regulations contained in the Zoning Code.

72 - 3 Limitations of Review

- (1) The Architectural Review Board shall not design or assist in the design of any buildings or projects submitted for approval except on request of the proponent or his architect. The Board shall restrict its considerations to a reasonable and professional review of the proposal and plans, leaving full responsibility for the design and development to the applicant.
- (2) Individual initiative and experimentation are to be encouraged.
- (3) The proponent's failure to take reasonable account of the items discussed in Sections 1 and 2 hereinabove shall justify the Board's disapproving a proposal.
- (4) In its endeavor to improve the quality of a design, the Board shall keep consideration of cost in mind; however, said consideration shall not override the other objectives of this ordinance.
- (5) The Board is not to use architectural review intentionally or inadvertently to exclude housing for minority groups or housing for low and moderate income persons.
- (6) The Board is not to use architectural review intentionally or inadvertently to prohibit or unduly restrict building types, materials, or methods, or to vary the specific allowances or prohibitions of the Code of the Town of Riverhead, the New York State Fire Prevention and Building Code, or other development controls.

ARTICLE II

Definitions

S 72 - 4

Words and Terms Defined

As used in this Chapter, the following terms shall have the meanings indicated:

ALTERATION -- Any act or process which changes one (1) or more of the exterior architectural features of a structure.

ARCHITECTURAL SIGNIFICANCE -- Embodiment in a building of distinctive characteristics of a type, period, or method of construction, representation of the work of a master architect or builder, or possession of high artistic values.

BOARD -- The Architectural Review Board of the Town of Riverhead.

BUILDING -- A structure having a roof supported by walls, intended for permanent occupancy. When separated by a party wall without openings, it shall be deemed a separate building. A "building" shall include travel trailers, mobile homes, and other structures on wheels or other supports if used for business or industrial purposes.

EXTERIOR ARCHITECTURAL FEATURES -- The architectural style, design, general arrangement and components of all of the outer surfaces of any building or structure, including but not limited to the kind, color, and texture of the building material and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to said building or structure.

HISTORICAL SIGNIFICANCE -- The association of a building or structure with events which have contributed to the formation and development of the Town of Riverhead or with the lives of people who have been important to the community, or a building or structure which has made a contribution to the broader patterns of our common history.

MATERIAL CHANGE -- A modification to the architectural style, general design, and general arrangement of the exterior of a building or structure, including the kind and texture of the building materials and the type and style of all windows, doors, light fixtures, other appurtenant fixtures, and other features such as walks, fences, driveways, and parking areas. In addition, all activities that affect the exteriors and require a building permit are also included in this definition.

NEIGHBORHOOD SIGNIFICANCE -- A contribution to the creation of a physical setting representing a period important in the evolution of the Town. It is understood, in this case, that the physical setting, which is composed of buildings, landscape features, open space, and other natural and

architectural features, can transcend the sum of its parts in creating a sense of history. Some examples of situations in which a building would have neighborhood significance are: it is one of a group of similar buildings constructed and/or designed by an individual important in Riverhead's history; it is a compatible element in a group of buildings of similar or equally important significant architectural styles; its location makes it an important element in the neighborhood; its size gives it a dominant place in the neighborhood.

RECONSTRUCTION -- The rebuilding, or constructing again, of a building or part of a building. The reconstruction may or may not be a return to the original design of the building.

REHABILITATION -- The upgrading of a building, previously in a dilapidated or substandard condition, for human habitation or use. Rehabilitation does not necessarily retain the building's original architectural features.

RESTORATION -- The replication or reconstruction of a building's original architectural features. Restoration usually describes the technique of preserving historic buildings.

STRUCTURE -- A combination of materials, other than a building, constituting a fabrication that is safe and stable. Excluded shall be a combination of such materials having a total floor area of less than fifty (50) square feet and which is used for purposes other than family dwelling, storage, business, farm or industrial purposes. Also excluded shall be fences four (4) feet or less in height in a front yard and six (6) feet or less in height elsewhere on a lot.

TOWN -- The Town of Riverhead.

VISUALLY COMPATIBLE -- It is not the intent that all buildings in a neighborhood should look the same, but that a mix of styles, sizes, etc., that blend together well shall be allowed and that facade designs that respond to the historical character of an area be encouraged but not necessarily required.

ARTICLE III

Architectural Review Board

- § 72 - 5 A. There is hereby created an Architectural Review Board, which shall act as an advisory body to the Town Board for the purpose of site plan review, as delineated herein, and which shall approve sign permit applications submitted

pursuant to Section 108-56 of the Code of the Town of Riverhead. Said Architectural Review Board shall consist of five (5) members who shall be appointed by the Town Board on the recommendation of the Planning Director. Insofar as practicable, all members of the Board shall be competent in matters of design and interested in the design review and development of the Town of Riverhead. Three (3) members shall be architects, designers, or landscape architects. One (1) shall be a licensed architect.

- B. Members shall be appointed for terms of service of three (3) years. In order to provide continuity, one (1) of the first five (5) appointees shall serve for one (1) year, two (2) shall serve for two (2) years, and the remaining two (2) shall serve for the full three (3) year term. Members may serve more than one (1) term, and each member shall serve until the appointment of a successor.
- C. In the event of a vacancy occurring during the term of a member of the Architectural Review Board, the Town Board shall make an appointment to complete the unexpired term of such member.
- D. Removal shall be on the recommendation of the Planning Director, acted upon as a resolution of the Town Board, and only for good cause. Action without good faith or in contravention to the intent of this ordinance shall constitute such cause.

§ 72 - 6 Powers and Duties

- A. The Architectural Review Board shall have the powers and duties granted by the Articles of this Chapter.
- B. The Architectural Review Board shall have the power to retain consultants, including but not limited to, technical experts, engineers, architects, and historians to render assistance and advice in connection with any project to fulfill the duties of the Architectural Review Board. Any contract to retain such consultants which involves the expenditure of Town funds shall be subject to the prior approval of the Town Board.
- C. The Architectural Review Board shall, upon request of the Planning Board, review the aesthetic aspects, as detailed herein, of such proposals as may require sole approval of the Planning Board.

§ 72 - 7 Officers

A Chairman and Vice-chairman of the Board shall be elected from the members of the Board for a term of one (1) year. No Board member shall succeed himself as Chairman and/or Vice-chairman more than three (3) consecutive terms.

ARTICLE V

Regulation of Development

§ 72 - 8 Compliance Required

This ordinance shall apply to any and all development subject to Article XXVI of Chapter 108 of this Code.

§ 72 - 9 Requirements for Review of Plans

The proponent shall submit, through the Planning Department, a minimum of two (2) copies of such drawings as shall clearly represent those structural, topographical, and design features, that the Architectural Review Board can arrive at an evaluation of the proposed construction, re-construction, addition, or alteration. These plans shall likewise include structures and significant natural features on abutting properties. The Chairman may require such other information and exhibits as he deems necessary to enable the Board to reach an informed result. That information may include, but shall not be limited to:

- (1) Photographs of any existing on-site structures, or photographs from the site of any neighboring structures;
- (2) Detailed drawings of decorative elements;
- (3) Samples of exterior materials and colors;
- (4) Location and method of refuse storage;
- (5) Scale drawings of signs;
- (6) Sectional studies to explain the character of the design;
- (7) Scale drawings of adjacent buildings.

72 - 10 Statement of Minimum Acceptable Conditions

Whenever the Architectural Review Board recommends denial of a submission, at the request of the proponent, it will be obliged to specify in writing the conditions under which a majority of the Board would recommend the submission. However, it is not the intent of this Section to require the Board to furnish the applicant with a design.

ARTICLE VI

Operations of the Architectural Review Board

§ 72 - 11 Time Limitation

The actions and recommendation of the Architectural Review Board shall coincide with the Preliminary Phase of the Site Plan review process, as delineated in Chapter 108 of this Code.

The Architectural Review Board shall provide a written report and decision to the Planning Department and the applicant, stating in writing its findings and conclusions, within thirty (30) days of its receipt of said application. The decision shall be forwarded to the Town Board as part of the Application for Site Plan Approval, and said decision shall be binding unless modified by the Town Board. If the Town Board desires a modification of the decision of the Architectural Review Board, a public hearing may be held; and if the applicant requests a modification of the decision of the Architectural Review Board, a public hearing shall be required; in either case, said hearing shall be held subsequent to prior public notice published in the official newspaper of the Town. The Town Board shall, after said hearing, render a decision to deny, approve, or deny with conditions the site plan application. In rendering a decision of approval, approval with conditions, or denial of a permit, the Town Board shall state, in writing, its findings of fact and conclusions. The decision, with conditions, if any, shall be transmitted by the Town Clerk to the Planning Department, the Building Department, and the applicant.

§ 72 - 12 Notice

Meetings of the Architectural Review Board shall be held regularly, and at least monthly, and be open to the public. However, nothing herein shall preclude any member or members of the Board or staff from conferring privately with the applicant or his agent, as long as any understanding reached by such private deliberations be disseminated to the remaining Board members before recommendations made on any proposal, and except insofar as such private meetings are in contravention of State Law.

§ 72 - 13 Procedures for Meetings

The Chairman shall conduct the meetings of the Board. A record shall be kept of the minutes and all recommendations. The Board shall forward said recommendations in writing to the Planning Department. The recommendations shall include explanation in detail of the reason(s) and basis for said recommendations, which shall become a permanent part of the site plan file. The Board shall establish its own rules and meeting schedule.

§ 72 - 14 Quorum

A quorum shall be three (3) members of the Board.

§ 72 - 15 Voting

When voting on any questions, a majority of those voting shall be sufficient to approve any proposal. No proxy shall be allowed at any time.

§ 72 - 16 Conflicts of Interest

All members shall be entitled to vote, provided that no member shall participate in reviewing or vote on any work of which he or any partner or professional associate is the author, or in which he or they have any direct or indirect financial interest.

§ 72 - 17 Annual Report

The Architectural Review Board shall report annually to the Planning Department in the month of January. The annual report shall review the major decisions rendered during the year and outline the rationale for those decisions. The report may include a survey of the appearance and condition of buildings in the city, an analysis of community trends in design methods that might be employed to improve the quality of new building and prevent the deterioration of existing structures, and recommendations that might be enacted to make the design review process more objective.

ARTICLE VII

Severability

§ 72 - 18 If any section or subsection, paragraph, clause, phrase, or provision of this Chapter shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the vailidity of this Chapter as a whole or any part thereof, other than the part or provision so adjudged to be invalid or unconstitutional.

August 1, 1988

8/2/88

515

500 APPOINTS DETENTION ATTENDANTS WITH THE RIVERHEAD POLICE DEPARTMENT

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

WHEREAS, the availability of the position of Detention Attendant with the Town of Riverhead Police Department was duly advertised; and

WHEREAS, all applicants were thereafter interviewed.

NOW, THEREFORE, BE IT RESOLVED, that Pamela Cartwright, Geraldine Strickland, Kathleen Vonatzski, Victoria Vourakis, Rachel Thomas and Gene Osborne be and are hereby appointed to the position of Detention Attendant with the Town of Riverhead Police Department at the hourly rate of compensation of \$8.00 effective immediately; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Pamela Cartwright, Geraldine Strickland, Kathleen Vonatzski, Victoria Vourakis, Rachel Thomas, Gene Osborne, Chief Grattan and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

501 AUTHORIZES TOWN CLERK TO COMPLETE FORM TE9a RE: SPEED
LIMIT REDUCTION OF WEST MAIN STREET, RIVERHEAD

Councilperson Pike offered the following
resolution which was seconded by Councilperson Boschetti.

WHEREAS, by letter dated June 16, 1988 resident in the area
of W. Main Street has requested the Town Board to address the
matter of speed limit on W. Main Street, Riverhead.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and
is hereby authorized to complete form TE9a and forward same to
the New York State Department of Transportation which will cause
New York State to investigate the speed limit of that area and
make recommendation therefrom.

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

The resolution was thereupon duly declared adopted.

502 APPROVES SPECIAL PERMIT OF JOSEPH A. DEERKOSKI, JAMES F. NEEFUS, JR., AND GEORGE KAYTIS (SEE NEEFUS, INC.)

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

WHEREAS, by resolution of this Town Board dated March 1, 1988, and subsequent to a public hearing held on February 23, 1988, Joseph A. Deerkoski, James F. Neefus, Jr., and George Kaytis were granted a Change of Zone to Business PB Zoning Use District Overlay for premises located at the northeast corner of New York State Route 25 and Shade Tree Lane, Aquebogue, New York, and

WHEREAS, all uses in said Business PB Zoning Use District are further subject to the approval of a special permit of the Town Board, and

WHEREAS, a public hearing was held by this Town Board on July 5, 1988, wherein all persons wishing to be heard were heard, and no opposition was recorded in the matter of a special permit, and

WHEREAS, the Town Board determines as follows:

- a) That the contemplated use as an insurance agency is recognized as one (1) of those specially-permitted, subject to any of the conditions set forth herein and in Section 108-3 of the Code of the Town of Riverhead;
- b) That said contemplated use will not prevent or substantially impair the reasonable and orderly use or development of other properties in the neighborhood;
- c) That any hazards or disadvantages to the neighborhood resulting from the demolition of the existing structure(s) on the site and location of the contemplated use at said site are outweighed by the advantage to be gained either by the neighborhood or by the Town;
- d) That the health, safety, welfare, comfort, convenience, and order of the Town will not be adversely affected by the authorized use as an insurance agency;
- e) That this use will be in harmony with and promote the general purposes and intent of Chapter 108 of the Code of the Town of Riverhead; now, therefore, be it

RESOLVED, that a special permit for operation of the professional offices of an insurance agency in premises to be constructed at the northeast corner of New York State Route 25 and Shade Tree Lane, Aquebogue, New York, be and is hereby issued to Joseph A. Deerkoski, James F. Neefus, Jr., and George Kaytis, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joseph A. Deerkoski, James F. Neefus, Jr., and George Kaytis, Peter S. Danoski, Esq., the Riverhead Planning Department and the Riverhead Building Department.

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

503 AUTHORIZES SUPERVISOR TO EXECUTE STOP CONTRACT

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

WHEREAS, the Town of Riverhead again wishes to institute a STOP Program at the Riverhead Landfill in order to provide Riverhead residents with an opportunity to discard household hazardous materials; and

WHEREAS, the STOP Program has been set for October 1, 1988.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute a contract with Chemical Pollution Control, Inc., to collect and remove household hazardous waste products; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chemical Pollution Control, Inc., the Conservation Advisory Council and Teddy Krukoski.

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

The resolution was therupon duly declared adopted.

504 CORRECTS SALARIES OF SUMMER INTERNS

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

WHEREAS, policy was set in 1987 that summer interns returning for their second or subsequent years would receive \$0.50 more per hour in pay than a first year intern; and

WHEREAS, the 1988 resolution appointing the summer interns and stating their hourly rate of compensation inadvertently set all salaries at \$6.00 per hour.

NOW, THEREFORE, BE IT RESOLVED, that Tim Drawbridge, Karen Anderson, Lori Grattan and William Whidden, Jr. those interns returning to summer employment, be compensated at the hourly rate of \$6.50 and said be made retroactive to the commencement of their summer employment; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Office of Accounting, Tim Drawbridge, Karen Anderson, Lori Grattan and William Whidden, Jr.

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

The resolution was thereupon duly declared adopted.

505 INCREASES PAY OF DETENTION ATTENDANT

Councilperson Pike offered the following resolution which was seconded by Councilperson Boschetti.

WHEREAS, Betty Harris has been regularly serving the Town of Riverhead as a Detention Attendant since April, 1987.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby increase her pay from \$8.00 per hour to \$10.00 per hour effective immediately; and

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

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

The resolution was thereupon duly declared adopted.

506 GRANTS PERMISSION TO THE RIVERHEAD ELKS LODGE TO HOLD
BAZAAR

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

WHEREAS, this Town Board is in receipt of an application from the Riverhead Elks Lodge #2044 dated July 11, 1988, requesting permission to hold Bazaar and Fund Raiser on the grounds of their lodge located at the northeast corner of Sunrise Avenue and East Main Street from September 1 through September 5, 1988; and

WHEREAS, the Town Clerk is in receipt of all of the proper insurance certificates and other required permits of State and local authorities.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby grant to the Riverhead Elks Lodge #2044 permission to conduct its Bazaar and Fund Raiser on the grounds of their lodge from September 1 through September 5, 1988; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Elks Lodge #2044 and the Riverhead Police Department.

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

The resolution was thereupon duly declared adopted.

507 AUTHORIZES TOWN CLERK TO PUBLISH & POST "HELP WANTED AD"
RE: STENOGRAPHER

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below "Help Wanted Ad" for the position of Stenographer with the Town of Riverhead.

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Stenographer in the Office of Community Development. Applicants must possess a four-year High School Diploma and have the ability to accurately take dictation and type.

Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications shall be accepted for this position after August 19, 1988. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age or handicapped status in employment of the provision of services.

BY ORDER OF THE TOWN OF RIVERHEAD
Irene J. Pendzick, Town Clerk

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

The resolution was thereupon duly declared adopted.

508 ACCEPTS DRAFT ENVIRONMENTAL IMPACT STATEMENT AND AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF HEARING RE: APPLICATION OF FREDERICK MOORE (CALVERTON LIFECARE CENTER PROJECT)

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, the Town Board of the Town of Riverhead has been designated "Lead Agency" with regard to the application of Frederick Moore; and

WHEREAS, the applicant has submitted a Draft Environmental Impact Statement for review by the Riverhead Town Board and various other agencies; and

WHEREAS, a Notice of Completion has been prepared with regard to this Draft Environmental Impact Statement.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board does hereby accept the Draft Environmental Impact Statement submitted by Frederick Moore; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice of Completion of Draft EIS and Notice of SEQRA Hearing.

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

The resolution was thereupon duly declared adopted.

**NOTICE OF COMPLETION OF DRAFT EIS
and
NOTICE OF SEQR HEARING**

Project No. _____

Lead Agency:

Town of Riverhead

Address:

200 Howell Avenue
Riverhead, New York 11901

Date: August 2, 1988

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

A Draft Environmental Impact Statement has been completed and accepted for the proposed action described below. Comments on the Draft EIS are requested and will be accepted by the contact person until September 1, 1988. A public hearing on the Draft EIS will be held on the 16th day of August, 1988, at 8:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York.

Name of Action:

Calverton Lifecare Center Project

Description of Action:

A congregate lifecare center for senior citizens providing living and dining accommodations as well as health care facilities for persons 62 years and older. The proposed action involves 400 studio, one-bedroom and two-bedroom units, a community center and nursing home on approximately 50% of the site, together with such amenities as a pitch and putt golf course, platform tennis court, nature trails and ponds, leaving the balance of the property preserved for natural open space.

Location:

An 87.7-acre site located on Edwards Avenue in the Hamlet of Calverton, Town of Riverhead, County of Suffolk, State of New York.

Potential Environmental Impact: Vegetation and wildlife; soils; traffic congestion and visual changes.

8/2/88

925

**A Copy of the Draft EIS May
Be Obtained From:**

Contact Person:

Richard Hanley

Address:

200 Howell Avenue
Riverhead, New York 11901

Telephone Number:

516-727-3200

**A Copy of this Notice and the
Draft EIS sent to:**

All interested agencies.

CALLS PUBLIC HEARING REGARDING:

509. ~~AMEND~~ TOWN OF RIVERHEAD ZONING CODE 108-97 B(24)
(STREET LIGHTING)

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti.

WHEREAS, the Town of Riverhead Planning Board has received proposed revised specifications from its consulting engineer, Louis McLean Associates, which identify manufacturing specifications, operating specifications, location layout and inspections, and

WHEREAS, these specifications have been reviewed by both the Planning Board and Planning Department, and

WHEREAS, the Planning Board has accepted these specifications without revision, and

WHEREAS, the Planning Board engineer has submitted the proposed specifications to the Highway Department Superintendent;

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to publish and post a Notice of Public Hearing regarding an amendment to the Riverhead Zoning Ordinance Section 108-97(B) 24 (Street Lighting).

TOWN OF RIVERHEAD

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a Public Hearing will be held on the 16th day of August at _____ p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to an amendment to the Riverhead Town Code Section 108-97(B)24 (street lighting). The proposed code is available in its entirety, for public review upon request of the Town Clerk.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Irene J. Pendzick, Town Clerk

DATED: August 2, 1988
Riverhead, New York

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

The resolution was thereupon duly declared adopted.

510 ADOPTS RESOLUTION RE: LOCAL LAW # _____ -88 TO AMEND LOCAL LAW #1-1979 ENTITLED, "APPEARANCE TICKETS"

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons regarding the adoption of Local Law # _____ -1988 to amend Local Law #1-1979 entitled, "Appearance Tickets"; and

WHEREAS, a public hearing was held on the 19th day of July, 1988, at 7:45, 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 adoption of Local Law # _____ -1988 to amend Local Law #1-1979 entitled, "Appearance Tickets" be and is hereby adopted as follows:

3-1. Authorized issuing officers.

Pursuant to the provisions of the Municipal Home Rule Law, the Building Inspector, the Zoning and Building Administrator, ~~and~~ the Fire Inspector and the Ordinance Inspector are hereby authorized to issue appearance tickets, as defined by Section 150.10 of the Criminal Procedure Law, for violations of those sections of the Town Code of the Town of Riverhead over which they have jurisdiction.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News-Review 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 Town Attorney's Office and Police Department.

Dated: Riverhead, New York
August 2, 1988

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, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

AUTHORIZE TRANSFER OF FUNDS# 511

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

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following General Town Funds

FROM:	A3620.410 Building Department, Conferences	\$ 500.00
TO:	A3620.450 Building Department, Uniforms	\$ 500.00

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

The resolution was thereupon duly declared adopted.

512 APPROVES SITE PLAN OF RISING SUN WOODWORKING, INC.

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, a site plan and elevations were submitted by Rising Sun Woodworking, Inc., P. O. Box 1326, Riverhead, New York, 11901, for the construction of a woodworking shop located at South side of Main Road (N.Y.S. Route 25), +300 feet East of Church Lane, Aquebogue, New York; and

WHEREAS, the Planning Department has reviewed the site plan dated February 19, 1988, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, and elevations dated March 23, 1988, as prepared by architect unknown, and has recommended to the Town Board of the Town of Riverhead that said site plan, as amended, and elevations be approved; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Rising Sun Woodworking, Inc., for the the construction of a woodworking shop, located at South side of Main Road (N.Y.S. Route 25), +300 feet East of Church Lane, Aquebogue, site plan dated February 19, 1988, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead, New York, and elevations dated March 23, 1988, as prepared by architect unknown, be and are hereby approved as amended in-house 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;

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 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, MICHAEL DROBET hereby authorizes the Town of Riverhead to enter premises at South side of Main Road (N.Y.S. Route 25), +300 feet East of Church Lane, Aquebogue, New York, to enforce said handicapped parking regulations;

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 this approval be limited to that structure indicated on the site plan aforementioned, dated February 19, 1988, designated as "Proposed Building", and that any future construction or expansion facilities be subject to site plan review;

12. That the elevations, which are made a part of this application, dated March 23, 1988, be modified to relieve the singular, uninterrupted expanse of metal on the East and West elevations, which modification shall be subject to the approval of the Town Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Rising Sun Woodworking, Inc., the Riverhead Planning Department and the Riverhead Building Department.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of August, 1988, made by MICHAEL DROBET, residing at 345 Oak Street, Cutchogue, New York, Declarant.

W I T N E S S E T H:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with;

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

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

MICHAEL DROBET

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of August, 1988, before me personally came MICHAEL DROBET, to me known and known to be the individual who executed the foregoing instrument; that he is the owner of certain real property located at South side of Main Road (N.Y.S. Route 25), ±300 feet East of Church Lane, Aquebogue, the subject property of this Declaration and Covenant, and understands the content thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

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

The resolution was thereupon duly declared adopted.

513 APPOINTS HOME AIDE TO E.I.S.E.P. PROGRAM

Councilperson Pike offered the following resolution which was seconded by Councilperson Boschetti.

RESOLVED, that Antonia Veoukas be and is hereby appointed to the position of Home Aide with the E.I.S.E.P. Program at the hourly rate of compensation of \$5.00 effective August 8, 1988.

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

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

The resolution was thereupon duly declared adopted.

514 AWARDS BID FOR IMPROVEMENTS TO POLISH TOWN SIDEWALKS

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

WHEREAS, the Town Clerk was authorized to publish and post notice to bidders for sidewalk improvements in Polish Town; and

WHEREAS, bids were received and read aloud on the 14th of April, 1988 at 11:00 a.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders; and

WHEREAS, a total of four bids were received.

NOW, THEREFORE, BE IT RESOVED, that the bid for improvements to Polish Town sidewalks be and is hereby awarded to Melos Construction Corp. for \$24,288.00.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Melos Construction Corp., Andrea Lohneiss, and the Office of Accounting.

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

The resolution was thereupon duly declared adopted.

515 ACCEPTS PERFORMANCE BOND OF ADDITIVE PRODUCTS DIVISION OF KOLLMORGEN CORPORATION

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

WHEREAS, Additive Products has located on its property on West Lane, Aquebogue, New York, a temporary trailer which is being used in conjunction with construction being conducted on the property; and

WHEREAS, the Town of Riverhead wishes to guarantee that the removal of said trailer will be in a timely fashion when construction is completed; and

WHEREAS, a performance bond in the amount of \$12,000.00 has been called for in order to guarantee the removal of said trailer; and

WHEREAS, the Town Attorney has reviewed said performance bond as to form.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby accept the performance bond of Additive Products Division of Kollmorgen Corporation in the amount of \$12,000.00, which bond is given to assure the removal of the trailer located on its property located on West Lane, Aquebogue, New York, within 60 days after a certificate of occupancy is received; and be it further

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

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

The resolution was thereupon duly declared adopted.

516 EXTENDS SITE PLAN APPROVAL TIME OF LAURAMA PROPERTIES

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

WHEREAS, a site plan and elevations were submitted by Laurama Properties for the construction of a three-story building, 15,00 square foot steel and masonry office building to be located on the north side of Old Country Road (C.R. 58), 1018 feet east of Northville Turnpike, Riverhead, New York; and

WHEREAS, William W. Esseks, as attorney for the applicant, has requested a sixty (60) day extension of the site plan approval time.

NOW, THEREFORE, BE IT RESOLVED, that one (1) sixty (60) day extension of the site plan approval time be and is hereby granted to Laurama Properties; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to William W. Esseks, Laurama Properties, Robert J. Gruber, Architect, and the Riverhead Planning Department.

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

The resolution was thereupon duly declared adopted.

517 AWARDS BID FOR RENOVATIONS TO RECREATION DEPARTMENT
(TENNIS COURTS)

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for for renovations to the Recreation Department's tennis courts as Jamesport and Stotsky Park; and

WHEREAS, bids were received and read aloud on the 1st of August, 1988, 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; and

WHEREAS, a total of four (4) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for for renovations to the Recreation Department's tennis courts as Jamesport and Stotsky Park be and is hereby awarded to Paul Corozzini & Sons, Inc. in the amount of \$36,600.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Paul Corozzini & Sons, Inc. and Recreation Department.

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

The resolution was thereupon duly declared adopted.

re.: DETERMINATION THAT ALL IMPROVEMENTS AND EXPANSIONS OF SEWER PLANT WILL BE SUBJECT TO COMPETITIVE SELECTION OF ENGINEERING CONSULTANT

518

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

WHEREAS, the Riverhead Town Board conducted a public hearing on the evening of July 19, 1988, regarding the contracting of services to perform improvements and/or expansion to the Riverhead Sewer Plant, and

WHEREAS, the majority of individuals participating voiced concerns with continuation of a program that questions the quality of services performed for money expended, and

WHEREAS, the ecological importance of the Peconic/Flanders Bay region necessitates intelligent, prompt and unflinching action to minimize contributing pollution to these waterways, and

WHEREAS, the Riverhead Scavenger Waste Treatment Plant has been shown to lack proper equipment and management flexibility to reduce the discharge of contaminants to design standards, and

WHEREAS, the Department of Environmental Conservation has instituted an indefinite moratorium on all new sewer connections in the Town of Riverhead, due to the fact that the Riverhead Sewage Plant has reached near capacity, thus causing a possible detrimental impact upon the economic expansion of this Town, and

WHEREAS, it is essential to address these concerns through an agreed policy of the performance of improvements and expansion to the Riverhead Sewer Plant and commencement of operation of a full denitrification system to the Riverhead Scavenger Waste Treatment Plant, and

WHEREAS, it is proper and fitting to permit open, fair and competitive bidding in awarding the right to contract with the Town for consulting engineers to assist with the fulfillment of clauses of this Resolution, and be it

RESOLVED, that the members of the Riverhead Town Board hereby require that all improvements and/or possible expansion to the Riverhead Scavenger Waste Treatment Plant and adjacent Sewer Plant shall be subject to a new Request for Proposals to be developed by August 18, 1988, and be it further

RESOLVED, that all contracts shall be awarded to the best responsible bidder, having the definition of responsible as: able to answer for one's conduct and obligation and having a record of reliable, trustworthy and unquestionable integrity and

demonstrated ability to effectively design and supervise the construction of and the start up of Waste Water Treatment and Scavenger Waste facilities, and be it further

RESOLVED, that a copy of this Resolution is forwarded by the Town Clerk to Clement Petraszewski, the Superintendent of the Sewer District and to Holzmacher, McLendon & Murrell, P.C.

Dated: Riverhead, New York
August 1, 1988

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
AS THE MANAGING BOARD OF THE
RIVERHEAD SEWER DISTRICT

IRENE PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

RE.: SEWER DISTRICT VOLUNTARY WATER CONSERVATION AND RESEARCH
LEADING TO A GOAL OF 20% REDUCTION IN WATER USAGE

519

Councilman Pike offered the following resolution, which was
seconded by Councilman Boschetti:

WHEREAS, the Riverhead Sewer Plant is nearing its permitted
volume capacity, and

WHEREAS, the inflow to the Sewer Plant is directly proportional
to the amount of water used by individuals and institutions within the
Sewer District,

WHEREAS, capacity for the expansion of the County Courts and jail
facilities can be regained by implementing conservation and management
techniques, the Riverhead Sewer District managing board hereby directs
as follows:

THAT IT BE,

RESOLVED, that the citizens of the Town of Riverhead who live or
work in houses or facilities that make use of the water district and
the Riverhead sewer district are requested to undertake voluntary
initiatives to reduce the water usage in these houses or facilities,
including:

1. Elimination of leaking faucets, toilets and other water
facilities (pools);
2. Installation of toilet tank limiters;
3. Refitting showers and faucets with flow limiting devices;
4. Running dishwashers only when there is a full load,

as well as those in the attached pamphlet, Water Use and Conservation,
Cooperative Extension of Suffolk County.

and be it further resolved

RESOLVED, that the Superintendent of the Water District is hereby
directed to confer with other sewer and water districts throughout the
County area to determine which voluntary and/or mandatory conservation
devices have proven most useful for the reduction of water consumption
and resulting inflow to sewage facilities,

and be it further

RESOLVED, that the Superintendent is directed to report back to
this Board within thirty (30) days as to his research as to measures
that can be undertaken and that to the extent that it is necessary to
seek additional financial assistance for any research or public
education aspects of the program, to prepare such a proposal for such

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assistance and education as is necessary to accomplish the goal of a 20% reduction in the inflow to the Riverhead Sewage Treatment Plant from existing users,

and be it further

RESOLVED, that any County Facilities which may be currently attached to the Sewer District, or which are under consideration or are planned for attachment to the Sewer District, disclose their flow requirements and the specific steps they are taking to conserve the usage of water at county facilities,

RESOLVED, that a copy of this Resolution is forwarded by the Town Clerk to Clement Petraszewski, the Superintendent of the Sewer District, Riverhead Town Attorney Patricia Moore and the County Executive of the County of Suffolk.

Dated: Riverhead, New York
August 1, 1988

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
AS THE MANAGING BOARD OF THE
RIVERHEAD SEWER DISTRICT
IRENE PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

re.: RETENTION OF CORNELL UNIVERSITY WATER RESOURCES INSTITUTE
520

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Councilman Pike offered the following
resolution, which was seconded by Councilman Boschetti:

WHEREAS, this Board has been presented with the proposal for "Treated Waste Water Disposal and Evaluation of Alternatives for the Town of Riverhead, New York" submitted to it by the New York State Water Resources Institute, Cornell University, Ithaca, New York,

WHEREAS, the Board has reviewed the proposal and finds it will be appropriate to undertake the study of improvements to the sewer plant using objective, educated expertise with no financial interest other than objective evaluation,

NOW, THEREFORE, BE IT

RESOLVED, that we accept the proposal of the Water Resources Institute and commit to pay the funds requested from Sewer District funds, and be it further resolved:

RESOLVED, that the Institute is asked to more specifically address the following items, mentioned generally in the proposal:

(1) Options for treatment of all possible pollutants including phosphorous, ammonia, toxics, organics and any other items found to be deleterious to the environment by the Brown Tide Task Force,

(2) To assist in developing a state of the art monitoring system for the prompt evaluation of influent, operation and effluent of the sewer plant as well as the quality of the environment in the area affected by the new outfall system,

(3) Mr. Martin is requested to develop and present to the Board a more specific timeline and strategy for the study which will, if possible, enable the Town to move forward on full conservation measures and possible expansion of the Sewer Plant as soon as full and meaningful results are obtained, and it is further

RESOLVED, that a copy of this Resolution be forwarded by the Town Clerk to Jack Martin, Chris Smith, Clem Petraszewski, Jack Hansen and the Southampton Town Board.

Dated: Riverhead, New York
August 1, 1988

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
AS THE MANAGING BOARD OF THE
RIVERHEAD SEWER DISTRICT

IRENE PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

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521 ACCEPTS OFFER OF TECHNICAL ASSISTANCE
FROM COUNTY OF SUFFOLK

WHEREAS the Riverhead Sewage Treatment Plant has been incapable of consistently meeting the discharge limitations of its SPDES permit, due to a number of physical and mechanical deficiencies, and

WHEREAS the Riverhead Sewage Treatment Plant is in urgent need of repairs and improvements necessary to meet said SPDES permit discharge limitations, and

WHEREAS the Town of Riverhead presently lacks professional engineering staff capable of evaluating alternative means for implementing said repairs and improvements to the Riverhead Sewage Treatment Plant and

WHEREAS the Town of Riverhead has been totally reliant upon the advice of paid engineering consultants, whose recommendations regarding "appropriate" improvements and the implementation of such recommendations necessarily result in substantial monetary gain to such consultants, and

WHEREAS it is desirable for the Town of Riverhead and the Riverhead Sewer District to obtain the objective advice and assistance of professional engineers whose recommendations as to a course of action do not have an impact on fees to be paid to the engineering consultants making such recommendations and

WHEREAS Suffolk County Executive Patrick G. Halpion has offered the expertise and advice of the professional engineering staff at the Suffolk County Department of Public Works for the purpose of evaluating the alternatives available to bring the Riverhead Sewage Treatment Plant into compliance with the effluent discharge limitations of its SPDES permit

NOW THEREFORE BE IT RESOLVED THAT:

1. The offer extended by Suffolk County Executive Patrick G. Halpin to allow the Riverhead Sewer District to utilize the expertise and advice of the engineering staff of the Suffolk County Department of Public Works in evaluating alternatives available to expeditiously and efficiently correct all SPDES permit discharge violations at the Riverhead Sewage Treatment Plant be and hereby is accepted;

2. The implementation of the proposal submitted in June, 1988 by Holzmacher, McLendon and Murrell, P.C. for "Phase I-A" improvements and repairs at the Riverhead Sewage Treatment Plant at a projected capital cost of \$1,495,000 be and hereby is suspended pending the evaluation by and recommendations of the engineering staff of the Suffolk County of Public Works;

BE IT FURTHER RESOLVED that the Town Clerk forward a copy of this resolution to Suffolk County Executive Patrick G. Halpin and to Public Works Commissioner-designee Hurley.

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

The vote, Bochetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Moski, absent.

The resolution was thereupon duly declared adopted.

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REJECTING RECOMMENDATIONS OF MAY, 1988 ENGINEERING
REPORT FOR THE PECONIC RIVER DRAINAGE BASIN

WHEREAS the Town of Riverhead in 1985 authorized and requested the consulting firm of Holzmacher, McLendon & Murrell, P.C. ("H2M") to study existing and future wastewater and sludge treatment and disposal needs; and

WHEREAS H2M, in response to said request, submitted in May, 1988 its "Engineering Report for the Peconic River Drainage Basin" ("Engineering Report"); and

WHEREAS the recommended course of action proposed by H2M in said Engineering Report for existing and future wastewater and sludge management is a two-phase expansion of the treatment capacity of the existing Riverhead Sewage Treatment Plant ("STP") at "secondary" treatment levels with wastewater discharge to the Long Island Sound at Northville, at a projected total capital cost of \$9,870,000; and

WHEREAS this Board has carefully reviewed and considered said Engineering Report and the recommendations therein contained

NOW THEREFORE BE IT RESOLVED that the wastewater and sludge treatment alternative recommended in the Engineering Report be and hereby is rejected for the following reasons:

1. The Engineering Report's recommendation that the Riverhead Sewer District construct a pipeline for the discharge of effluent--without nitrogen removal--contradicts a developing body of research which indicates that elevated nitrogen and phosphorus levels in the Long Island Sound waters, caused in large part by discharges from municipal sewage treatment plants, are responsible for the slow death of that body of water west of Port Jefferson harbor.

This Board resolves that such a course of action, even if it would not cause the imminent demise of marine life in eastern portions of the Long Island Sound, would be an irresponsible act establishing a dangerous trend in the eastern Long Island Sound.

2. The Engineering Report presents no factual basis for its conclusion that the goal for expansion of the capacity of the STP over the next 20 years is 2.3 million gallons per day ("MGD");

a. The Engineering Report does not present any framework for analysis of the 2.3 MGD expansion goal, including: zoning use classifications within the existing boundaries of the Riverhead Sewer District; projected saturation populations of the existing Riverhead Sewer District, under current zoning and under proposed zoning changes, including the transfer of development rights program; currently pending applications for developments

within the Riverhead Sewer District; currently pending applications for development outside of the existing Riverhead Sewer District which are contingent upon sewerage and which would produce substantial flows to the Riverhead STP; the impact of a well-planned and seriously-executed comprehensive water conservation program within the Riverhead Sewer District.

b. The Engineering Report, which calls for an expansion of the capacity of the Riverhead STP in two phases, to 1.6 and 2.3 MGD, respectively, does not address the question of the anticipated period of time during which the first-phase expansion (to 1.6 MGD) would be sufficient to handle expected demands.

3. The Engineering Report notes that the proposed increased capacity of the Riverhead STP would result in a "significant increase in sludge production," and that the sludge produced "will be trucked to the existing Town of Riverhead sanitary landfill." However, the Engineering Report makes no mention of the state law enacted in 1983 which requires that the town landfill be closed by 1990--long before the proposed expansion work will have been completed. Nor does the Engineering Report evaluate any possible sludge disposal alternatives which are not reliant upon landfilling.

4. The Engineering Report fails to devote sufficient attention to the analysis of alternatives involving land application and groundwater recharge. It evidences no effort to develop options, from either an environmental or a fiscal perspective, which are not dependent on surface water discharge.

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to forward a copy of this resolution to Holzmacher, McLendon and Murrell, P.C.

Councilperson Civiletti offered the above resolution, which was seconded by Councilperson Lombardi.

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

The resolution was thereupon duly declared adopted.

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523 REGARDING COMPLIANCE WITH MORATORIUM IMPOSED
BY N.Y.S. DEPARTMENT OF ENVIRONMENTAL CONSERVATION
- - ON SEWAGE TREATMENT PLANT HOOK-UPS

WHEREAS the New York State Department of Environmental Conservation ("DEC") on June 17, 1988 imposed a moratorium on all new hook-ups to the Riverhead Sewage Treatment Plant effective that date, and

WHEREAS the purpose of said moratorium is to ensure that the Riverhead Sewage Treatment Plant, which is operating at or near its permitted capacity, does not accept wastes at volumes which it is physically incapable of adequately treating before discharging into the bays, and

WHEREAS members of this Board, the Town Attorney, the attorney for the Riverhead Sewer District, and the superintendent of the Riverhead Sewer District met with representatives of the New York State DEC on July 7, 1988 to discuss said moratorium and the DEC's requirements for compliance therewith, and

WHEREAS the DEC requires that the Riverhead Sewer District provide the DEC with data and documentation indicating: potential development capacity and projected demand within existing Riverhead Sewer District boundaries; proposed extensions of the Riverhead Sewer District; proposed development outside the Riverhead Sewer District which require hook-up to the Riverhead Sewage Treatment Plant and the projected demand of such development; and

WHEREAS this Board recognizes that such data and documentation constitute an integral part of any plan for the future operation and possible expansion of the Riverhead Sewer District and the Riverhead Sewage Treatment Plant; and

WHEREAS the firm of Holzmacher, McLendon and Murrell, P.C., as consulting engineers to the Riverhead Sewer District has established future design flow capacities for the Riverhead Sewage Treatment Plant, and

WHEREAS the compilation of the data and documentation requested by the DEC is a necessary prerequisite to the responsible determination of such future design flow capacities of the Riverhead Sewage Treatment Plant, and

WHEREAS this Board agreed to provide the DEC with such data and documentation as quickly as possible, and

WHEREAS the Board recognizes that compliance with the requirements of the DEC moratorium constitutes good planning and enables the Town to utilize such capacity at the Riverhead Sewage Treatment Plant as currently exists.

NOW THEREFORE BE IT RESOLVED:

1. That the firm of Holzmacher, McLendon and Murrell, P.C. provide this Board on or before August 9, 1988 with all pertinent data and documentation compiled by it in determining that the ultimate design flow capacity for the Riverhead Sewage Treatment Plant through the year 2008 should be 2.3 MGD, including: potential development capacity and projected demand within the existing boundaries of the Riverhead Sewer District; zoning use classifications and densities within the existing Riverhead Sewer District which formed the basis of the potential development and demand projections within the Riverhead Sewer District relied on in determining the ultimate design flow capacity of the Riverhead Sewer District; saturation population estimates within the existing Riverhead Sewer District; anticipated extensions of the Riverhead Sewer District factored into the calculations of ultimate design flow capacity; projected demand generated by pending development applications within and without the Riverhead Sewer District which are contingent upon hook-up to the Riverhead Sewage Treatment Plant; any information pertaining to the effect of water conservation measures on current and potential demand and the extent, if at all, to which such information was factored into the calculation of ultimate design flow capacity; the effect, if any, of the zoning changes recommended in "A Plan for the Preservation of Farmland in the Town of Riverhead" prepared by H2M in 1987 and the extent, if at all, to which such proposed zoning changes, including the transfer of development rights into the Riverhead Sewer District, were factored into the calculation of ultimate design flow capacity.

BE IT FURTHER RESOLVED that the Town Clerk is directed to forward a copy of this resolution to the firm of Holzmacher, McLendon and Murrell, P.C. on August 3, 1988.

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

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

The resolution was thereupon duly declared adopted.

524 RESOLUTION DECLARING SUFFOLK COUNTY VDT LAW INVALID IN THE TOWN OF RIVERHEAD

Councilperson _____ offered the following resolution, which was seconded by Councilperson _____.

WHEREAS, the County of Suffolk has passed a Video Display Terminal (VDT) Law which regulates those work places that have 20 or more VDT's; and

WHEREAS, in the course of development of that legislation and noted in the veto messages of two successive county executives that no medical evidence was attested to indicating a general health problem with VDTs; and

WHEREAS, such law preempts the proper and fair labor negotiation process; and

WHEREAS, such law violates equal protection provisions by applying to only those firms using 20 or more VDTs; and

WHEREAS, such law will threaten the economic growth of the Town of Riverhead; and

WHEREAS, VDT regulation will inflict a major obstacle in the development of high-tech industries that are non-polluting and compatible with our fragile environment; and

WHEREAS, the young high school, college graduates, and working mothers who are trained in computers and who rely on the present level of job opportunities and those job opportunities which could develop in the Town of Riverhead using computer technology will be threatened; and

WHEREAS, the Town of Riverhead in its home rule powers, which predate those of the County's charter, deems the Suffolk County VDT law to be not in the best interest of its families and their financial future.

NOW, THEREFORE, BE IT RESOLVED, that the Suffolk County VDT Law of 1988 shall not apply to the Town of Riverhead; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Suffolk County Executive Halpin and the Clerk of the Suffolk County Legislature.

There being no motion and no second to support the above resolution, no action was taken on #524.

(See Page #481 of 1988 Minute Book)

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#525 AUTHORIZES PAYMENT OF BILLS

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

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

GENERAL TOWN

Abstract #12 vouchers 1774, 1978, 1981, 2330, totalling
2333, 2335, 2339, 2342-44 \$115,123.85
2406, 2407, 2479

AMBULANCE

Abstract #12 vouchers 7, 9, 10 totalling
\$1,811.10

TOWN HALL CAPITAL PROJECTS

Abstract #12 vouchers 43-48, 57, 58, 61 totalling
\$616,828.99

DISCRETIONARY

Abstract #12 vouchers 67 totalling
\$350,946.00

JOINT SCAVENGER WASTE

Abstract #12 vouchers 150 totalling
\$ 212.67

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

The resolution was thereupon duly declared adopted.

#526 AUTHORIZES PAYMENT OF BILLS

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

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

GENERAL TOWN

Abstract #12a vouchers 2345-2483 totalling \$379,903.31

PARKING METER

Abstract #12a voucher 8 totalling \$ 244.45

AMBULANCE

Abstract #12a voucher 11 totalling \$ 1,600.00

HIGHWAY

Abstract #12a voucher 324-344 totalling \$ 58,520.77

TOWN HALL CAP. PROJECTS

Abstract #12a voucher 59-60 totalling \$ 2,674.35

POLICE ATHLETIC LEAGUE

Abstract #12a voucher 6-7 totalling \$ 490.00

RESOLUTIONS Continued

<u>WATER EXTENSION #22 & #23</u>			
Abstract #12a	voucher	35-38	totalling \$572,685.41
<u>PUBLIC PARKING</u>			
Abstract #12a	voucher	86-89	totalling \$ 3,183.05
<u>STREET LIGHTING</u>			
Abstract #12a	voucher	105-111	totalling \$ 15,070.77
<u>SEWER</u>			
Abstract #12a	voucher	255-265	totalling \$ 12,229.53
<u>WATER</u>			
Abstract #12a	voucher	334-364	totalling \$ 41,004.08
<u>DISCRETIONARY</u>			
Abstract #12a	voucher	76-77	totalling \$ 1,998.67
<u>YOUTH SERVICES</u>			
Abstract #12a	voucher	39-41	totalling \$ 1,083.45
<u>SENIORS HELPING SENIORS</u>			
Abstract #12a	voucher	49	totalling \$ 1,534.60
<u>CLAIMS SERVICE</u>			
Abstract #12a	voucher	49-50	totalling \$ 1,244.00
<u>JOINT SCAVENGER WASTE</u>			
Abstract #12a	voucher	152-163, 358	totalling \$11,848.55
<u>EXPANDED IN HOME SERVICE FOR THE ELDERLY</u>			
Abstract #12a	voucher	22-24	totalling \$ 592.73
<u>MUNICIPAL FUEL</u>			
Abstract #12a	voucher	16-17	totalling \$ 3,214.89
<u>MUNICIPAL GARAGE</u>			
Abstract #12a	voucher	102-113	totalling \$ 3,200.68

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

The resolution was thereupon duly declared adopted.