

4/21/92

## TOWN OF RIVERHEAD

## RESOLUTION # 235

## AUTHORIZES ATTENDANCE OF HIGHWAY SUPERINTENDENT AT SUFFOLK COUNTY HIGHWAY SUPERINTENDENT'S ASSOCIATION CONFERENCE

(PRUSINOWSKI)

COUNCILPERSON Prusinowski OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON Creighton (CREIGHTON)

**WHEREAS**, THE SUFFOLK COUNTY HIGHWAY SUPERINTENDENT'S ASSOCIATION ANNUAL CONFERENCE SHALL BE HELD SUNDAY, JUNE 14, 1992 THROUGH WEDNESDAY, JUNE 17TH, AT SHELTER ISLAND, NEW YORK, AND

**WHEREAS**, HIGHWAY SUPERINTENDENT CHARLES BLOSS HAS EXPRESSED A DESIRE TO ATTEND SAID CONFERENCE,

**NOW, THEREFORE, BE IT RESOLVED**, THAT THE HIGHWAY SUPERINTENDENT CHARLES BLOSS BE AND IS HERBY AUTHORIZED TO ATTEND THE SUFFOLK COUNTY SUPERINTENDENT'S ASSOCIATION ANNUAL CONFERENCE, JUNE 14TH THROUGH JUNE 17TH, AT SHELTER ISLAND, NEW YORK, AND

**FURTHER, BE IT RESOLVED**, THAT THE NECESSARY FEES AND EXPENSES BE ADVANCED AND CHARGED TO THE APPROPRIATE HIGHWAY DEPARTMENT ACCOUNT, SAID EXPENSES SHALL NOT EXCEED \$336.00 AND SHALL BE FULLY RECEIPTED.

**The Vote:** Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 Yes, 1 Absent.

The resolution was thereupon duly declared adopted.

4/21/92

# 236 AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF INTENT TO PROVIDE TRANSPORTATION FOR ELDERLY PERSONS AND PERSONS WITH DISABILITIES UTILIZING FEDERAL FUNDS

Councilperson Creighton (CREIGHTON) offered the following resolution, which was seconded by Councilperson Gilliam (GILLIAM).

WHEREAS, transportation is one of the greatest needs for our senior citizen population; and

WHEREAS, the Dial-A-Ride Program offered by the Town of Riverhead provides transportation for an average of 90 persons aged 60 years or older, each week to local grocery stores, doctors and hospital visits; and

WHEREAS, the need to expand the Dial-A-Ride Program is demonstrated weekly by those who can not be accommodated by just one van; and

WHEREAS, the 1991 Intermodal Surface Transportation Act changed the Section 16(b)(2) Program to allow public bodies to apply for funds to purchase a vehicle to provide special transportation services for elderly persons and persons with disabilities.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Riverhead Office of Senior Citizen Programs apply for these funds to expand the Dial-A-Ride Program; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Public Notice in the April 29, 1992 issue of Suffolk County Life Newspapers; and

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to Lyn McDonald.

**The Vote:** Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes, Janoski, yes. **4 Yes, 1 Absent.**

The resolution was thereupon duly declared adopted.

PUBLIC NOTICE OF INTENT  
TO PROVIDE TRANSPORTATION  
FOR ELDERLY PERSONS AND PERSONS WITH DISABILITIES  
UTILIZING FEDERAL FUNDS

Bus and taxi operators are hereby notified that the Town of Riverhead Senior Citizen Program is applying for a grant, under section 16(B)(2) of the Federal Transit Act Amendments of 1991 to acquire vehicle(s) to operate specialized transportation services within the Town of Riverhead to meet the needs of elderly persons and persons with disabilities.

The purpose of this notice is to invite private for-profit bus and taxi operators to participate in the development of the proposed transportation program and in the provision of transportation services to elderly persons and persons with disabilities. Vehicles acquired by private non-profit organizations through this Federal program may be leased to private for-profit companies for the provision of specialized transportation. Any private operator interested in providing the above service using the 16(B)(2) grant vehicle(s) or its own vehicle should contact Lyn McDonald 727-3200 Ext.241 within 5 days to request a copy of the proposal for the service, including an itemized budget for the fee it would require to operate the service. The proposal must be submitted to the applicant within 15 days after the receipt of the service proposal.

BY ORDER OF THE RIVERHEAD TOWN BOARD

Barbara Grattan, Town Clerk

Dated: April 21, 1992  
Riverhead, NY

4-21-92

# 237

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO CHAPTER 48 "BEACHES AND RECREATION CENTERS" OF THE RIVERHEAD TOWN CODE AT SECTION 48-14 "VEHICLE RESTRICTIONS IN BEACH AREAS"

COUNCILPERSON Gilliam (GILLIAM) offered the following resolution, which was seconded by COUNCILPERSON Creighton (CREIGHTON).

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Chapter 48 of the Riverhead Town Code at Section 48-14 "Vehicle Restrictions in beach areas":

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of May, 1992, at 7:20 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Chapter 48 of the Riverhead Town Code at Section 48-14 "Vehicle Restrictions in beach areas" as follows:

48-14. Vehicle restrictions in beach areas.

No vehicles shall be driven or operated over or upon the beach area nor stand at any public bathing beach ~~or recreation center~~, except for the purpose of launching or recovery of boats as follows:

Between May 15 and September 15, both inclusive, in each year and from 9:00 a.m. to 6:00 p.m., inclusive, the following restrictions in beach areas shall apply:

Reeves Beach:

- A. Launching and recovery of vessels with a motor vehicle shall be prohibited, except as may be deemed necessary, from time to time, by authorized Town of Riverhead personnel, including but not limited to lifeguards, police officers or the Bay Constable.
- B. Parking of boat trailers, and/or vehicles with boat trailers, shall be prohibited in the lower parking area. Boat trailers, and/or vehicles with boat trailers, shall park in the upper parking area located off of Long View Drive in Reeves Park.
- C. Parking of vehicles and/or trailers on the beach at Reeves Park, except as otherwise herein provided, is hereby prohibited.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent. The resolution was thereupon duly declared adopted.

Dated: Riverhead, New York  
April 21, 1992.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

WHEREAS, Resolution #23 adopted by the Town Board on January 7, 1992, designated the official depository for funds of the Town of Riverhead; and

WHEREAS, the Town Board now wish to amend resolution #23 to include the bank as an official depository for Town funds.

NOW, THEREFORE, BE IT RESOLVED, that resolution #23 of 1/7/92 be and is hereby amended to designate the bank as an official depository for Town funds; and

BE IT FURTHER RESOLVED, that all actions be authorized and subject to the approval of the Board with concurrence of majority and

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

The Vote: Gillies, yes, Craighton, yes, Stack, absent, Frazzetta, yes, Janssen, yes. 4 yes, 1 absent.  
The resolution was thereafter duly declared adopted.

4/21/92

# 238 AMENDS RESOLUTION #23 OF 1/7/92 - "DESIGNATES BANKS AS OFFICIAL DEPOSITORIES FOR TOWN FUNDS"

Councilperson (PRUSINOWSKI) offered the following resolution, which was seconded by Councilperson Creighton (CREIGHTON).

WHEREAS, Resolution #23 adopted by this Town Board on January 7, 1992, designated the official depositories for funds of the Town of Riverhead; and

WHEREAS, this Town Board does now wish to amend resolution #23 to include Key Bank as an official depository for Town funds.

NOW, THEREFORE, BE IT RESOLVED, that Resolution #23 of 1/7/92 be and is hereby amended to designate Key Bank as an official depository for town funds; and

BE IT FURTHER RESOLVED, that all accounts be collaterized subject to the approval of the Board with memoranda of agreement; and

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

The Vote: Gilliam, yes, Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

Date APRIL 21, 1992

No. 239

COUNCILPERSON (CREIGHTON) Creighton offered the following resolution which was seconded by COUNCILPERSON Gilliam (GILLIAM)

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

GENERAL FUND  
BUDGET ADJUSTMENT

		FROM:	
001.031200.549000	Police, Misc. Contra. Exp.		400.00
001.031200.524900	Police, Misc. Expense		300.00
001.071400.541000	Rec.Center, Rep. & Maint.		500.00
001.092705.471000	Gifts & Donations		550.00
		TO:	
001.031200.544300	Police, Awards & Pub. Rel.		700.00
001.070200.541000	Rec.Admin., Rep. & Maint.		500.00
001.067720.524000	Nutrition Equipment		550.00

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

The resolution was thereupon duly declared adopted.

Date April 21, 1992

No. 240

COUNCILPERSON Gilliam (GILLIAM) offered the following resolution which was seconded by COUNCILPERSON Creighton (CREIGHTON)

RESOLVED, that the Supervisor be and hereby is, authorized to establish the following Budget Adoption.

<u>BUDGET ADOPTION</u>		
<u>SUMMER RECREATION PROGRAM</u>		
006.073100.421046	Program fees	\$30,200.00
TO:		
006.073100.518600	Personal services (summer)	\$20,000.00
006.073100.54000	Travel	5,625.00
006.073100.542000	Supplies	2,500.00
006.073100.582500	Social Security	1,530.00
006.073100.583500	Workers Compensation	545.00

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

April 21, 1992

# 241 Appoints Park Attendants to Riverhead Recreation  
Department

Prusinowski (PRUSINOWSKI) offered the following  
resolution and seconded by Creighton (CREIGHTON)

RESOLVED, That Gerard Doroski is hereby appointed to serve as Park Attendant effective May 1, 1992 to and including December 5, 1992, to be paid bi-weekly at the rate of \$6.05 per hour and to serve at the pleasure of the Town Board.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

April 21, 1992

# 242 Appoints Park Attendants to Riverhead Recreation Department

Creighton (CREIGHTON) offered the following resolution and seconded by Gilliam (GILLIAM)

RESOLVED, That Arthur Faber and Richard Park hereby appointed to serve as Park Attendants effective May 1, 1992 to and including December 5, 1992, to be paid bi-weekly at the rate of \$6.05 per hour and to serve at the pleasure of the Town Board.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowksi, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopte.

4-21-92

# 243

APPOINTS RECREATION AIDE TO RIVERHEAD RECREATION DEPARTMENT

COUNCILPERSON Creighton offered the following resolution, which was seconded by Councilperson Gilliam.

RESOLVED, that Anne Guida is hereby appointed to serve as Recreation Aide effective January 1, 1992 to and including December 31, 1992, to be paid bi-weekly at the rate of \$6.05 per hour and to serve at the pleasure of the Town Board.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

4-21-92

244

#            APPROVES APPLICATION OF ST. JOHN THE EVANGELIST AND ST. ISADORES R.C. CHURCHES TO HOLD BAZAAR & CARNIVAL

(PRUSINOWSKI).

COUNCILPERSON Prusinowski offered the following resolution, which was seconded by COUNCILPERSON Creighton (CREIGHTON).

WHEREAS, St. John the Evengelist and St. Isadores R.C. Churches submitted an application for the purpose of holding a bazaar and carnival to be held at the southwest corner of Route 58 and Mill Road, Riverhead, New York, on May 27, 1992 through May 31, 1992; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the application of St. John the Evengelist and St. Isadores R.C. Churches for the purpose of holding a bazaar and carnival at the southwest corner of Route 58 and Mill Road, Riverhead, New York, on May 27, 1992 through May 31, 1992 be and is hereby approved; and be it further;

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to St. John the Evengelist and St. Isadores R.C. Churches and the Riverhead Police Department.

Resolved, that the Town Board hereby exempts this event from the provisions of Chapter 45 of the Riverhead Town Code regarding the consumption of alcoholic beverages; and be it further

Resolved, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Stateport Fire Department and the Riverhead Police Department.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Jansoki, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Jansoki, yes. 4 yes, 1 absent.  
The resolution was thereupon duly declared adopted.

4-21-92

# 245 APPROVES APPLICATION OF JAMESPORT FIRE DEPARTMENT TO HOLD  
A BAZAAR, CARNIVAL AND PARADE

COUNCILPERSON Creighton (CREIGHTON) offered the following resolution, which was seconded by COUNCILPERSON Gilliam (GILLIAM).

WHEREAS, Jamesport Fire Department submitted an application for the purpose of conducting a bazaar, carnival and parade to be held at Jamesport Community Center, South Jamesport Avenue, Jamesport, New York, on July 14, 1992 through July 19, 1992; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the application of Jamesport Fire Department for the purpose of conducting a bazaar, carnival and parade at Jamesport Community Center, South Jamesport Avenue, Jamesport, New York, on July 14, 1992 through July 19, 1992 be and is hereby approved; and be it further;

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

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

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

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes;  
Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

246 APPROVES SITE PLAN OF METRO GAS STATION, WADING RIVER

Councilperson Gilliam (GILLIAM) offered the following resolution, which was seconded by Councilperson Creighton (CREIGHTON)

**WHEREAS**, a site plan and elevations were submitted by John Chase for the demolition of an existing building, and construction of a new building, canopy, and related site improvements for use as a gas station located at the northwest corner of New York State Route 25A and North Country Road, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-75-1-11; and

**WHEREAS**, the Planning Department has reviewed the site plan dated last February 25, 1992 (sheets 2 and 3 of 6), as prepared by Permit Research & Acquisition, 1108 Route 110, Farmingdale, New York, 11735, and elevations dated last February 25, 1992 (sheets 2 and 4 of 6), as prepared by Permit Research & Acquisition, 1108 Route 110, Farmingdale, New York, 11735, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type II Action pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan and elevations submitted by John Chase, for the demolition of an existing building, and construction of a new building, canopy, and related site improvements for use as a gas station, located at the northwest corner of New York State Route 25A and North Country Road, Wading River, New York, site plan dated last February 25, 1992 (sheets 2 and 3 of 6), as prepared by Permit Research & Acquisition, 1108 Route 110, Farmingdale, New York, 11735, and elevations dated last February 25, 1992 (sheets 2 and 4 of 6), as prepared by Permit Research & Acquisition, 1108 Route 110, Farmingdale, New York, 11735, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

**The Vote:** Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. **4 yes, 1 absent.**

**The Resolution was thereupon duly declared adopted.**

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

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

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

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

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, 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, 424 Realty Corporation hereby authorizes and consents to the Town of Riverhead to enter premises at the northwest corner of New York State Route 25A and North Country Road, Wading River, 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 all utilities shall be constructed underground;

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

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

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

15. That the dumpster and enclosure shall be moved ten feet (10') to the west, as indicated on the site plan approved herein and initialled by a majority of this Board;

16. That Shore Juniper or Andorra Juniper shall be provided instead of arborvitae where indicated on the site plan approved herein and initialled by a majority of this Board;

17. That the arborvitae buffer along the west property line shall be planted at a spacing of 5 feet on center, as indicated on the site plan approved herein and initialled by a majority of this Board; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John Chase/424 Realty Corporation, the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1992, made by 424 Realty Corporation, residing at P.O. Box 3269, Farmingdale, New York, 11735, Declarant.

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

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

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

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

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

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

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

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

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

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

5. That 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;

10. That all utilities shall be constructed underground;

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

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

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

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

By: \_\_\_\_\_

For 424 Realty Corporation

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the \_\_\_\_\_ day of \_\_\_\_\_, 1992, before me personally came \_\_\_\_\_, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the northwest corner of New York State Route 25A and North Country Road, Wading River, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

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

247 APPROVES SITE PLAN OF JAMES WOODHULL

Councilperson Prusinowski (PRUSINOWSKI) offered the following resolution, which was seconded by Councilperson Gilliam (GILLIAM)

**WHEREAS**, a site plan and elevations were submitted by James Woodhull for the replacement of two trailers with new, larger trailers located at the west side of a right-of-way known as Dolores Avenue, off of Harrison Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-102-3-17; and

**WHEREAS**, the Planning Department has reviewed the site plan dated last March 18, 1992, as prepared by William R. Simmons, Jr., P.O. Box 377, Jamesport, New York, 11947, and elevations dated in-house April 21, 1992, as prepared by Liberty Homes, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan and elevations submitted by James Woodhull, for the replacement of two trailers with new, larger trailers, located at the west side of a right-of-way known as Dolores Avenue, off of Harrison Avenue, Riverhead, New York, site plan dated last March 18, 1992, as prepared by William R. Simmons, Jr., P.O. Box 377, Jamesport, New York, 11947, and elevations dated in-house April 21, 1992, as prepared by Liberty Homes, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a

**The Vote:** Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. **4 yes, 1 absent.** The resolution was thereupon duly declared adopted.

form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

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

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

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

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

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

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

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

10. That this approval shall be subject to the applicant obtaining all necessary permits of the Riverhead Sewer District, Riverhead Water District, and Suffolk County Department of Health Services;

11. That the "evergreen plantings" denoted on the site plan approved herein shall be white pine, Eastern Red cedar, or arborvitae;

12. That this approval is subject to approval of the Zoning Board of Appeals; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to James Woodhull, William R. Simmons, Jr., the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

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 HEREBY:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby state, 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:

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

That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval prior to the site plan process and the sign permit procedure prior to being installed at the property; that all signage as required shall be coordinated in appearance and design; and that all provisions of Section 102-55 of the Riverhead Town Code shall be complied with, and that all townships shall be complied with all requirements as well as those of Section 102-107 and any restrictions imposed as a condition of the site plan approval granted herein;

That no lighting shall be installed or adjusted in such a way as to cause glare on neighboring properties or adjoining streets;

## DECLARATION AND COVENANTS

THIS DECLARATION, made the \_\_\_\_\_ day of \_\_\_\_\_, 1992, made by James Woodhull, residing at 915 Shepard Drive, Southold, New York, 11971, Declarant.

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

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

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

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

### NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

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

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

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

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

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

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

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

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

---

James Woodhull

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the \_\_\_\_\_ day of \_\_\_\_\_, 1992, before me personally came James Woodhull, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the west side of a right-of-way known as Dolores Avenue, off of Harrison Avenue, Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

---

NOTARY PUBLIC

# 248

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AN AMENDMENT TO CHAPTER 108 "ZONING" OF THE  
RIVERHEAD TOWN CODE AT SECTION 108-56(Z) "SIGNS"

COUNCILPERSON Creighton (CREIGHTON) offered the following resolution, which was seconded by COUNCILPERSON Gilliam (GILLIAM)

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to Section 108-56(Z) of the Riverhead Town Code:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of May, 1992, at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Section 108-56(Z) of the Riverhead Town Code as follows:

108-56. Signs.

- Z. Computerized electronic message centers shall be permitted by special permit of the Town Board in the Business B (with the exception of New York State Route 25), Business C (except in the Hamlet of Wading River), Office Service and Business E Highway Commercial/Service Zoning Use Districts only and shall be subject to the following conditions: (Remainder of Code to remain as is.)

Dated: Riverhead, New York  
April 21, 1992.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes;  
Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of May, 1992, at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to Section 108-56(Z) of the Riverhead Town Code as follows:

108-56. Signs.

Z. Computerized electronic message centers shall be permitted by special permit of the Town Board in the Business B (with the exception of New York State Route 25), Business C (except in the Hamlet of Wading River), Office Service and Business E Highway Commercial/Service Zoning Use Districts only and shall be subject to the following conditions: (Remainder of Code to remain as is.)

Dated: Riverhead, New York  
May 5, 1992

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD  
BARBARA GRATTAN, Town Clerk  
LEGAL NOTICE 7122/SCL-RH/5-6

4-21-92

# 249

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AN AMENDMENT TO CHAPTER 108 "ZONING" OF THE  
RIVERHEAD TOWN CODE AT SECTION 108-169 "USES" TO THE  
MULTIFAMILY RESIDENTIAL PROFESSIONAL OFFICE ZONE

COUNCILPERSON Gilliam (GILLIAM) offered the following resolution, which was seconded by COUNCILPERSON Creighton (CREIGHTON)

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider an amendment to the Multifamily Residential Professional Office Zone of the Riverhead Town Code at Section 108-169 "Uses":

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of May, 1992, at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to the Multifamily Residential Professional Office Zone of the Riverhead Town Code at Section 108-169 "Uses" as follows:

ARTICLE XXXIV  
Multifamily Residential Professional  
Office Zone

108-169. Uses.

A. Permitted uses.

- (1) Multifamily residential condominium development served by a community water system of Health Services. (Remainder of Code to remain as is.)

Dated: Riverhead, New York  
April 21, 1992.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes;  
Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

21, 1992

## APPROVES SPECIAL PERMIT OF 422 HEALTH

considered ( )  
 was adopted by Councilperson ( )

WHEREAS, the Riverhead Town Board is in receipt of a petition for a permit from 422 Health Corporation to expand a preexisting, nonconforming use by converting an existing repair facility with a convenience store on a parcel of land located on County Route 55 (approximately 695 feet west of Highway Avenue, said parcel more fully described as Suffolk County Taxmap Number 800-111-1-6,

WHEREAS, the Riverhead Town Board did by resolution adopted on April 17, 1992, declare itself to be the lead agency in this matter and determined the action to be taken without a significant impact on the environment and issued a notice of non-significance, and

WHEREAS, the Town Clerk did refer the petition to the Suffolk Planning Commission for its review and recommendation, and

**TOWN OF RIVERHEAD  
 PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of May, 1992, at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider an amendment to the Multifamily Residential Professional Office Zone of the Riverhead Town Code at Section 108-169 "Uses" as follows:

**ARTICLE XXXIV  
 Multifamily Residential Professional  
 Office Zone**

**108-169. Uses**

**A. Permitted uses.**

- (1) Multifamily residential condominium development served by a community water system of Health Services. (Remainder of Code of remain as is.)

Dated: Riverhead, New York  
 April 21, 1992

BY ORDER OF THE TOWN BOARD  
 OF THE TOWN OF RIVERHEAD  
 BARBARA GRATTAN, Town Clerk

**LEGAL NOTICE 7091/SCL-RH/4-29**

April 21, 1992

250 APPROVES SPECIAL PERMIT OF 422 REALTY

Councilperson (PRUSINOWSKI) offered the following resolution, which was seconded by Councilperson Gilliam (GILLIAM)

**WHEREAS**, the Riverhead Town Board is in receipt of a petition for special permit from 422 Realty Corporation to expand a preexisting, nonconforming use by converting an existing repair facility with a retail convenience store on a parcel of land located on County Route 58 approximately 695 feet west of Kroemer Avenue; such parcel more particularly described as Suffolk County Tax Map Number 0600-118-3-6,

**WHEREAS**, the Riverhead Town Board did by resolution adopted September 17, 1991, declare itself to be the Lead Agency in this matter and determined the action to be Unlisted without a significant impact on the environment and issued a notice of non-significance, and

**WHEREAS**, the Town Clerk did refer the petition to the Suffolk County Planning Commission for its report and recommendation; such report recommending the denial of the petition, and

**WHEREAS**, the Town Clerk did refer the petition to the Riverhead Planning Board for its report and recommendation; such Board recommending denial of the petition, and

**WHEREAS**, a public hearing on this petition was held by the Riverhead Town Board on April 7, 1992, and

**WHEREAS**, the Riverhead Town Board has carefully considered the merits of the proposed petition, the SEQR record created to date, the report of the Suffolk County Planning Commission, the report of the Riverhead Planning Board, the testimony made part of the public hearing record, as well as all other relevant planning, zoning, and environmental information;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that in the matter of the special permit petition of 422 Realty Corporation for the expansion of preexisting, nonconforming use, the Riverhead Town Board makes the following findings:

First, that the parcel of land made subject to this petition was improved as a gasoline service station pursuant to the special permit provisions of the Riverhead Town Code;

Second, that the Industrial A Zoning Use District provides for uses as accessory uses which are considered incidental to any permitted or specially permitted use;

Third, that the provisions for gasoline service station within the Industrial A Zoning Use District provides for a certain amount of

incidental retail sales upon a premises improved through the relevant special permit provisions;

Fourth, that the subject petition does not seek to enlarge the building area associated with the preexisting, nonconforming use;

Fifth, that the dynamic nature of the gasoline sales business has necessitated the abandonment of repair areas and that their substitution with retail sales areas have become commonplace;

Sixth, that the Riverhead Town Board has approved, by special permit, petitions for the development of retail sales areas in structures previously approved as gasoline service station within the general vicinity of the subject parcel;

Seventh, that there exists relevant case law holding that convenience stores should be considered to be a normal accessory use to a gasoline service station;

Eighth, that the site is particularly suitable for the location of such accessory use within the community;

Ninth, that the parcel area is of a sufficient size for such accessory use;

Tenth, that access areas will be provided which will be adequate for the estimated traffic from public streets;

Eleventh, that adequate buffer yards and screening will be provided to protect adjacent properties; and

**BE IT FURTHER**

**RESOLVED**, that based upon its findings, the Riverhead Town Board hereby determines that the subject accessory use:

- (i) will not prevent or substantially impair either the reasonable or orderly development or use of other properties within the neighborhood;
- (ii) will not create hazards or disadvantages to the neighborhood, due its location, which are not outweighed by the advantage to be gained either by the neighborhood or to the Town;
- (iii) will not adversely affect the health, safety, welfare, comfort, convenience, and order of the Town of Riverhead;
- (iv) will be in harmony with and promote the general purposes and intent of the Riverhead Zoning Ordinance, and

**BE IT FURTHER**

**RESOLVED**, that based upon its findings and determinations, the Riverhead Town Board affirmatively overrides the Suffolk County Planning

Commission and hereby approves the special permit of 422 Realty Corporation to provide for an accessory retail use, subject to the following:

- (i) That the applicant submit a site plan in accordance with Article XXVI of the Riverhead Town Code for Town Board consideration;
- (ii) That the sale at retail shall consist only of pre-packaged items in their finished state;
- (iii) That the retail accessory shall cease upon the abandonment of the principal specially permitted use;
- (iv) That the retail accessory use shall be continued within the existing premises; and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk be authorized to forward a certified copy of this resolution to 422 Realty Corporation, the Riverhead Planning Department, the Riverhead Building Department, and the Suffolk County Planning Commission.

**The Vote:** Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

#251

AUTHORIZES ESTABLISHMENT OF PETTY CASH ACCOUNT FOR TOWN CLERK

Councilperson Creighton (CREIGHTON) offered the following resolution, which was seconded by Councilperson Gilliam

RESOLVED, that an impressed petty cash account in the amount of \$200.00 for the use of the Town Clerk.

BE IT FURTHER RESOLVED, that said petty cash account is assigned to Town Clerk, Barbara Grattan.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Office of the Accounting.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent. The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD

RES# 252 AWARDS BID TO FURNISH AND PLACE ASPHALT CONCRETE AND BITUMINOUS MATERIALS

COUNCILPERSON Gilliam (GILLIAM) OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON Creighton (CREIGHTON)

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS FOR THE FURNISHING AND PLACING OF ASPHALT CONCRETE AND BITUMINOUS MATERIALS, FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, ON THE 20TH OF APRIL, ALL BIDS WERE RECEIVED, OPENED AND READ ALOUD, AND

WHEREAS, EIGHT BIDS WERE RECEIVED, AND

NOW, THEREFORE BE IT RESOLVED, THAT THE BID TO FURNISH AND PLACE ASPHALT CONCRETE AND BITUMINOUS MATERIALS, ITEM 51 ACF, 50, 650 AND 1000 TON MINIMUM, ITEM 51 FZ, 50, 650 AND 1000 TON MINIMUM, ITEM 51 FZT, 50, 650 AND 1000 TON MINIMUM, ITEM 51 SA AND ITEM 51 WC BE AND IS HEREBY AWARDED TO TWIN FORK ASPHALT, 100 RODGERS AVE., WESTHAMPTON NEW YORK 11978

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO TWIN FORK ASPHALT AND THE RIVERHEAD HIGHWAY DEPARTMENT.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

RES# 253AWARDS BID TO FURNISH AND PLACE ASPHALT CONCRETE  
AND BITUMINOUS MATERIALS

COUNCILPERSON *Prusinowski* (PRUSINOWSKI)  
OFFERED THE FOLLOWING RESOLUTION WHICH  
WAS SECONDED BY COUNCILPERSON *Creighton* (CREIGHTON)

**WHEREAS**, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS FOR THE FURNISHING AND PLACING OF ASPHALT CONCRETE AND BITUMINOUS MATERIALS, FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

**WHEREAS**, ON THE 20TH OF APRIL, ALL BIDS WERE RECEIVED, OPENED AND READ ALOUD, AND

**WHEREAS**, EIGHT BIDS WERE RECEIVED, AND

**NOW, THEREFORE BE IT RESOLVED**, THAT THE BID TO FURNISH AND PLACE ASPHALT CONCRETE AND BITUMINOUS MATERIALS, **ITEM 51 ACF, 350 TON MINIMUM, ITEM 51 ACF5, ITEM 51 FZT, 350 TON MINIMUM AND ITEM 51FZ5** BE AND IS HEREBY AWARDED TO **JOHN T. MONTECALVO INC., 48 RAILROAD AVE., CENTER MORICHES, NEW YORK 11934**

**AND BE IT FURTHER RESOLVED**, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO **JOHN T. MONTECALVO, INC.** AND THE RIVERHEAD HIGHWAY DEPARTMENT.

**The Vote:** Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. **4 yes, 1 absent.**

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

RES# 254 AWARDS BID TO FURNISH AND PLACE ASPHALT CONCRETE  
AND BITUMINOUS MATERIALS

COUNCILPERSON *Creighton* (CREIGHTON)  
OFFERED THE FOLLOWING RESOLUTION WHICH  
WAS SECONDED BY COUNCILPERSON *Gilliam* GILLIAM

**WHEREAS**, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS FOR THE FURNISHING AND PLACING OF ASPHALT CONCRETE AND BITUMINOUS MATERIALS, FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

**WHEREAS**, ON THE 20TH OF APRIL, ALL BIDS WERE RECEIVED, OPENED AND READ ALOUD, AND

**WHEREAS**, EIGHT BIDS WERE RECEIVED, AND

**NOW, THEREFORE BE IT RESOLVED**, THAT THE BID TO FURNISH AND PLACE ASPHALT CONCRETE AND BITUMINOUS MATERIALS, **ITEM 51W** BE AND IS HEREBY AWARDED TO **MT. HOPE ASPHALT, P.O. BOX 631, HICKSVILLE, N.Y. 11801**

**AND BE IT FURTHER RESOLVED**, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO **MT. HOPE ASPHALT** AND THE RIVERHEAD HIGHWAY DEPARTMENT.

**The Vote:** Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes;  
Janoski, yes. **4 yes, 1 absent.**  
**The resolution was thereupon duly declared adopted.**

## TOWN OF RIVERHEAD

RES# 255 AWARDS BID TO FURNISH AND PLACE ASPHALT CONCRETE  
AND BITUMINOUS MATERIALS

(GILLIAM)

COUNCILPERSON *Gilliam* OFFERED THE FOLLOWING RESOLUTION WHICH  
WAS SECONDED BY COUNCILPERSON *Creighton* (CREIGHTON)

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS  
FOR THE FURNISHING AND PLACING OF ASPHALT CONCRETE AND BITUMINOUS  
MATERIALS, FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, ON THE 20TH OF APRIL, ALL BIDS WERE RECEIVED,  
OPENED AND READ ALOUD, AND

WHEREAS, EIGHT BIDS WERE RECEIVED, AND

NOW, THEREFORE BE IT RESOLVED, THAT THE BID TO FURNISH AND  
PLACE ASPHALT CONCRETE AND BITUMINOUS MATERIALS, ITEM 67 D, ITEM  
71 RA AND ITEM 410.015 BE AND IS HEREBY AWARDED TO PAVETEC  
INDUSTRIES, INC., P.O. BOX 997, HAUPPAUGE, NEW YORK 11788,

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS  
HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION  
TO PAVETEC INDUSTRIES, INC. AND THE RIVERHEAD HIGHWAY DEPARTMENT.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes;  
Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

RES# 256 AWARDS BID TO FURNISH AND PLACE ASPHALT CONCRETE  
AND BITUMINOUS MATERIALS

PRUSINOWSKI

COUNCILPERSON *Prusinowski* OFFERED THE FOLLOWING RESOLUTION WHICH  
WAS SECONDED BY COUNCILPERSON *Creighton* (CREIGHTON)

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS  
FOR THE FURNISHING AND PLACING OF ASPHALT CONCRETE AND BITUMINOUS  
MATERIALS, FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, ON THE 20TH OF APRIL, ALL BIDS WERE RECEIVED,  
OPENED AND READ ALOUD, AND

WHEREAS, EIGHT BIDS WERE RECEIVED, AND

NOW, THEREFORE BE IT RESOLVED, THAT THE BID TO FURNISH AND  
PLACE ASPHALT CONCRETE AND BITUMINOUS MATERIALS, ITEM 555 TYPE A  
AND TYPE B AND ITEM 55 SL TYPE II AND TYPE III BE AND IS HEREBY  
AWARDED TO T.H. GANNON & SONS, INC., P.O. BOX 505, MIDDLE ISLAND,  
NEW YORK 11953

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS  
HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION  
TO T.H. GANNON & SONS, INC. AND THE RIVERHEAD HIGHWAY DEPARTMENT.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes;  
Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

Date April 21, 1992

No. 257

COUNCILPERSON Creighton (CREIGHTON) offered the following resolution which was seconded by COUNCILPERSON Gilliam (GILLIAM).

RESOLVED, that the Supervisor be and hereby is, authorized to establish the following Budget Adoption.

BUDGET ADOPTION

CHILD CAR FACILITY CAPITAL PROJECT

406.073100.494000.70090.	Bond Proceeds	\$300,000.00
406.073100.485500.70090.	Trans.from CD.BG.Consort.	100,000.00

TO:

406.073100.522150.70090.	Construction of Facility	\$375,000.00
406.073100.523000.70090	Site Improvements	15,000.00
406.073100 547900.70090	Contingency	10,000.00

The Vote: Gilliam, no; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 3 yes, 1 no, 1 absent.

The resolution was thereupon duly declared adopted.

and Materials, Inc. \$ 30,000.00

Electrical work  
Diferencia Electric Corp. \$ 17,125.00

Plumbing work  
W.H.R. Plumbing &  
Heating Contractors, Inc. \$ 17,440.00

and be it further  
RESOLVED, that the Town Clerk be and is hereby authorized to return any and all bid bonds received in connection with the above; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to W.H.R. Plumbing & Heating Contractors, Inc.; Diferencia Electric Corp.; W.H.R. Plumbing & Heating Contractors, Inc.; Diferencia Electric, Inc.; the Community Development Agency; and the Town Engineer

The Vote: Gilliam, no; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 3 yes, 1 no, 1 absent.  
The resolution was thereupon duly declared adopted.

4-21-92

# 258      AWARDS BID FOR CONSTRUCTION OF DAY CARE CENTER AT STOTSKY PARK, TOWN OF RIVERHEAD

COUNCILPERSON Gilliam (GILLIAM) offered the following resolution, which was seconded by COUNCILPERSON Creighton (CREIGHTON).

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for construction of a day care center at Stotksy Park, Riverhead, New York; and

WHEREAS, bids were received, opened and read aloud on the 31st day of March, 1992, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for construction of a day care center at Stotksy Park, Riverhead, New York be and is hereby awarded as follows:

<u>CONTRACT</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
General construction	W.J. Northridge Construction Corp.	\$246,918.00
Mechanical work	Terry Contracting and Materials, Inc.	\$ 30,000.00
Electrical work	DiFrancia Electric Corp.	\$ 57,125.00
Plumbing work	W.H.M. Plumbing & Heating Contractors, Inc.	\$ 37,440.48

and be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to return any and all bid bonds received in connection with the above; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to W.J. Northridge Construction Corp.; Terry Contracting and Materials, Inc.; W.H.M. Plumbing & Heating Contractors, Inc.; DiFrancia Electric, Inc.; the Community Development Agency; and the Town Engineer

The Vote: Gilliam, no; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 3 yes, 1 no, 1 absent.

The resolution was thereupon duly declared adopted.

4-21-92

# 259 REJECTS BIDS FOR SITE IMPROVEMENTS FOR DAY CARE CENTER

COUNCILPERSON Prusinowski (PRUSINOWSKI) offered the following resolution, which was seconded by COUNCILPERSON Creighton (CREIGHTON)

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for site improvements at the day care center to be located at Stotsky Park, Riverhead, New York; and

WHEREAS, said bids were opened and read aloud on the date and at the time and place specified in the notice to bidders; and

WHEREAS, the Town Board desires to reject the bids for site improvements.

NOW, THEREFORE, BE IT

RESOLVED, that all bids for site improvements at the day care center to be located at Stotsky Park, Riverhead, New York, be and are hereby rejected; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to return all bid bonds received in connection thereto; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Community Development Agency.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

4-21-92

# 260 GRANTS MEDICAL LEAVE OF ABSENCE

COUNCILPERSON Creighton (CREIGHTON) offered the following resolution, which was seconded by COUNCILPERSON Gilliam (GILLIAM)

WHEREAS, William Heard has requested a leave of absence for medical reasons.

NOW, THEREFORE, BE IT

RESOLVED, that William Heard is granted a medical leave for a period not to exceed six (6) months commencing April 29, 1992, and expiring October 27, 1992; and be it further

RESOLVED, that in order to facilitate the proper functioning of the Town offices, the employee shall submit written notice of his intent to return to work, resign, retire or other relief to the Town Supervisor at least ten (10) days prior to the expiration of the leave of absence; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to William Heard and the Accounting Department.

The Vote: Gilliam, yes; Creighton, yes; Stark, absent; Prusinowski, yes; Janoski, yes. 4 yes, 1 absent.

The resolution was thereupon duly declared adopted.

(PRUSINOWSKI)

RESOLUTION # Prusinowski CK RUN APRIL 21, 1992 (TBM 4-21-92)  
COUNCILPERSON 261 offered the following resolution, which was  
passed by COUNCILPERSON Stark (STARK) RESOLVED, that the SUPERVISOR  
is hereby authorized to pay the following:

*****ACCOUNTS*****	*****TOTALS*****
GENERAL TOWN 001	\$297,885.61
PARKING METER 002	\$0.00
AMBULANCE 003	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00
YOUTH CENTER 005	\$171.00
RECREATION PROGRAM 006	\$713.00
HIGHWAY 111	\$67,512.07
WATER 112	\$22,023.24
REPAIR & MAINTENANCE 113	\$0.00
SEWER 114	\$19,173.55
SOLID WASTE COLLECTION DIST. 115	\$0.00
STREET LIGHTING 116	\$2,141.26
PUBLIC PARKING 117	\$1,873.95
BUSINESS IMPROVEMENTS DISTRICT 118	\$21,740.94
HOSPITALIZATION SELF INSURANCE 174	\$0.00
RISK RETENTION 175	\$602.42
UNEMPLOYMENT INSURANCE RESERVE 176	\$5,495.50
ECONOMIC REVOLVING LOAN 178	\$2,758.28
RESIDENTIAL REHAB 179	\$0.00
DISCRETIONARY/SMALL CITIES 180	\$0.00
CDBG CONSORTIUM ACCOUNT 181	\$0.00
IDDP CONSORTIUM ACCOUNT 183	\$0.00
RESTORE GRANT PROGRAM 184	\$46.00
SEWER DEBT 382	\$0.00
WATER DEBT 383	\$0.00
GENERAL TOWN DEBT 384	\$10,044.73
SCAVENGER WASTE DEBT 385	\$115,963.00
TOWN HALL CAPITAL PROJECTS 406	\$7,600.00
EIGHT HUNDRED SERIES 408	\$0.00
TWO BEARS 440	\$0.00
CHIPS 451	\$0.00
YOUTH SERVICES 452	\$1,185.52
SENIORS HELPING SENIORS 453	\$1,595.97
EISEP 454	\$1,076.99
MUNICIPAL FUEL 625	\$0.00
MUNICIPAL GARAGE 626	\$2,171.23
TRUST & AGENCY 735	\$329,718.10
JOINT SCAVENGER WASTE 918	\$11,147.49
*****GRAND TOTAL*****	\$922,639.85

**THE VOTE**

Gilliam  Yes  No  
 Stark  Yes  No  
 Janoski  Yes  No  
*Prusinowski*  Yes  No  
*Albent*  Yes  No

**THE RESOLUTION WAS  WAS NOT**   
**THEREUPON DULY DECLARED ADOPTED**