

# 436

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO  
COMPLETE APPLICATION RE: EXTENSIONS 34B AND 34C OF THE  
RIVERHEAD WATER DISTRICT

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

RESOLVED, that the Town Clerk be and is hereby directed to  
publish and post the attached Notice of Complete Application in  
the July 17, 1991, issue of the Suffolk County Life.

Dated: Riverhead, New York  
July 16, 1991

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Irene J. Pendzick, Town Clerk

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

The resolution was thereupon duly declared adopted.

7/16/91

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
NOTICE OF COMPLETE APPLICATION

856

Date: 05/23/91

APPLICANT:

RIVERHEAD - T  
200 HOWELL AVE  
RIVERHEAD, NY 11901

APPLICATION ID: 1-4730-00161/00001-0

PERMITS APPLIED FOR

1 ARTICLE 15, TITLE 15: WATER SUPPLY

PROJECT IS LOCATED IN RIVERHEAD IN SUFFOLK COUNTY

PROJECT DESCRIPTION:

THE APPLICANT PROPOSES TO EXTEND WATER SUPPLY AND DISTRIBUTION MAINS OF THE RIVERHEAD WATER DISTRICT INTO EXTENSION NO. 34B & 34C TO SERVE APPROXIMATELY 62 EXISTING AND PROPOSED DWELLINGS WITH WATER FROM EXISTING SOURCES IN AMOUNTS ESTIMATED TO AVERAGE 30,000 GALLONS PER DAY. THE PROJECT IS LOCATED IN CRYSTAL PINES ESTATES AND FOX MEADOW, EAST OF CHURCH LANE, NORTH OF RTE 25 AND SOUTH OF SOUND AVENUE COVERING APPROXIMATELY 58 ACRES OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY.

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) DETERMINATION

SEQR - 3B Project is an unlisted action and will not have a significant impact on the environment. A negative declaration is on file. No coordinated review was performed.

SEQR LEAD AGENCY None Designated

STATE HISTORIC PRESERVATION ACT (SHPA) DETERMINATION:

SHPA - 1 Cultural resource lists and map have been checked. No registered, eligible or inventoried archaeological sites or historic structures were identified at the project location. No further review in accordance with SHPA is required.

AVAILABILITY FOR PUBLIC COMMENT

Comments on this project must be submitted in writing to the Contact Person no later than 7/31/91

CONTACT PERSON

KAREN A MUNZE  
SUNY CAMPUS, BLDG 40, ROOM 219  
STONY BROOK, NY 11790-2356

# 437

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO ARTICLE I "USE OF DESIGNATED BEACHES" OF CHAPTER 48 OF THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider amending Section 48-3 and 48-7 of the Riverhead Town Code:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of August, 1991, at 7:40 o'clock p.m. at the Jamesport Community Center, South Jamesport Avenue, South Jamesport, New York, to hear all interested persons to consider amending Section 48-3 and 48-7 of the Riverhead Town Code as follows:

48-1. Definitions.

The following words and phrases, when used in this Article, shall have the meanings respectively ascribed to them in this section:

DULY ORGANIZED FISHING CLUB - A club organized pursuant to the laws of the State of New York and having its principal office in the Town of Riverhead, which is organized for the purpose of sport fishing and is comprised primarily of residents of the Town of Riverhead.

48-7. Application for permit; fee.

D. The Recreation Department is hereby authorized to issue permits for the use or operation of a motor vehicle on the Long Island Sound beach to a duly organized fishing club. The club must be recognized and approved by the Town Board and certified by the Town Clerk. Said permit shall be issued for a fee of \$50.00 per permit. The duly organized fishing club is authorized to receive permits equal to 10% of its active membership.

The permit shall be conspicuously displayed on the dashboard of the motor vehicle being used by a club member.

E. The Recreation Department is hereby authorized to issue parking permits which allows parking in spaces provided during the hours of 6:00 p.m. and 9:00 a.m. at any public bathing beach to a duly organized fishing club for a fee of \$25.00. A permit issued pursuant to

7/16/91

858

Section 48-7(D) shall authorize the permit holder to park his vehicle at any public bathing beach between the hours of 6:00 p.m. and 9:00 a.m.

Dated: Riverhead, New York  
July 2, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

# 438

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER ACTION TO BE TAKEN REGARDING AN UNSAFE  
BUILDING OWNED BY RALPH NASO PURSUANT TO CHAPTER 54 OF  
THE RIVERHEAD TOWN CODE

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

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code, the Building Inspector has forward a violation notice and report of an unsafe structure to Ralph Naso, owner of property located at Route 25, Calverton, Suffolk County, New York, known and designated as SCTM #0600-97-1-80; and

WHEREAS, the said Ralph Naso has made no attempt to remedy the violation; and

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider whether the building at the above property should be repaired and secured or demolished and removed:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of August, 1991, at 7:45 o'clock p.m. at the Jamesport Community Center, South Jamesport Avenue, South Jamesport, New York, to hear all interested persons to consider whether the building or structure located on property owned by Ralph Naso, located at Route 25, Calverton, New York, SCTM #0600-97-1-80, should be repaired and secured or demolished pursuant to Chapter 54 of the Riverhead Town Code.

and be it further

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

Dated: Riverhead, New York  
July 16, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

# 439

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER ACTION TO BE TAKEN REGARDING AN UNSAFE  
BUILDING OWNED BY J.T. REALTY CORP. PURSUANT TO CHAPTER  
54 OF THE RIVERHEAD TOWN CODE

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

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code, the Building Inspector has forward a violation notice and report of an unsafe structure to J.T. Realty Corp., owner of property located at Route 25, Riverhead, Suffolk County, New York, known and designated as SCTM #0600-118-2-4; and

WHEREAS, the said owner of the above property has made no attempt to remedy the violation; and

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code, a public hearing is to be held to determine if the building or structure is unsafe or dangerous to the public and whether same should be repaired and secured or taken down and removed.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider whether the building at the above property should be repaired and secured or demolished and removed:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of August, 1991, at 7:50 o'clock p.m. at Jamesport Community Center, South Jamesport Avenue, South Jamesport, New York, to hear all interested persons to consider whether the building or structure located on property owned by J.T. Realty Corp., Route 25, Riverhad, Suffolk County, New York, known and designated as SCTM #0600-118-2-4, should be repaired and secured or demolished pursuant to Chapter 54 of the Riverhead Town Code.

and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to J.T. Realty Corp. and the Building Inspector.

Dated: Riverhead, New York  
July 16, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

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

The resolution was thereupon duly declared adopted.

# 440

REJECTS BIDS FOR VARIOUS RECYCLABLE ITEMS FOR SOLID  
WASTE MANAGEMENT WITHIN THE TOWN OF RIVERHEAD

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

WHEREAS, notice to bidders for Municipal Solid Waste Long-Haul and Disposal, Co-Mingled Recyclables and Segregated Recyclables were let on or about November 20, 1990; and

WHEREAS, bids were received on the date prescribed in said notice at the times specified and were read aloud pursuant to said notice to bidders; and

WHEREAS, the Town Board wishes to reject said bids.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby rejects all bids for all Municipal Solid Waste Long-Haul and Disposal, Co-Mingled Recyclables and Segregated Recyclables; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to return all bid bonds and fees to all bidders; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to all bidders and the Sanitation Department.

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

The resolution was thereupon duly declared adopted.

441

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RE-APPOINTS CHAIRMAN AND APPOINTS VICE CHAIRMAN TO THE  
ZONING BOARD OF APPEALS

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

WHEREAS, the terms for Chairman and Vice Chairman of the Zoning Board of Appeals expired on June 1, 1991.

NOW, THEREFORE, BE IT

RESOLVED, that Patricia S. Tormey be and is hereby re-appointed as Chairman of the Zoning Board of Appeals for the term of one (1) year at the additional annual compensation of \$1,000.00; and be it further

RESOLVED, that Martin Keller be and is hereby appointed as Vice Chairman of the Zoning Board of Appeals to act in the place and stead of the Chairman in her absence; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Patricia S. Tormey, Martin Keller and Jane Stromski.

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

The resolution was thereupon duly declared adopted.

# 442APPOINTS HEARING OFFICER FOR DISCIPLINARY PROCEEDING

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

WHEREAS, disciplinary charges were brought against an employee of the Town of Riverhead; and

WHEREAS, pursuant to Section 75(2) of Civil Service Law, a deputy or other designated person may act on behalf of the official body performing said charges; and

WHEREAS, the Town Board of the Town of Riverhead desires to designate a hearing officer to preside over the disciplinary proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby designates Helen Rosenblum, Esq., to preside in its place and stead as hearing officer in a disciplinary proceeding preferred against an employee of the Town of Riverhead; and be it further

RESOLVED, that Helen Rosenblum shall, for the purposes of the hearing, be vested with the powers of said official body, shall make a record of such hearing and shall forward said record and recommendation to the Town Board for its review and decision; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Helen Rosenblum, Esq. and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

July 3, 1991

# 443 Rescinds Beach Attendant to Riverhead Recreation Department

Councilman Creighton offered the following resolution which was seconded by Councilman Stark

WHEREAS, Louis Goldstein was appointed to serve as a Beach Attendant effective July 2, 1991 to and including September 2, 1991.

WHEREAS, Louis Goldstein has indicated his inability to serve.

BE IT THEREFORE RESOLVED, That the appointment of Louis Goldstein made in a Town Board Resolution under date of July 2, 1991 be and is hereby rescinded.

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

July 5, 1991

444 Appoints Beach Attendent To Riverhead Recreation Department

Councilman Creighton offered the following resolution and seconded by Councilman Stark.

RESOLVED, That Peter Krajewski is hereby appointed to serve as Beach Attendent effective July 4, 1991 to and including September 2, 1991, to be paid bi-weekly at the rate of \$5.50 per hour and to serve at the pleasure of the Town Board.

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

# 445

REDUCES PERFORMANCE BOND FOR PUBLIC IMPROVEMENTS FOR  
SUBDIVISION KNOWN AS "VILLAGE GREEN AT BAITING HOLLOW"

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

WHEREAS, by resolution of the Planning Board, a performance bond for the completion of the public improvements in the subdivision known as "Village Green at Baiting Hollow" was required; and

WHEREAS, said bond was posted and accepted by the Town Board of the Town of Riverhead; and

WHEREAS, by request dated June 11, 1991, Norge Bertoli, Secretary of Village Green at Baiting Hollow, Inc., requested that said performance bond be reduced; and

WHEREAS, said request was forwarded to Louis K. McLean & Associates, P.C., consulting engineers, for their recommendations; and

WHEREAS, by letter dated July 2, 1991, John Johnsen, Consulting Engineer to the Town of Riverhead Planning Board, did recommend that said bond be reduced.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the performance bond for public improvements in the subdivision known as "Village Green at Baiting Hollow" be and is hereby reduced to the amount of \$100,000.00 per the recommendation of John Johnsen, Consulting Engineer; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Mr. Norge Bertoli, John Johnsen, P.E., and Charles B. Bloss.

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

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

## RESOLUTION # 446

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR  
ONE (1) USED TRACTOR LOADER

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

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE  
AND IS HEREBY AUTHORIZED TO ADVERTISE FOR SEALED BIDS FOR ONE (1)  
USED TRACTOR LOADER FOR THE USE OF THE RIVERHEAD HIGHWAY  
DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THE SPECIFICATIONS AND BID FORMS BE PREPARED  
BY THE SUPERINTENDENT OF HIGHWAYS, AND ALL BIDS BE RETURNABLE UP  
TO 11:00 A.M. ON JULY 29, 1991 AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK OF THE TOWN OF RIVERHEAD BE  
AND IS HEREBY AUTHORIZED TO OPEN PUBLICLY AND READ ALOUD ON JULY  
29, 1991 AT 11:00 A.M. AT THE TOWN CLERK'S OFFICE, 200 HOWELL  
AVENUE, RIVERHEAD, NEW YORK ALL SEALED BIDS BEARING THE  
DESIGNATION "BID ON ONE (1) USED TRACTOR LOADER".

CBB/sb

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

The resolution was thereupon duly declared adopted.

447      APPROVES SITE PLAN OF MULTI-MEDIA COMMUNICATIONS

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

**WHEREAS**, a site plan and elevations were submitted by Rick Kaminer for the construction of a 4,847 square foot building for use for retail sales and shop area for a communications business located at northwest corner of East Main Street (New York State Route 25) and Sigal Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-105-1-35; and

**WHEREAS**, the Planning Department has reviewed the site plan dated August 14, 1989, and last revised December 28, 1990, as prepared by Donald A. Denis, AIA, P.C., P.O. Box 565, Aquebogue, New York, 11931, and elevations dated December 28, 1990, as prepared by Donald A. Denis, AIA, P.C., P.O. Box 565, Aquebogue, New York, 11931, 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 Rick Kaminer, for the construction of a 4,847 square foot building for use for retail sales and shop area for a communications business, located at northwest corner of East Main Street (New York State Route 25) and Sigal Avenue, Riverhead, New York, site plan dated August 14, 1989, and last revised December 28, 1990, as prepared by Donald A. Denis, AIA, P.C., P.O. Box 565, Aquebogue, New York, 11931, and elevations dated December 28, 1990, as prepared by Donald A. Denis, AIA, P.C., P.O. Box 565, Aquebogue, New York, 11931, 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, HARRY LOWENTHAL, RICK KAMINER hereby authorizes and consents to the Town of Riverhead to enter premises at northwest corner of East Main Street (New York State Route 25) and Sigal Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

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

10. 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;
14. That the area denoted as "existing tree line" along the northerly property boundary, shall be retained and undisturbed, as a function of this approval, and that curbing shall be provided as denoted on the site plan approved herein and initialled by a majority of the Town Board;
15. That the existing trees at the southeast corner of the site (intersection of East Main Street and Sigal Avenue) as red-lined in-house shall be retained;
16. That all cedars which exist within the interior of the site and are in good condition shall be transplanted to the Sigal Avenue frontage, to provide the required buffer to residential uses, and that said cedars and the proposed street trees shall be supplemented as required to provide the necessary planted buffer to residential uses, and that any material which does not survive shall be replaced in kind to maintain said buffer;
17. That the planting plan and schedule shall be amended as denoted on the site plan approved herein and initialled by a majority of the Town Board;
18. That the band of split face concrete block immediately above the doors and windows shall be "peach;"

19. That three (3) parking spaces along East Main Street shall be eliminated and curbed as indicated on the site plan approved herein and initialled by a majority of the Town Board, and that two (2) parking spaces shall be landbanked indefinitely where indicated on the approved site plan;

20. That this approval shall be subject to the use of Belgian block curbing throughout, the detail for which shall be acceptable to the Town Engineer; and be it further

**RESOLVED,** that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Rick Kaminer, Harry Lowenthal, Donald A. Denis, AIA, P.C., the Riverhead Planning Department, Riverhead Building Department, Town Engineer, and Office of the Town Attorney.

The vote, Stark, yes, Prusinowski, yes, 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 HARRY LOWENTHAL and RICK KAMINER, residing at 520 Sunrise Highway, West Babylon, New York, 11704, 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;

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, HARRY LOWENTHAL, RICK KAMINER hereby authorizes and consents to the Town of Riverhead to enter premises at northwest corner of East Main Street (New York State Route 25) and Sigal Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

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

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

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

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

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

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

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

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

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.

\_\_\_\_\_  
HARRY LOWENTHAL

\_\_\_\_\_  
RICK KAMINER

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

On the \_\_\_\_\_ day of \_\_\_\_\_, 1991, before me personally came HARRY LOWENTHAL and RICK KAMINER, 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 northwest corner of East Main Street (New York State Route 25) and Sigal Avenue, Riverhead, 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

# 448

AUTHORIZES TOWN ATTORNEY TO INSTITUTE LAWSUIT AGAINST  
OWNER OF PROPERTY LOCATED AT 761 EAST MAIN STREET,  
RIVERHEAD, NEW YORK

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

RESOLVED, that the Town Attorney be and is hereby authorized to institute a lawsuit against the owner of property located at 761 East Main Street, Riverhead, New York, for operating a boarding house in violation of the Code of the Town of Riverhead; and be it further

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

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

The resolution was thereupon duly declared adopted.

# 449 AUTHORIZES EXTENSION OF TENT SALE AT PC RICHARD & SON

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

WHEREAS, by resolution #280 dated May 7, 1991 this Town Board did approve request of P.C. Richard & Son to conduct a tent sale on property at Route 58, Riverhead, June 24, 1991 through July 12, 1991; and

WHEREAS, by letter dated July 9, 1991, P.C. Richard & Son has requested an extension of their tent sale through July 16, 1991.

NOW, THEREFORE, BE IT RESOLVED, that the request of P.C. Richard & Son to conduct a tent sale on their property at Route 58, Riverhead through July 16, 1991 be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to P.C. Richard & Son.

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

The resolution was thereupon duly declared adopted.

# 450 AUTHORIZES PARENTAGE LEAVE OF JULIE CONKLIN

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

WHEREAS, the current CSEA contract does provide "An employee with one year's employment, may be granted a leave of absence without pay not to exceed twelve months, without extension, during a twenty-one month window, from nine months before the expected birth or adoption to twelve months after the birth or adoption"; and

WHEREAS, by letter dated June 26, 1991 and received July 3, 1991, Julie Conklin has requested a parentage leave of absence from her position of Sr. Account Clerk Typist from the period June 25, 1991 through June 25, 1992.

NOW, THEREFORE, BE IT RESOLVED, the Town Board does hereby approve the request of the Julie Conklin for a parentage leave of absence from her position of Sr. Account Clerk Typist from the period June 25, 1991 through June 25, 1992; and

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

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

# 451 AMENDS SITE PLAN OF LEBANON CHEMICAL CORPORATION

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

WHEREAS, by Resolution # 306, dated May 7, 1991, the Riverhead Town Board did approve the site plan of Harry Mathis, as agent for Lebanon Chemical Corporation for the installation of a 540 square foot prefabricated unit for office use, and related site improvements located at the north side of Sound Avenue, north of West Lane, Aquebogue, New York, known and designated as Suffolk County Tax Map Number 0600-20-1-4.1, and

WHEREAS, the covenants associated with the subject site plan were filed with the Suffolk County Clerk and a Building Permit application was made and approved, and

WHEREAS, Harry Mathis, as agent for Lebanon Chemical Corporation has requested that a modification of said site plan approval in regard to the installation of a 540 square foot prefabricated unit for office use, and related site improvements be approved by the Riverhead Town Board, and

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

WHEREAS, this Town Board has reviewed the modification aforementioned;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Riverhead does amend the site plan approval of Harry Mathis, as agent for Lebanon Chemical Corporation to provide for the following:

the increase in depth of a loading dock to fourteen (14) feet, as per a site plan prepared by Fairweather/Brown, Architects, 122 Front Street, Box 521, Greenport, New York, 11944, dated last July 8, 1991, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Harry Mathis, as agent for Lebanon Chemical Corporation, Fairweather/Brown, Architects, the Riverhead Planning Department, Building Department, Town Engineer, and Office of the Town Attorney.

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

The resolution was thereupon duly declared adopted.

RESOLUTION # 452 AUTHORIZING TRANSFER OF PROPERTY FOR AFFORDABLE HOUSING

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

WHEREAS, the Town of Riverhead under its affordable housing program does acquire and rehabilitate single family dwelling units utilizing Community Development Block Grant funds for sale to low and moderate income families; and

WHEREAS, the subject property was acquired and rehabilitated and is to be conveyed pursuant to the program.

NOW, THEREFORE, BE IT RESOLVED that property known as 0600-105-1-28 and located at 58 Sigal Avenue is hereby authorized to be transferred to Margaret Brown and Stephanie McPherson for consideration of \$46,000; and

BE IT FURTHER RESOLVED, that the Supervisor be and is hereby authorized to execute any and all documents necessary to effectuate the transfer of property to the eligible low and moderate income persons; and

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

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

The resolution was thereupon duly declared adopted.

DATE \_\_\_\_\_

## RESOLUTION # 453

AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD  
 RE: CONINGENT PROVISIONAL ACCOUNT CLERK TYPIST

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

WHEREAS, the position of Account Clerk Typist currently exists in  
 the Accounting Office,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk hereby be  
 authorized to publish and post the following help wanted ad,

## HELP WANTED

PLEASE TAKE NOTICE, THAT THE TOWN OF RIVERHEAD IS SEEKING  
 QUALIFIED INDIVIDUALS TO SERVE IN THE POSITION OF CONTINGENT  
 PROVISIONAL ACCOUNT CLERK TYPIST. APPLICANTS MUST POSSESS A HIGH  
 SCHOOL DIPLOMA AND HAVE TWO YEARS BOOKKEEPING EXPERIENCE.  
 INTERESTED INDIVIDUALS MUST SUBMIT AN APPLICATION TO THE  
 ACCOUNTING DEPARTMENT, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK  
 BETWEEN THE HOURS OF 8:30 A.M. AND 4:30 P.M. NO APPLICATIONS,  
 FOR THIS POSITION, WILL BE ACCEPTED AFTER JULY 31, 1991. THE  
 TOWN OF RIVERHEAD DOES NOT DISCRIMINATE ON THE BASIS OF RACE,  
 COLOR, NATIONAL ORIGIN, SEX OR HANDICAPPED STATUS IN THE  
 EMPLOYMENT OR PROVISION OF SERVICES.

BY ORDER OF:  
 THE RIVERHEAD TOWN BOARD  
 IRENE J. PENDZICK, TOWN CLERK

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

The resolution was thereupon duly declared adopted.

# 454 REDUCES SITE PLAN BOND FOR RIVERHEAD RUBBISH, INC.

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

WHEREAS, a site plan application for an addition to an existing garage was submitted by Riverhead Rubbish, Inc.; and

WHEREAS, said site plan application was approved by Resolution #410 adopted by the Town Board of the Town of Riverhead on July 2, 1991, which resolution required the posting of a bond or other security for site improvements pursuant to Section 108-133(I); and

WHEREAS, by letter dated July 15, 1991, Riverhead Rubbish, Inc., by Bart Rossano, requested that the bond or other security be reduced.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby reduces the bond or other security required for site improvements pursuant to Section 108-133(I) to five thousand dollars (\$5,000.00); and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Spencer T. Fisher, agent for the applicant, the Riverhead Planning Department and the Riverhead Building Department.

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

The resolution was thereupon duly declared adopted.

# 455 APPROVES FRANCIS BROTHERS SEWER AND DRAINAGE, INC.

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

WHEREAS, Francis Brothers Sewer and Drainage, Inc. has made application to the Town of Riverhead pursuant to Chapter 88 of the Riverhead Town Code to be bonded as a drain layer for the Riverhead Sewer District; and

WHEREAS, a bond in the form of a certificate of deposit in the amount of \$5,000.00 has been posted and a certificate of insurance has been filed with the Town Clerk.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves Francis Brothers Sewer and Drainage, Inc. as a drain layer for the Town of Riverhead Sewer District pursuant to Chapter 88 of the Riverhead Town Code; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Francis Brothers Sewer and Drainage, Inc., the Riverhead Sewer District and the Town Attorney's Office.

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

The resolution was thereupon duly declared adopted.

# 456 AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER NO. 2,  
WEST MAIN STREET PUMP STATION (BENSIN CONTRACTING)

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

WHEREAS, the Riverhead Town Board previously authorized the Supervisor to execute a contract on behalf of the Town of Riverhead with Bensin Contracting; and

WHEREAS, the engineer retained by the Town has submitted a change order with a recommendation of approval, copy attached.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute the attached change order; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Supervisor, Pierre G. Lundberg and the engineer.

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

The resolution was thereupon duly declared adopted.

7/16/91

RESOLUTION NUMBER 457

DATE JULY 16, 1991

ABSTRACT #28

885

COUNCILMAN Prusinowski offered the following resolution, which was seconded by COUNCILMAN Civiletti

RESOLVED, that the SUPERVISOR be, and is hereby authorized to pay the following vouchers: 9100 : 9100

*****ACCOUNTS*****		*****TOTALS*****	
GENERAL TOWN	001		\$84,484.18
PARKING METER	002		\$263.14
AMBULANCE	003		
POLICE ATHLETIC LEAGUE	004		
TEEN CENTER	005		
RECREATION PROGRAM	006		\$3,152.00
HIGHWAY	111		\$21,783.59
WATER	112		\$66,760.70
REPAIR & MAINTENANCE	113		
SEWER	114		\$46,450.37
STREET LIGHTING	116		\$38,524.78
PUBLIC PARKING	117		\$2,096.19
HOSPITALIZATION SELF INSURANCE	174		
RISK RETENTION	175		\$2,885.00
UNEMPLOYMENT INSURANCE RESERVE	176		
ECONOMIC REVOLVING LOAN	178		
RESIDENTIAL REHAB	179		\$3,250.00
DISCRETIONARY	180		
CDBG CONSORTIUM ACCOUNT	181		
SEWER DEBT	382		
WATER DEBT	383		
GENERAL TOWN DEBT	384		
SCAVENGER WASTE DEBT	385		
TOWN HALL CAPITAL PROJECTS	406		\$46,156.55
EIGHT HUNDRED SERIES	408		
WATER IMPROVEMENTS	409		
TWO BEARS ESTATES	440		\$1,710.00
LOCAL STREETS & HIGHWAY	451		\$50,000.00
SENIORS HELPING SENIORS	453		
EISEP	454		
JOINT SCAVENGER WASTE	918		\$33,171.88
MUNICIPAL FUEL	625		
MUNICIPAL GARAGE	626		\$1,395.96
TRUST & AGENCY	735		\$41,905.58
*****GRAND TOTAL*****			\$443,989.92

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Creighton, no, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTION # 458ADOPTS AMENDMENT TO ARTICLE I "USE OF DESIGNATED BEACH" OF  
CHAPTER 48 OF THE RIVERHEAD TOWN CODEADOPTED JULY 16, 1991

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider amending Section 48-2 of the Riverhead Town Code entitled "Restrictions on hours and dates of motor vehicle operation"; and

WHEREAS, a public hearing was held on the 16th day of July, 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 amending Section 48-2 of the Riverhead Town Code entitled "Restrictions on hours and dates of motor vehicle operation" be and is hereby adopted as follows:

48-2. Restrictions on hours and dates of motor vehicle operation.

No motor vehicle may be operated upon the beach between May 15 and September 15, both inclusive, in each year except between the hours of 6:00 p.m. and 9:00 a.m., except as herein provided, and except that motor vehicles may operate in the area approximately 2 1/4 miles East of Roanoke Landing to Reeves Cove at Reeves Farm at any time for the purpose of sport fishing only.

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 Recreation Department and the Police Department.

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

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

The resolution was thereupon duly declared adopted.