

588 Authorizes Supervisor to Execute Agreement on behalf of Riverhead Water District, Re: Kujawski

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

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement on behalf of the Riverhead Water District with Raymond J. Kujawski, to provide water to his four lot minor subdivision on Manor Lane near Sound Avenue formerly designated as Suffolk County Tax Map Number 0600-022-01-004 which lies partially within the Riverhead Water District, and be it further

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

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

_____ ADOPTS AMENDING CHAPTER 101 ARTICLE V "PARKING, STANDING AND STOPPING" OF THE RIVERHEAD TOWN CODE AT SECTION 101-13 "PARKING TIME LIMITED"

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider the amendment of Chapter 101 Article V "Parking, standing and stopping" of the Riverhead Town Code at Section 101-13 "Parking time limited"; and

WHEREAS, a public hearing was held on the 1st day of October, 1991, at 7:50 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the amendment of Chapter 101 Article V "Parking, standing and stopping" of the Riverhead Town Code at Section 101-13 "Parking time limited" be and is hereby adopted as follows:

ARTICLE V
Parking, Stopping and Standing

101-13. Parking time limited.

Parking is hereby prohibited for longer than the time limit designated upon any of the following described streets or portions thereof:

E. Two (2) hours. The parking of vehicles for a period of longer than two (2) hours is prohibited in the following locations from the hours of 8:00 a.m. and 6:00 p.m.:

<u>Street</u>	<u>Side</u>	<u>Location</u>
<u>Pulaski Street</u>	<u>Both</u>	<u>Between Osborne Avenue and Sweezy Avenue</u>

and be it further

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

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

Dated: Riverhead, New York
October 15, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

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

590

ADOPTS LOCAL LAW AMENDING CHAPTER 95 OF THE CODE OF THE TOWN OF RIVERHEAD

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider local law amending Chapter 95 of the Code of the Town of Riverhead; and

WHEREAS, a public hearing was held on the 1st day of October, 1991, at 7:55 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

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

NOW, THEREFORE, BE IT

RESOLVED, that local law amending Chapter 95 of the Code of the Town of Riverhead be and is hereby adopted as follows:

95-3. Conditions for exemption.

Real property situate in the Town of Riverhead owned by persons sixty-five (65) years of age or over shall be exempt from town taxes to the extent of fifty per centum (50%) of the assessed valuation, subject to the following conditions.

- B. The income of the owner or the combined income of the owners of the property must not exceed the sum of ~~nine thousand five hundred dollars (\$9,500.)~~ ten thousand dollars (\$10,000.) for the income tax year immediately preceding the date of making application for exemp-

\$ 9,500	50%	4,750
10,000	50%	5,000
10,500	50%	5,250
11,000	50%	5,500
11,500	50%	5,750
12,000	50%	6,000
12,500	50%	6,250
13,000	50%	6,500
13,500	50%	6,750
14,000	50%	7,000

The voter, Stark, yes, Puzinowski, absent, Civiletti, yes, Deighton, yes, Janusz, yes. The resolution was thereupon duly declared adopted.

10/15/91

***PLEASE NOTE: PAGE NUMBERS MISNUMBERED
NOS. 1108-1109 INADVERTENTLY OMITTED***

1110

tion.¹ Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest dividends, rental income, salary or earnings and income from self-employment, but shall not include gifts or inheritances.

and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Assessors Office.

Dated: Riverhead, New York
October 15, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

¹ Editor's Note: The following sliding scale senior citizen tax exemption as provided for by Chapter 228 of the Laws of 1983 of the State of New York as amended by Section 467 of the New York State Real Property Tax Law be and is hereby adopted in the following amounts:

\$ 9,500 <u>10,000</u> or less		50%
9,500 to \$10,000 <u>\$10,001 to 10,600</u>		45%
10,000 to 10,500 <u>10,601 to 11,200</u>		40%
10,500 to 11,000 <u>11,201 to 11,800</u>		35%
11,000 to 11,500 <u>11,801 to 12,400</u>		30%
11,500 to 12,000 <u>12,401 to 13,000</u>		25%
12,000 to 12,500 <u>13,001 to 13,600</u>		20%
<u>13,601 to 14,200</u>		15%
<u>14,201 to 14,800</u>		10%

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

The resolution was thereupon duly declared adopted.

591

ADOPTS AMENDMENT TO ARTICLE XXVI OF THE RIVERHEAD TOWN CODE

COUNCILPERSON Civiletti offered the following resolution, which was seconded by COUNCILPERSON Creighton:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider the amendment of Article XXVI of the Riverhead Town Code at Section 108-130(B); and

WHEREAS, a public hearing was held on the 1st day of October, 1991, at 8:00 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the amendment of Article XXVI of the Riverhead Town Code at Section 108-130(B) be and is hereby adopted as follows:

Section 108-129 C. Permits. No permit required for any such activity ~~or use~~, including clearing or regrading of land, or the erection, construction, alteration, demolition or moving of any structure, shall be issued until the required site plan approval shall have been granted and the approved site plan thereafter shall have been signed by a majority of the Town Board. Such signing shall occur only after all those conditions contained in the resolution of approval, or imprinted on the site plan by or on behalf of the Town Board, which are required to be complied with by the applicant before issuance of a building or land clearing permit have been met.

Section 108-130 B. All other districts.

- (1) Any clearing or grading.
- ~~(2) Any new land use or construction.~~
- (3) Any conversion, alteration, addition or repair of an existing land use or structure which requires a building permit and:

- (a) Will effect a change to the exterior of the affected structure(s) or
- (b) Will effect a change to the area of the site, including but not limited to parking, loading, paving, access and drainage.

and be it further

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

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

Dated: Riverhead, New York
October 15, 1991.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The vote, Stark, yes, Prusinowski, abesnt, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

10/15/91

1113

592 AUTHORIZES THE SUPERVISOR TO APPLY TO NEW YORK STATE EXECUTIVE DEPARTMENT, OFFICE OF THE AGING FOR THE SUPPORT OF RIVERHEAD TOWNSHIP SENIOR CITIZENS

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

WHEREAS, the Town of Riverhead Recreation Department is in receipt of correspondence from Gane Gould, Director, New York State Office for the Aging, advising of revisions to State Aid for Senior Citizen Programs.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be, and hereby is authorized to sign and submit a new application to the New York State Executive Department, Office for the Aging, for State Aid for Riverhead Senior Citizens in 1991 as per letter from Jane Gould, Director, New York State Office for the Aging dated August 7, 1991; and

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

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

The resolution was thereupon duly declared adopted.

10/15/91

1114

Date _____

No. 593

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

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

<u>TOWN ENGINEER BUDGET ADJUSTMENT</u>			
001.014400.524400	FIELD EQUIPMENT	FROM:	\$ 400.00
001.014400.542100	OFFICE EQUIPMENT	TO:	\$ 400.00

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

The resolution was thereupon duly declared adopted.

10/15/91

1115

Date _____

No. 594

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

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

JOINT SCAVENGER WASTE DISTRICT
BUDGET ADJUSTMENT

918.081890.549000	MISCELLANEOUS	FROM:	\$ 1,000.00
918.018190.541150	BUILDING MAINT. (PLANT LUBRICANTS)	TO:	\$ 1,000.00

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

The resolution was thereupon duly declared adopted.

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

Date _____

No. 595

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

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

SEWER DISTRICT
BUDGET ADJUSTMENT

114.081300.546305	STATION FUELS	FROM:	\$ 275.00
114.081300.546304	PLANT FUELS	TO:	\$ 275.00

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

The resolution was thereupon duly declared adopted.

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

Date _____

No. 596

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

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

<u>GENERAL TOWN</u>		
<u>BUDGET ADJUSTMENT</u>		
		FROM:
001.070200.543405	TRAVEL	\$ 800.00
001.070200.542114	ASSOC. DUES	200.00
001.070200.542104	SUPPLIES	900.00
001.070200.546000	UTILITIES	700.00
001.071100.542000	SUPPLIES	1,700.00
001.071800.518606	LIFEGUARDS	7,000.00
001.071800.524000	EQUIPMENT	400.00
001.071800.546400	WATER/PLUMBING	600.00
001.072300.524000	EQUIPMENT	500.00
001.073100.518751	WRESTLING	800.00
001.073100.518753	TENNIS	2,400.00
001.073100.518765	BASKETBALL	800.00
001.073100.542112	PROGRAM SUPPLIES	1,000.00
001.073100.545000	RENTALS	700.00
001.073100.546000	UTILITIES	1,000.00
001.076200.518607	TENNIS ATTENDANT	200.00
001.076200.518765	BASKETBALL	600.00
001.076200.518761	VOLLEYBALL	300.00
001.076200.518763	PHYSICAL FITNESS	400.00
001.076200.518764	SENIOR CIT. INSTRUCTOR	1,700.00
001.076200.524000	EQUIPMENT	200.00
001.076200.545410	BUSES	500.00
001.076200.542112	PROGRAM SUPPLIES	400.00
		TO:
001.070200.524000	EQUIPMENT	\$ 100.00
001.070200.546100	TELEPHONE	1,300.00
001.070200.542600	PRINTING	3,000.00
001.070200.542113	POSTAGE	600.00
001.071100.546000	UTILITIES	8,300.00
001.071400.545700	SPECIALISTS/INSTRUCT.	2,500.00
001.071400.541000	REPAIR/MAINTENANCE	1,100.00
001.071800.518607	BEACH ATTENDANT	5,000.00
001.071800.542600	PRINTING EXPENSE	200.00
001.071800.546000	UTILITIES	1,100.00
001.073100.518752	SWIM LESSONS	600.00

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

The resolution was thereupon duly declared adopted.

Date _____

No. 597

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

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

POLICE DEPARTMENT
BUDGET ADJUSTMENT

FROM:

001.031200.542605	APPEARANCE TICKETS	\$	500.00
001.031200.543401	TRAINING EXPENSE		500.00

TO:

001.031200.542502	EVIDENCE STORAGE	\$	800.00
001.031200.542405	UNIFORM REPLACEMENT		200.00

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

The resolution was thereupon duly declared adopted.

Date _____

No. 598

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

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

GENERAL TOWN BUDGET ADJUSTMENT			
		FROM:	
001.067720.542221	NUTRITION EXPENSE	\$	500.00
		TO:	
001.067720.524220	NUTRIT.P.A.SYSTEM	\$	300.00
001.067720.524900	MISC. EXPENSE		200.00

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

The resolution was thereupon duly declared adopted.

Date _____

No. 599

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

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

BUDGET ADOPTION
FISH TOURNAMENT

006.072089.421046	RECREATION FISHING TOURN. FEES	\$1150.00
006.076200.544300	TROPHIES & AWARDS	\$1000.00
006.076200.545290	EQUIPMENT RENTAL	150.00

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

The resolution was thereupon duly declared adopted.

10/15/91

1121

600 CHANGES REGULAR TOWN BOARD MEETING DATE

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

WHEREAS, Town Hall will be closed on Election Day, November 5, 1991; and

WHEREAS, the next regularly scheduled meeting of the Town Board of the Town of Riverhead is November 5, 1991.

NOW, THEREFORE, BE IT

RESOLVED, that the next regularly scheduled meeting of the Town Board of the Town of Riverhead be and is hereby moved to November 6, 1991; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to publish and post the attached notice in the OCTOBER 23, 1991 and OCTOBER 30, 1991 issues of the Suffolk County Life.

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

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that inasmuch as Town Hall will be closed on November 5, 1991, in observance of Election Day, the next regularly scheduled meeting of the Town Board of the Town of Riverhead will be held on November 6, 1991, at 7:30 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York.

WHEREAS, the Town Board of the Town of Riverhead, New York, is authorized to take any and all actions which may be necessary or proper for the good government of the Town of Riverhead, New York, and inasmuch as the Town Board of the Town of Riverhead, New York, has determined that it is in the best interests of the Town of Riverhead, New York, to take the following actions:

1. To amend the Zoning Ordinance of the Town of Riverhead, New York, as amended, to read as follows:

2. To amend the Subdivision Ordinance of the Town of Riverhead, New York, as amended, to read as follows:

3. To amend the Environmental Conservation Law of the State of New York, as amended, to read as follows:

4. To amend the Town Code of the Town of Riverhead, New York, as amended, to read as follows:

RESOLVED, that the Town Board of the Town of Riverhead, New York, do hereby adopt the following resolution:

James V. DeLoach, Jr., Town Clerk

Construction of a 1.5-MW power plant and related facilities at the site located on the east side of County Road 100, Town of Riverhead, New York, as shown on the site plan dated last September 10, 1991, as prepared by Jeffrey A. DeLoach, Jr., Town Clerk, Town of Riverhead, New York, 1991, and as amended by the Town Board of the Town of Riverhead, New York, on the following:

601 APPROVES SITE PLAN OF WILLIAM TINTLE - BUILDING ADDITION

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

WHEREAS, a site plan and elevations were submitted by James V. DeLuca, as agent for William Tintle for the construction of a 4,000 square foot building addition, and attendant site improvements located at the south side of Middle Country Road (New York State Route 25), Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-117-1-2; and

WHEREAS, the Planning Department has reviewed the site plan dated last September 5, 1991 (Sheets 1 and 3 of 3), as prepared by Jeffrey A. Hartman, P.E., 8 Elwin Place, East Northport, New York, 11731, and elevations dated last September 5, 1991, as prepared by Jeffrey A. Hartman, P.E., 8 Elwin Place, East Northport, New York, 11731, 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) Unlisted 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 V. DeLuca, as agent for William Tintle, for the construction of a 4,000 square foot building addition, and attendant site improvements, located at the south side of Middle Country Road (New York State Route 25), Calverton, New York, site plan dated last September 5, 1991 (Sheets 1 and 3 of 3), as prepared by Jeffrey A. Hartman, P.E., 8 Elwin Place, East Northport, New York, 11731, and elevations dated last September 5, 1991, as prepared by Jeffrey A. Hartman, P.E., 8 Elwin Place, East Northport, New York, 11731, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and agrees to abide by same;
6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;
7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;
8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, WILLIAM TINTLE, SR. AND WILLIAM TINTLE, JR. hereby authorizes and consents to the Town of Riverhead to enter premises at the south side of Middle Country Road (New York State Route 25), Calverton, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

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

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

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

13. That concrete bumper curbs shall be provided for all parking spaces; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to James V. DeLucca, as agent for William Tintle, William Tintle Sr., William Tintle, Jr., the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

The vote, Stark, ye, Prusinowski, absent, Civiletti, yes, Creighton, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1991, made by WILLIAM TINTLE, SR. AND WILLIAM TINTLE, JR., residing at Lewis Road, East Quogue, New York, 11942, Declarant.

W I T N E S S E T H:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

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

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

4. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and agrees to abide by same;

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

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

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

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

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

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

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

10/15/91

1128

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

WILLIAM TINTLE, SR.

WILLIAM TINTLE, JR.

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1991, before me personally came WILLIAM TINTLE, SR. AND WILLIAM TINTLE, JR., to me known and known to be the individuals who executed the foregoing instrument; that they are the owners of certain real property located at the south side of Middle Country Road (New York State Route 25), Calverton, New York, the subject property of this Declaration and Covenant, and understand the content thereof; and that they did swear to me that they executed the same.

NOTARY PUBLIC

WHEREAS, the Riverhead Town Board has considered reports of the Planning Board, the report of the Planning Board, the report of the Planning Board, and all other relevant information;

AND, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby makes the following findings in the matter of the special permit application of Our Redeemer Church:

- (i) That the use will not prevent or substantially impair the orderly development of other properties in the area;
- (ii) That the disadvantages to the neighborhood which might be associated with the use are outweighed by the advantages to be gained by the Town by such use;
- (iii) That the health, safety, welfare, and order of the Town will not adversely be affected by the authorized use;
- (iv) That such use will promote the general purpose and intent of the Town of Riverhead Zoning Ordinance;

602 APPROVES SPECIAL PERMIT PETITION OF
OUR REDEEMER EVANGELICAL LUTHERAN CHURCH

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

WHEREAS, the Riverhead Town Board is in receipt of a petition from Leroy W. Lewin for an expansion of a preexisting, nonconforming use pursuant to Section 108-51(A) of the Town Code for internal improvements to an existing church to allow additional parochial school classes on a 6.05 acre parcel zoned Business PB; such parcel more particularly described as Suffolk County Tax Map Number 0600-85-2-10, and

WHEREAS, the Riverhead Town Board has declared itself to be the Lead Agency in this matter and has determined the use not to have a significant impact upon the environment, and

WHEREAS, notice of non-significance has been filed as required by the New York State Environmental Conservation Law, and

WHEREAS, the petition was submitted to the Suffolk County Planning Commission for its report and recommendation; such Commission determining the application to be a matter for local determination, and

WHEREAS, the petition was submitted to the Riverhead Planning Department for its report and recommendation; such Planning Board recommending that the Riverhead Town Board approve the subject application, and

WHEREAS, the Riverhead Town Board has considered merits of the carefully the proposed application, the SEQR record completed to date, the report of the Planning Department, the report of the Planning Board, as well as all other relevant environmental and planning information;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby makes the following findings in the matter of the special permit application of Our Redeemer Lutheran Church:

- (i) That the use will not prevent or substantially impair the orderly development of other properties in the area;
- (ii) That the disadvantages to the neighborhood which might be associated with the use are outweighed by the advantage to be gained by the Town by such use;
- (iii) That the health, safety, welfare, and order of the Town will not adversely be affected by the authorized use;
- (iv) That such use will promote the general purpose and intent of the Town of Riverhead Zoning Ordinance;

- (v) That the site is particularly suitable for such use;
- (vi) That the plot area is sufficient for such use and the anticipated expansion thereof;
- (vii) That access facilities are adequate for the estimated traffic from public streets;
- (viii) That off-street parking facilities exist in conformance with the provisions of the Town of Riverhead Zoning Ordinance, and

BE IT FURTHER

RESOLVED, that since the extent of the subject special permit for expansion of a preexisting, nonconforming use is determined to be less than 10 percent of the area of the project site, the Town Board hereby waives the requirement for public hearing, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby approves the special permit petition of Our Redeemer Lutheran Church to allow the use of the existing building as a classroom space for an elementary school, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to the Riverhead Planning Department, Building Department, and the applicant.

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

The resolution was thereupon duly declared adopted.

Declares lead Agency and Determines Significance of Action
Ronald J. Mayer - Special Permit and Site Plan

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

WHEREAS, the Riverhead Town Board is in receipt of a petition for a Special Permit for a primary business use and accessory residential use on a .46 acre parcel in the Business PB Zone known as Suffolk County Tax Map Number 0600-85-2-36.5 from Ronald J. Mayer, and

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

WHEREAS, the Riverhead Planning Department has reviewed the Full Environmental Assessment Form and supporting documentation and recommends the petition be considered an Unlisted Action for which coordinated review is optional, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the Lead Agency in the Special Permit application of Ronald J. Mayer, and

BE IT FURTHER

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

BE IT FURTHER

RESOLVED, that this classification and determination be considered valid for any subsequent Town action in this matter subject to SEQR and not considered Type II pursuant to 617.13(d)(2), and

BE IT FURTHER

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

BE IT FURTHER

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

BE IT FURTHER

RESOLVED, that the Planning Department be directed to contact the applicant to cause him to make the necessary application to the Zoning Board of Appeals in this matter.

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

The resolution was thereupon duly declared adopted.

#604

72113-384P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on October 15, 1991, at 7:30 o'clock p.M., Prevailing Time.

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

PRESENT: Supervisor Janoski
Councilwoman Civiletti
Councilman Stark
Councilman Creighton

ABSENT: Councilman Prusinowski

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

10/15/91

1133

BOND RESOLUTION DATED OCTOBER 15, 1991.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$150,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE ACQUISITION OF A PARCEL OF LAND ADJACENT TO THE TOWN OF RIVERHEAD LANDFILL ON YOUNGS AVENUE FOR USE AS A SAND MINE FOR SAND COVER FOR SAID LANDFILL AS A RESULT OF A SETTLED CLAIM BY ORDER OF THE SUPREME COURT OF THE STATE OF NEW YORK DATED JULY 30, 1991, IN THE CASE OF TOWN OF RIVERHEAD V. VINCENT LOBOZO.

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

Section 1. For the specific object or purpose of paying part of the cost of the acquisition of a parcel of land adjacent to the Town of Riverhead landfill on Youngs Avenue for use as a sand mine for sand cover for said landfill as a result of a settled claim by order of the Supreme Court of the State of New York dated July 30, 1991, in the case Town of Riverhead v. Vincent Loboazo, there are hereby authorized to be issued \$150,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$150,000, and that the plan for the financing thereof is by the issuance of the \$150,000 serial bonds of said Town authorized to be issued therefor pursuant this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 6 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

-2-

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

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

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted thereon and attested by the manual or facsimile signature of the Town Clerk.

-3-

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the

Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution which takes effect immediately, pursuant to Section 35(b)(1)(4) of the Local Finance Law, shall be published in full in The Suffolk County Life, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

10/15/91

1139

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 15th day of October, 1991, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

<u>Newspaper and/or other news media</u>	<u>Date given</u>
Suffolk County Life	January 1991

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

<u>Designated Location(s)</u> <u>of posted notice</u>	<u>Date of Posting</u>
Town Clerk's Bulletin Board	January, 1991

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this ___ day of October, 1991.

Town Clerk

(CORPORATE
SEAL)

10/15/91

1141

72113-385P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on October 15, 1991, at 7:30 o'clock P.M., Prevailing Time.

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

PRESENT: Supervisor Janoski
Councilman Stark
Councilman Creighton
Councilwoman Civiletti

ABSENT: Councilman Prusinowski

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

10/15/91

1142

BOND RESOLUTION DATED OCTOBER 15, 1991.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$325,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF AND CONSTRUCTION OF ADDITIONS TO THE HIGHWAY GARAGE LOCATED ON OSBORNE AVENUE IN AND FOR THE SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying part of the cost of the reconstruction of and construction of additions to the Highway Garage located on Osborne Avenue, in and for the Town of Riverhead, Suffolk County, New York, including original furnishings, equipment, machinery and apparatus required for the purpose for which such reconstructed building and additions to said building are to be used and incidental expenses in connection therewith, there are hereby authorized to be issued \$325,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$325,000, and that the plan for the financing thereof is by the issuance of the \$325,000 serial bonds of said Town authorized to be issued therefor pursuant this bond resolution.

-2-

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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

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

-3-

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted thereon and attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds

-4-

are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

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

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

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

Section 10. This resolution, which takes effect immediately pursuant to Section 35(b)(1)(4) of the Local Finance Law, shall be published in full in Suffolk County Life, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

<u>Supervisor Janoski</u>	VOTING	<u>Yes</u>
<u>Councilwoman Civiletti</u>	VOTING	<u>Yes</u>
<u>Councilman Creighton</u>	VOTING	<u>Yes</u>
<u>Councilman Stark</u>	VOTING	<u>Yes</u>
<u>Councilman Prusinowski</u>	VOTING	<u>Absent</u>

The resolution was thereupon declared duly adopted.

* * * *

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

I FURTHER CERTIFY that, pursuant to Section 143 of the Public Officers Law (Open Meetings Law) said meeting was open to the general public.

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

<u>Newspaper and/or other news media</u>	<u>Date Given</u>
<u>Suffolk County Life</u>	<u>January, 1991</u>

10/15/91

1148

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 15th day of October, 1991, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date given

Suffolk County Life

January, 1991

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

<u>Designated Location(s) of posted notice</u>	<u>Date of Posting</u>
Town Clerk's Bulletin Board	January, 1991

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this ___ day of October, 1991.

Town Clerk

(CORPORATE
SEAL)

The following resolution was offered by Councilman _____ who moved its adoption, seconded by Councilman _____

72113-378P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on October 15, 1991, at 7:30 o'clock P.M., Prevailing Time.

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

PRESENT: Supervisor Janoski
Councilwoman Civiletti
Councilman Stark
Councilman Creighton

ABSENT: Councilman Prusinowski

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

10/15/91

1151

BOND RESOLUTION DATED OCTOBER 15, 1991.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$125,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF A CERTAIN JUDGMENT RENDERED IN A COMPENSATION MATTER AGAINST SAID TOWN.

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

Section 1. For the specific object or purpose of paying the cost of a certain judgement rendered in a compensation matter against the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$125,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$125,000, and that the plan for the financing thereof is by the issuance of the \$125,000 serial bonds of said Town authorized to be issued therefor pursuant this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 33 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such

-2-

notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

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

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted thereon and attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such

-3-

manner as he or she shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of

-4-

Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

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

and an action, suit or proceeding contesting such validity is

commenced within twenty days after the date of such publication, or

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

Section 10. This resolution which takes effect immediately, shall be published in full in Suffolk County Life, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

10/15/91

1157

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 15th day of October, 1991, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date given

Suffolk County Life

January, 1991

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

Designated Location(s)
of posted notice

Date of Posting

Town Clerk's Office

January 1991

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this ___ day of October, 1991.

Town Clerk

(CORPORATE
SEAL)

607

REDUCES PERFORMANCE BOND FOR ROAD AND DRAINAGE IMPROVEMENTS FOR SUBDIVISION KNOWN AS "SUNWOOD"

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

WHEREAS, Charles Cuddy, Esq., as attorney for the developer of the subdivision known as "Sunwood", requested a reduction in the bond for road and drainage improvements; and

WHEREAS, John Johnsen, P.E., Consulting Engineer, by letter dated September 23, 1991, did recommend that the bond be reduces from \$125,000.00 to \$65,000.00; and

WHEREAS, by resolution dated October 4, 1991, the Planning Board did recommend that the bond be reduced.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the reduction of the bond for road and drainage improvements to \$65,000.00; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Charles Cuddy, Esq., the Riverhead Planning Board and the Riverhead Highway Department.

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

608

_____ APPOINTS CONTINGENT PROVISIONAL ACCOUNT CLERK TYPIST TO THE ACCOUNTING DEPARTMENT

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

WHEREAS, due to the leave of absence of Constance Partridge, a vacancy exists in the Accounting Department; and

NOW, THEREFORE, BE IT RESOLVED, that Lauren Kratoville is hereby appointed to the contingent provisional position of Account Clerk Typist effective October 17, 1991, at an annual salary of \$19,559.83, Group 9 Step P of the Clerical and Supervisory Salary Structure of the 1989/1990 CSEA contract; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Lauren Kratoville, RD2, 885 Shade Tree Lane, Riverhead, New York; and Jack Hansen of the Accounting Department.

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

The resolution was thereupon duly declared adopted.

DATED: October 15, 1991
Riverhead, NY

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

The resolution was thereupon duly declared adopted.

10/15/91

1161

609 AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST HELP
WANTED AD RE: LABORER WITH THE TOWN OF RIVERHEAD
SANITATION DEPARTMENT

Councilperson Civiletti offered the following resolution
which was seconded by Councilperson Creighton

WHEREAS, Robin Carr has submitted his letter of resignation
from his position of Laborer at the Town of Riverhead Landfill;
and

WHEREAS, a vacancy now exists in said position.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and
is hereby authorized to publish and post the following "Help
Wanted" ad for the position of laborer with the Town of Riverhead
Sanitation Department in the October 23, 1991 issue of Suffolk
County Life.

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a
qualified individual to serve in the position of laborer with the
Riverhead Sanitation Department. Applicants should be in good
physical condition and possess a valid New York State Drivers
license. Interested individuals must submit an application to
the Accounting Department, 200 Howell Avenue, Riverhead, New York
between the hours of 8:30 am and 4:30 pm weekdays. No
applications will be accepted, for this position, after November
1, 1991. The Town of Riverhead does not discriminate on the
basis of race, color, national origin, sex, age or handicapped
status in employment or the provision of services.

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

DATED: October 15, 1991
Riverhead, NY

The vote, Stark, yes, Prusinowski, m

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

The resolution was thereupon duly declared adopted.

610 RELEASES CERTIFIED FUNDS AND ACCEPTS MAINTENANCE BOND
IN THE FORM OF CERTIFIED FUNDS OF TIMOTHY COFFEY
NURSERY

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

WHEREAS, Timothy Coffey Nursery was awarded a bid for park site improvements within the Town of Riverhead; and

WHEREAS, the contract entered into required that a bond in the amount of \$85,556.00 be posted; and

WHEREAS, certified funds in the amount of \$85,556.00 were posted by the contractor; and

WHEREAS, said improvements have been completed pursuant to the terms and conditions of the contract; and

WHEREAS, the Town Engineer has requested that a maintenance bond in the amount of \$5,000.00 be posted for one (1) year; and

WHEREAS, a certified check in the amount of \$5,000.00 has been forwarded made payable to the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby releases the certified checks in the amount of \$85,556.00 and accepts the maintenance bond in the amount of \$5,000.00, said maintenance bond to be deposited in the official depository of the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to return the certified funds in the amount of \$85,556.00 to Timothy Coffey Nursery; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Timothy Coffey Nursery, Ken Testa and the Accounting Department.

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

The resolution was thereupon duly declared adopted.

611 AWARDS BID FOR COMMUNICATION EQUIPMENT TO BE USED BY
THE RIVERHEAD POLICE DEPARTMENT

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for communication equipment to be used by the Riverhead Police Departemnt; and

WHEREAS, bids were received, opened and read aloud on the 15th day of October, 1991, 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 communication equipment to be used by the Riverhead Police Departemnt be and is hereby awarded to Eastern L.I. Electronics, Inc.; 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 Eastern L.I. Electronics, Inc., the Riverhead Police Department and the Purchasing Agent.

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

The resolution was thereupon duly declared adopted.

10/15/91

1164

612 AUTHORIZES ATTENDANCE OF POLICE OFFICER AT INVESTIGATION COURSE

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Creighton

WHEREAS, New York City will be hosting a Criminal Investigation Course beginning on October 21, 1991 for a three week period; and

WHEREAS, it is the recommendation of the Chief of Police that one officer be allowed to attend said course.

NOW, THEREFORE, BE IT RESOLVED, that one officer from the Town of Riverhead Police Department be and is hereby authorized to attend the Criminal Investigation Course in New York City beginning on October 21, 1991; and

BE IT FURTHER RESOLVED, that all related expenses incurred by the officer in conjunction with the above mentioned course will be fully receipted upon the return of said officer and thereafter reimbursed by the Office of Accounting; and

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

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

The resolution was thereupon duly declared adopted.

10/15/91

1165

613 APPOINTS POLICE OFFICER WITH THE TOWN OF RIVERHEAD POLICE DEPARTMENT

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

RESOLVED, that Jeffrey Hamilton be and is hereby appointed to the position of Police Officer with the Town of Riverhead Police Department effective October 21, 1991 at the annual rate of compensation as set forth in the 1990/1991 PBA Contract; and

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

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

The resolution was thereupon duly declared adopted.

SOLUTION NUMBER 614 DATE OCT. 15, 1991 ABSTRACT #37 COUNCILPERSON Stark
 passed the following resolution, which was seconded by COUNCILPERSON Civiletti
 SOLVED, that the SUPERVISOR be, and is hereby authorized to pay the following 1166
10/15/91

*****ACCOUNTS*****		*****TOTALS*****
GENERAL TOWN	001	\$95,649.50
PARKING METER	002	
AMBULANCE	003	\$624.93
POLICE ATHLETIC LEAGUE	004	\$820.00
TEEN CENTER	005	\$0.00
RECREATION PROGRAM	006	\$1,492.00
HIGHWAY	111	\$19,031.74
WATER	112	\$33,360.87
REPAIR & MAINTENANCE	113	\$0.00
SEWER	114	9553.59
STREET LIGHTING	116	\$18,952.42
PUBLIC PARKING	117	\$2,024.57
HOSPITALIZATION SELF INSURANCE	174	\$20,868.68
RISK RETENTION	175	\$0.00
UNEMPLOYMENT INSURANCE RESERVE	176	
ECONOMIC REVOLVING LOAN	178	\$0.00
RESIDENTIAL REHAB	179	\$9,600.00
DEB CONSORTIUM ACCOUNT	181	\$0.00
DISCRETIONARY/SMALL CITIES	180	\$1,301.00
PUBLIC PARKING DEBT	382	\$902.50
WATER DEBT	383	\$1,073,440.23
GENERAL TOWN DEBT	384	\$63,531.25
SEWER DISTRICT DEBT	385	\$950.00
TOWN HALL CAPITAL PROJECTS	406	\$10,702.18
EIGHT HUNDRED SERIES	408	\$51,300.00
WATER IMPROVEMENTS	409	
TWO BEARS CAPITAL PROJ	440	\$1,200.00
YOUTH SERVICE	452	\$4,050.85
SENIORS HELPING SENIORS	453	\$40.80
EISEP	454	\$1,060.24
JOINT SCAVENGER WASTE	918	\$11,444.40
MUNICIPAL FUEL	625	\$68,430.85
MUNICIPAL GARAGE	626	\$1,131.58
TRUST & AGENCY	735	\$52,760.41
*****GRAND TOTAL*****		\$1,554,225.19

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