

Adopted

1168

9/3/96

TOWN OF RIVERHEAD

Resolution # 663

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE RE: CHANGE OF TIME OF MEETING

COUNCILMAN FRUSINOWSKI offered the following resolution,

which was seconded by COUNCILMAN LULL:

RESOLVED, that the Town Clerk be and is hereby directed to publish and post the attached public notice to amend the time of a regular Town Board meeting once in the Suffolk County Life, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall.

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that the time of the next regularly scheduled meeting of the Town Board, to be held on September 17, 1996 at Town Hall, 200 Howell Avenue, Riverhead, New York, is hereby changed to 2:00 p.m.

Dated: Riverhead, New York
September 3, 1996

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon
duly adopted.

Adopted

1170

9/3/96

TOWN OF RIVERHEAD

Resolution # 664

APPROVES SITE PLAN OF ALL COUNTY AGGREGATES (J.P.M. PROPERTIES, INC.)

COUNCILMAN LULL

offered the following resolution, which was seconded by

~~COUNCILMAN FRUSINOWSKI~~

WHEREAS, a site plan and elevations were submitted by Martin F. Sendlewski, as agent for All County Aggregates, for the construction of a 23,896 square foot industrial building, and attendant site improvements, located at the east side of Kroemer Avenue, 976' south of C.R. 58, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-119-1-28.5 & 28.6; and

WHEREAS, the Planning Department has reviewed the site plan dated last April 10, 1996, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated last June 20, 1996, as prepared by Martin F. Sendlewski, AIA, 43 Southfield Road, Calverton NY 11933, 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, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 96-22612 of the Office of the Supervisor of the Town of Riverhead; 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 Martin F. Sendlewski, as agent for All County Aggregates, for the construction of a 23,896 square foot industrial building, and attendant site improvements, located at the east side of Kroemer Avenue, 976' south of C.R. 58, Riverhead, New York, site plan dated last April 10, 1996, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated last June 20, 1996, as prepared by Martin F. Sendlewski, AIA, 43 Southfield Road, Calverton NY 11933, 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 and any restrictions imposed as a condition of the site plan approval granted herein;

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

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

6. 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, J.P.M. Properties, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at the east side of Kroemer Avenue, 976' south of C.R. 58, 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, prior to the issuance of a building permit, the applicant shall cause the subject parcels to merge and become one parcel; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Martin F. Sendlewski, as agent for All County Aggregates, the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

THE VOTE

Wittmeler	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1996 made by J.P.M. Properties, Inc., residing at Kroemer Avenue, Riverhead NY 11933, Declarant.

WITNESSETH:

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 and any restrictions imposed as a condition of the site plan approval granted herein;
3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. 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. That all utilities shall be constructed underground;

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;

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

J.P.M. PROPERTIES, INC.

By: _____

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

On the _____ day of _____, 1995, before me personally came _____, who, being sworn by me, did depose and say: that (s)he is the _____ of _____; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

NOTARY PUBLIC

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 665
Adopted September 3, 1996

Authorizes Town Clerk to Publish and Post Notice To Bidders
Contractors for Rehabilitation/Home Improvement Program

COUNCILMAN KWASNA offered the following resolution which

was seconded by COUNCILMAN WITTMEIER.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following Notice To Bidders for the rehabilitation/home improvement activities under the Community Development Program.

Town of Riverhead
Notice To Bidders

The Town of Riverhead is seeking contractors interested in bidding on rehabilitation/home improvement activities under the Community Development Program. Minority and women-owned business enterprises are encouraged to respond. Interested contractors should contact the Town of Riverhead Community Development Agency at 727-3200, Ext. 237.

DATED 9/3/96

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD, NEW YORK
BARBARA GRATTAN TOWN CLERK

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

September 3, 1996

Adopted

TOWN OF RIVERHEAD

Resolution # 666

**RATIFIES TOWN CLERK'S AUTHORIZATION TO PUBLISH AND POST
A HELP WANTED AD FOR
90 DAY LABORER IN BUILDINGS & GROUNDS**

COUNCILMAN WITTMEIER offered the following resolution
which was seconded by COUNCILMAN KWASNA

BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following Help Wanted Ad in the August 21, 1996 issue of Suffolk County Life:

HELP WANTED

Please take notice that the Town of Riverhead is seeking qualified individuals to serve in the position of 90 Day Laborer in the Town of Riverhead Buildings & Grounds Department. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY between the hours of 8:30 A.M. and 4:30 P.M. Monday through Friday. No applications will be accepted after August 29, 1996. The Town of Riverhead does not discriminate on the basis of age, race, color, national origin, sex or handicapped status in the employment or provision of services.

THE VOTE

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusnowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 667

APPROVES APPLICATION OF AQUEBOGUE FARMS, INC. (CONKLIN)

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by COUNCILMAN LULL:

WHEREAS, Aquebogue Farms, Inc. has submitted an application for the purpose of conducting hay rides, to be held at the south side of Route 25, Aquebogue, (Perry V. Conklin Farm) on October 11, 12, 13, 14, 17, 18, 19, 20, 24, 25, 26 and 27, 1996 between the hours of dusk to midnight; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance regarding said application.

NOW, THEREFORE, BE IT RESOLVED, that the application of Aquebogue Farms, Inc. for the purpose of conducting hay rides, to be held at the south side of Route 25, Aquebogue, (Perry V. Conklin Farm) on October 11, 12, 13, 14, 17, 18, 19, 20, 24, 25, 26 and 27, 1996 between the hours of dusk to midnight, be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Aquebogue Farms, Inc., Manor Lane, Box 626, Jamesport, New York, 11947 and the Riverhead Police Department.

THE VOTE

Wittmeler	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

September 3, 1996

TOWN OF RIVERHEAD

Resolution # 668**AUTHORIZES PUBLICATION OF DISPLAY AD**
RE: ATTENDANCE AT SUFFOLK COUNTY POLICE ACADEMY**COUNCILMAN LULL**

offered the following resolution

which was seconded by

COUNCILMAN FRUSINOWSKI

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below advertisement as a display ad in the September 4, 1996 issue of Suffolk County Life.

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, the Town of Riverhead is seeking candidates to attend the Suffolk County Police Academy for the purpose of serving as Part-time Police Officers with the Town of Riverhead Police Department. Candidates for the position must:

1. Have reached age twenty(20) by October 21, 1996;
2. Be a resident of the Town of Riverhead at the time of application;
3. Be a high school graduate or possess a high school equivalency diploma, recognized by the New York State Department of Education;
4. Successfully pass a qualifying psychological evaluation authorized by the Suffolk County Department of Civil Service;
5. Successfully pass a qualifying medical evaluation authorized by the Suffolk County Department of Civil Service;
6. Successfully pass a qualifying physical fitness evaluation administered by the Suffolk County Department of Civil Service;
7. Be a United States citizen;
8. Possess a valid New York State operator's or chauffeur's license at the time of original appointment and throughout their employment;

9. Successfully pass a candidate investigation conducted by the Riverhead Police Department;
10. Attend the Suffolk County Police Academy for a total of 445 hours of instruction. Classes will be conducted at the Suffolk County Police Academy, 150 Southern Blvd., Nesconset, NY, on Mondays, Wednesdays and Thursdays, between the hours of 6 P.M. and 10 P.M.; also Saturdays between the hours of 8 A.M. and 4 P.M.

If the candidate fulfills the basic requirements and successfully completes the courses at the Suffolk County Police Academy, that graduate will be awarded a certificate by the Bureau for Municipal Police, which certifies that person as a Police Officer in the State of New York.

Following graduation, the candidate is required to have on-the-job training with the Town of Riverhead for a period of 40 hours.

Any individual requesting further information on this program is directed to call the Riverhead Police Department at 727-4500, ext. 315.

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

September 3, 1996

TOWN OF RIVERHEAD

Resolution # 669

APPOINTS PART-TIME LABORERS

IN BUILDINGS & GROUNDS

COUNCILMAN KWASNA offered the following resolution ,

which was seconded by COUNCILMAN WITTMEIER

BE IT RESOLVED, effective September 4, 1996, the Town Board hereby appoints Charles Ramsey to the position of Part-Time Laborer in the Buildings & Grounds Department at an hourly rate of pay of \$7.80; and

BE IT FURTHER RESOLVED, effective September 24, 1996, the Town Board hereby appoints Jason Roache to the position of Part-Time Laborer in the Buildings & Grounds Department at an hourly rate of pay of \$7.80; and

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

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

September 3, 1996

TOWN OF RIVERHEAD

Resolution # 670

APPOINTS 90 DAY LABORERS

TO THE BUILDINGS & GROUNDS DEPARTMENT

COUNCILMAN WITTMEIER offered the following resolution ,

which was seconded by COUNCILMAN KWASNA

WHEREAS, there is a need for temporary assistance in the Buildings & Grounds Department; and

WHEREAS, applications were received, and pursuant to interview recommendations were forwarded to the Personnel Committee.

NOW, THEREFORE, BE IT RESOLVED, effective September 4, 1996, the Town Board hereby authorizes the appointment of Fred Ligon and Robert F. Torres to the position of 90 Day Laborer in the Buildings & Grounds Department at an hourly rate of pay of \$7.80; and

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

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

9/3/96

TOWN OF RIVERHEAD

RESOLUTION #671
DATED SEPTEMBER 3, 1996

AUTHORIZING PUBLICATION OF ADVERTISEMENT FOR AFFORDABLE HOUSING
LOTTERY

COUNCILMAN PRUSINOWSKI

offered the following

resolution, which was seconded by COUNCILMAN LULL.

WHEREAS, the Town of Riverhead is the recipient of grant funds through the United States Department of Housing and Urban Development HOME Program for the construction of affordable housing; and

WHEREAS, the Town of Riverhead has contracted with the Long Island Housing Partnership d/b/a as Long Island Partnership Development Company, Inc. for construction of said homes and sale pursuant to a lottery.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Town Clerk to publish the attached public notification Display Ad regarding the availability of homes for sale to low to moderate income first-time homebuyers in the Suffolk Life on Wednesday, September 4th, 1996 and Wednesday September 11th, 1996 and in the News Review on Thursday, September 5, 1996 and Thursday, September 12, 1996.

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

THE VOTE

Wittmeier	(Aye)	Nay
Kwasna	(Aye)	Nay
Lull	(Aye)	Nay
Prusinowski	(Aye)	Nay
Stark	(Aye)	Nay

The Resolution was thereupon
duly adopted.

DISPLAY AD

The Long Island Housing Partnership
and the Town of Riverhead
announce the
Partnership For New HOMES Program - Riverhead
in cooperation with Suffolk County

The Long Island Home Partnership, with the support of the Town of Riverhead and Suffolk County, will construct single family homes on scattered sites in the Town of Riverhead. Quality built, three bedroom, one and two bath homes will be offered through a lottery to qualified first-time home buyers* for less than \$55,000.

Buyers must qualify pursuant to the following income limits and must be able to qualify for a mortgage**.

<u>FAMILY SIZE</u>	<u>GROSS FAMILY MAXIMUM INCOME</u>
1	\$33,100
2	\$37,850
3	\$42,550
4	\$47,300
5	\$51,100
6	\$54,850
7	\$58,650
8+	\$62,450

Deadline for submission of applications is **October 15, 1996.**

- * First-time homebuyer is defined as not having owned a home within the previous three (3) years.
- ** The Long Island Housing Partnership provides free mortgage counseling.

For an application or appointment, call the

**Long Island Housing Partnership
at (516) 435-4710**

The purchase price will reflect the use of grants made possible through the cooperation of Suffolk County (Program and grant restrictions will apply).

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 672

APPROVES APPLICATION OF HAUNTED HALLOWEEN RIDES, LTD.

COUNCILMAN LULL

offered the following resolution, which was

seconded by **COUNCILMAN PRUSINOWSKI**

WHEREAS, Haunted Halloween Rides, Ltd. has submitted an application for the purpose of conducting tractor drawn hay rides, to be held at the Schiff Scout Reservation, Wading River Road, Wading River, to be held on October 11, 12, 13, 18, 19, 20, 25, 26 27, 28, 29, 30 and 31, 1996 between the hours of 7:00 p.m. to 11:00 p.m., having rain dates of October 17 and 24, November 1, 2, and 3, 1996; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance regarding said application.

NOW, THEREFORE, BE IT RESOLVED, that the application of Haunted Halloween Rides, Ltd. for the purpose of conducting tractor drawn hay rides, to be held at the Schiff Scout Reservation, Wading River Road, Wading River, to be held on October 11, 12, 13, 18, 19, 20, 25, 26 27, 28, 29, 30 and 31, 1996 between the hours of 7:00 p.m. to 11:00 p.m., having rain dates of October 17 and 24, November 1, 2, and 3, 1996, be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Haunted Halloween Hayrides, Ltd., 10-53 116 St., College Point, New York, 11356 and the Riverhead Police Department.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 673
ADOPTED _____

AUTHORIZATION TO PUBLISH BID

COUNCILMAN KWASNA OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILMAN WITTMIEIER

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF OFFICE SUPPLIES, FURNITURE AND EQUIPMENT FOR USE BY THE TOWN OF RIVERHEAD.

BE IT RESOLVED, THAT THE TOWN CLERK BE, AND HEREBY IS, AUTHORIZED TO FORWARD A COPY OF THIS RESOLUTION TO ALL DEPARTMENTS.

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **OFFICE SUPPLIES, FURNITURE AND EQUIPMENT** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on September 19th, 1996.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

Adopted

1187

9/3/96

TOWN OF RIVERHEAD

Resolution #674

TERMINATES EMPLOYMENT OF GERTRUD REED

COUNCILMAN WITTMEIER offered the following resolution, which was seconded by COUNCILMAN KWASNA:

WHEREAS, Gertrud Reed has been absent from work due to disability(s) compensable under New York State Workers' Compensation Law or a disability not resulting from an occupational injury or disease as defined in the Workers' Compensation Law; and

WHEREAS, pursuant to sections 71 and 73 of New York State Civil Service Law, the Town of Riverhead has the right to terminate employment due to cumulative or consecutive absences from work for one (1) work year due to a disability; and

WHEREAS, by letter dated August 13, 1996, Gertrud Reed has been fully advised of her rights under Civil Service Law sections 71 and 73 and received notice of hearing wherein she had an opportunity to be heard and present evidence and contest same.

NOW THEREFORE BE IT RESOLVED, that because Gertrud Reed has been absent in excess of one (1) year as a result of a disability, her employment with the Town of Riverhead is hereby terminated as of September 4, 1996; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Gertrud Reed, 59 Daly Drive, Riverhead, New York, 11901; the Office of the Town Attorney; the Accounting Office and the Nutrition Center.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

SEPTEMBER 3, 1996

Adopted

TOWN OF RIVERHEAD

Resolution # 675

APPOINTS PROVISIONAL REAL PROPERTY RECORDER I

IN THE ASSESSORS OFFICE

COUNCILMAN PRUSINOWSKI offered the following resolution ,

which was seconded by COUNCILMAN LULL

WHEREAS, a vacancy exists in the position of Real Property Recorder I in the Assessors Office; and

WHEREAS, the position was duly posted within the Town of Riverhead Departments; and

WHEREAS, pursuant to the Suffolk County Department of Civil Service List for the Town of Riverhead for said position there are no willing acceptors for the position; and

WHEREAS, all other provisions of the Suffolk County Department of Civil Service have been met by applicant, Linda Barnett.

NOW, THEREFORE, BE IT RESOLVED, effective September 4, 1996 the Town Board hereby appoints Linda Barnett, provisionally, to the position of Real Property Recorder I in the Assessors Office on Step P, Group 5 of the Clerical & Supervisory Salary Structure at an annual salary of \$19,848.57; and

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

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input checked="" type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input checked="" type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input checked="" type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input checked="" type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input checked="" type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 676

APPROVES SITE PLAN OF CHONG H. LEE

COUNCILMAN LULL offered the following resolution, which was seconded by COUNCILMAN FRUSINOWSKI

Councilperson _____ offered the following resolution, which was seconded by Councilperson COUNCILMAN FRUSINOWSKI

WHEREAS, a site plan and elevations were submitted by Chong H. Lee for the construction of three (3) temporary greenhouses located at the north side of Middle Road, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-100-2-19.6; and

WHEREAS, the Planning Department has reviewed the site plan dated last August 20, 1996, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated undated, and dated in-house August 29, 1996, as prepared by Chong H. Lee, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Chong H. Lee, for the construction of three (3) temporary greenhouses, located at the north side of Middle Road, Calverton, New York, site plan dated last August 20, 1996, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated undated, and dated in-house August 29, 1996, as prepared by Chong H. Lee, 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 requiring the enclosure of dumpsters, and agrees to abide by same;

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

7. That the use of the structure(s) approved herein shall be limited solely to agricultural production and that there shall be no retail use therein; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chong H. Lee, the Riverhead Planning Department, Riverhead Building Department, and Office of the Town Attorney.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1996, made by Chong H. Lee, residing at 47-07 41 Street, Apt. 2E, Sunnyside NY 11104, Declarant.

WITNESSETH:

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 and any restrictions imposed as a condition of the site plan approval granted herein;
3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
6. That the use of the structure(s) approved herein shall be limited solely to agricultural production and that there shall be no retail use therein.

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

Chong H. Lee

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1993, before me personally came Chong H. Lee, to me known and known to be the vbindividual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the north side of Middle Road, Calverton, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

September 2, 1996

TOWN OF RIVERHEAD

RESOLUTION# 677

AUTHORIZATION TO PUBLISH BID

COUNCILMAN KWASNA OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILMAN WITTMER :

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR REPAVING OF ROADS IN THE MESTA VISTA DEVELOPMENT IN THE TOWN OF RIVERHEAD.

BE IT RESOLVED, THAT THE TOWN CLERK BE, AND HEREBY IS, AUTHORIZED TO FORWARD A COPY OF THIS RESOLUTION TO THE HIGHWAY DEPARTMENT.

ks

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the FURNISHING AND PLACING OF ASPHALT CONCRETE TYPE 1A TOP on roads shown on subdivision map "MESTA VISTA" will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:00 a.m. on September 25 , 1996.

Bid packets, including specifications, may be obtained at the Town Clerk's Office at Town Hall Monday through Friday between the hours of 8:30 am and 4:30 pm.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation BID FOR FURNISHING AND PLACING ASPHALT CONCRETE TYPE 1A TOP - MESTA VISTA DEVELOPMENT.

**BY ORDER OF THE TOWN BOARD OF THE
TOWN OF RIVERHEAD**

Barbara Grattan, Town Clerk

Adopted

1195

9/3/96

TOWN OF RIVERHEAD

Resolution # 678

Adopted

APPROVES PLANTING PLAN AND ELEVATIONS FOR TANGER II FACTORY OUTLET CENTER

COUNCILMAN WITTMEIER offered the following
resolution, which was seconded by **COUNCILMAN KWASNA** :

WHEREAS, by resolution #470, dated June 4, 1996, the Town Board of the Town of Riverhead did approve the site plan for the construction of a 449,961 square foot manufacturer's outlet center, and attendant site improvements, in phases, located at the south side of Old Country Road (C.R. 58), 291 feet west of Kroemer Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-119-1-37 & 38; and

WHEREAS, resolution #470 did require the recommendation of the Town of Riverhead Architectural Review Board and Planning Department for the elevation drawings, exterior colors and materials, and landscaping; and

WHEREAS, the Town Board is in receipt of the recommendations of the Architectural Review Board; and

WHEREAS, the Planning Department and Architectural Review Board have recommended that landscaped areas be improved in order to better screen adjacent residential property and public roadways; and

WHEREAS, the Planning Department and Architectural Review Board recommend that a color scheme be employed which is consistent with the existing Tanger Factory Outlet Center;

NOW, THEREFORE, BE IT

RESOLVED, that the planting plan and schedule dated last August 23, 1996, as prepared by Land Design Associates, P.C., 91 Green Street, Huntington NY 11743, and elevation drawings dated last July 10, 1996, as prepared by Adams Hennon, Architects, 126 North Main Street, Suite 200, Mooresville NC 28115, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. The increase in number of London Plane trees of 5 1/2 - 6" caliper along the west property line by at least fifteen (15), as indicated on the planting plan approved herein and initialled by a majority of the Town Board;
2. The inclusion of a 6 foot high black vinyl coated chain link fence, with black posts, in accordance with Section 108-3 of the Riverhead Town Code, along the common boundary line with SCTM 0600-118-3-8;
3. The increase in size of London Plane trees to 4 - 4 1/2" caliper along the parcel frontage on East Main Street (NYS Route 25), as indicated on the planting plan approved herein and initialled by a majority of the Town Board;

4. The increase in size of evergreen materials along East Main Street (NYS Route 25), as indicated on the planting plan approved herein and initialled by a majority of the Town Board;

5. The enhancement of the buffer area along East Main Street (NYS Route 25) in the vicinity of the existing deciduous trees, with additional plant material in keeping with that used along the parcel frontage, as indicated on the planting plan approved herein and initialled by a majority of the Town Board, and subject to the approval of the New York State Department of Transportation;

6. A change in the color scheme to one which is consistent with the existing Tanger Factory Outlet Center, which color scheme shall be reviewed and approved by the Planning Department and the Architectural Review Board prior to the installation of any exterior building materials; and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to forward a certified copy of this resolution to Kevin Dillon, as agent for Tanger Properties L.P., Adams Hennon Architects, Land Design Associates, Shepard M. Scheinberg, Esq., the Riverhead Planning Department and Building Department.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 679

APPROVES APPLICATION OF TOYS "R" US

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by **COUNCILMAN LULL**:

WHEREAS, Toys "R" Us has submitted an application for the purpose of conducting a retail sale under a 20 x 50 foot tent, to be held in the front parking lot at 1151 Old Country Road, Riverhead, to be held from August 28 to September 16, 1996 between the hours of 9:30 a.m. to 7:00 p.m.; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance regarding said application.

NOW, THEREFORE, BE IT RESOLVED, that the application of Toys "R" Us for the purpose of conducting a retail sale under a 20 x 50 foot tent, to be held in the front parking lot at 1151 Old Country Road, Riverhead, to be held from August 28 to September 16, 1996 between the hours of 9:30 a.m. to 7:00 p.m., be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Toys "R" Us, 1151 Old Country Road, Riverhead, New York, 11901 and the Riverhead Police Department.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

TOWN OF RIVERHEAD

Resolution # 680

CANCELS PROPOSED BID FOR FORCE MAIN IN THE VICINITY OF TANGER II MALL RIVERHEAD SEWER DISTRICT

COUNCILMAN LULL offered the following resolution, which was

seconded by COUNCILMAN PRUSINOWSKI:

WHEREAS, the Riverhead Town Board authorized the Town Clerk to publish and post a Notice to Bidders regarding the construction of a force main relating to the Route 58 Sewer Extension, which proposed the saw cutting of Route 58 and installation of said force main in the northerly shoulder of the County road by previous resolution, which bids were returnable Wednesday, September 11, and

WHEREAS, by correspondence dated August 29, 1996, the Suffolk County Department of Public Works has advised that saw cutting will not be permitted and that the sewer main may not be installed as planned in the bed of the shoulder,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby cancels the bid for the proposed force main in the vicinity of Tanger II and directs the Town Clerk not receive or open any bids relative to the subject construction, and be it further

RESOLVED, that the Town Clerk, upon receipt of the plans and specifications already distributed, return the bid security, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Malcolm Pirnie, Inc., Town of Riverhead engineering Department, Michael Reichel and Pierre Lundberg, Esq.

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon
duly adopted.

Tabled

9/3/96

TOWN OF RIVERHEAD

Resolution # 681

1996 LAND ACQUISITION BOND RESOLUTION

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO FINANCE THE COST OF ACQUISITION OF VARIOUS PERMANENT INTERESTS OR RIGHTS IN REAL PROPERTY IN AND FOR THE TOWN, FOR THE PRESERVATION OF OPEN SPACES AND AREAS, INCLUDING AGRICULTURAL LANDS.

COUNCILMAN KWASNA

offered the following resolution, was seconded by

COUNCILMAN WITTMEIER

WHEREAS, the Town of Riverhead Planning Board and the Town of Riverhead Planning Department were charged by the Town Board of the Town of Riverhead to investigate and analyze the environmental impacts of residential development upon open space and areas including land currently being utilized for agricultural production; and

WHEREAS, an analysis was made, using statistical information provided by the Planning Department quantifying the number of acres being used for agricultural production which are available from residential population resulting from such development, and the impacts upon the school district population; and

WHEREAS, the analysis forecasts a saturation population within the Town of Riverhead at approximately 75,000 emanating from a projected 13,415 dwelling units and an additional school population of 1.6 school aged children per dwelling unit; and

WHEREAS, in order to preserve existing farmland, the Town Board of the Town of Riverhead hereby accepts the recommendation of the Planning Board and the Planning Department that a proposition be placed on the November 5, 1996 ballot for the submission to the voters of a Bond Issue in a sum necessary to leverage County, State and Federal Resources to purchase farmland development rights.

NOW THEREFORE BE IT RESOLVED as follows:

Section 1. The financing of the cost of the acquisition of various permanent interests or rights in real property in and for the Town, for the preservation of open spaces and open areas, a class of objects or purposes, is hereby authorized. Section 247 of the General Municipal Law defines "open space" or "open area" as:

any space or area characterized by (1) natural scenic beauty, or (2) whose existing openness, natural condition, or present state of use, if retained, would enhance the present or potential value of abutting or surrounding urban development, or would maintain or enhance the conservation of natural or scenic resources...Natural resources shall include but not be limited to agricultural lands defined as open lands actually used in bona fide agricultural production.

For purposes of this resolution, "lands used in bona fide agricultural production" shall have the same meaning as that term is presently defined in §301 of the Agricultural and Markets Law of the State of New York.

Section 2. The estimated maximum cost of such class of objects or purposes is \$2,000,000, and the plan for the financing thereof is by the issuance of \$2,000,000 bonds of the Town hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty (30) years, pursuant to subdivision 21(a) of Section 11.00 of the Local Finance Law. It is further determined that the maximum maturity of the bonds herein authorized will exceed five years, and that the foregoing is not an assessable improvement.

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §50.00 and 56.00 to 60.00 of the Local Finance Law, the powers and duties of the Town Board relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town. Unless further modified by majority vote of the Town Board, the Supervisor shall not use less than \$2,000,000 of the proceeds of obligations issued hereunder for financing the cost of the acquisition of various permanent interests or rights in real property used in bona fide agricultural production. The Town Supervisor may sell such bonds at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Town Supervisor shall determine is most favorable to the Town, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, forms and contents, and shall be sold in such manner, as may be prescribed by the Town Supervisor, consistent with the provisions of the Local Finance Law. The Town Supervisor, in the event it is determined to issue variable rate bonds, is hereby authorized to enter into such agreements as he finds

reasonable to facilitate the issuance, sale, resale and repurchase of such bonds, as authorized under Section 54.90 of the Local Finance Law. The Town Supervisor is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure the (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12.

Section 6. All or a portion of the indebtedness authorized hereby may be issued in the form of land installment purchase obligations, to the extent and in the manner authorized by Local Finance Law. The power to set the terms of and sell such land installment purchase obligations is hereby delegated to the Supervisor, provided, however, that this delegation does not include the power to determine the price of any real property interest which is the subject of a land installment purchase obligation.

Section 7. 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 the 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 8. This resolution is adopted subject to approval by the qualified voters of the Town at the general Town election to be held on November 5, 1996, and take effect only if approved by such qualified voters at such general election.

Section 9. This resolution, if and when it becomes effective, shall be published in summary form in the Suffolk County Life, the official newspaper, together with notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Tabled

THE VOTE

Wittmeier	(Aye)	Nay
Kwasna	(Aye)	Nay
Lull	(Aye)	Nay
Prusinowski	(Aye)	Nay
Stark	(Aye)	Nay

The Resolution was thereupon duly adopted.

Tabled

9/3/96

TOWN OF RIVERHEAD

Resolution # 682

RESOLUTION DIRECTING SUBMISSION FOR 1996 LAND ACQUISITION BOND TO BOARD OF ELECTIONS

COUNCILMAN WITTMEIER offered the following resolution, was seconded by

COUNCILMAN KWASNA:

WHEREAS, the Town Board of the Town of Riverhead, on September 3, 1996, adopted Resolution No. 681 of 1996, authorizing the issuance of \$2,000,000 in serial bonds of the Town of Riverhead, County of Suffolk, State of New York, to finance the acquisition of permanent real property interests in open spaces and areas, including agricultural lands, within the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is hereby authorized to send a certified copy of Resolution # 681 of 1996 and the following proposition and abstract to the Suffolk County Board of Elections, Yaphank Avenue, Yaphank, New York for inclusion on the ballot in the general election scheduled for November 5, 1996;

PROPOSITION NO.

For Submission to Electors of the
Town of Riverhead

At the next general election to be held on the 5th of November, 1996

Shall the following proposition providing for the acquisition of open space and agricultural lands be approved?

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO FINANCE THE COST OF THE ACQUISITION OF VARIOUS PERMANENT INTERESTS OR RIGHTS IN REAL PROPERTY IN AND FOR THE TOWN, FOR PRESERVATION OF OPEN SPACES AND AREAS, INCLUDING AGRICULTURAL LANDS;

and be it further

RESOLVED, pursuant to §94, it is hereby determined that said resolution shall not become effective until approved at a referendum held pursuant to Article 7 of the Town Law.

ABSTRACT OF PROPOSITION NO.

Abstract of proposition to be submitted to the electors of the Town of Riverhead at the general election to be held November 5, 1996, as Proposition No. :

The purpose and effect of the resolution, which was adopted by the Town Board of the Town of Riverhead on September 3, 1996, subject to approval of the voters in the general election, is to provide financing for the acquisition of permanent real property interests and open spaces and areas, including agricultural lands, within the Town of Riverhead.

Agriculture and open space preservation are critical to the quality of life and economy of the Town of Riverhead. The historic and cultural identities of the Town are embodied by open space and agricultural land resources. Open space and farmland together create an integral system of greenways that shape and define the distinct characteristics and pattern of hamlet and village centers unique to Riverhead, Long Island and New York State. Real estate values, both today and tomorrow, will be influenced by the quality of open space and farmland resources. Future generations will benefit from past land preservation efforts and the actions that the Town and individual citizens take to protect this irreplaceable part of our heritage.

Although the Town has alternative methods for preservation, including establishment of transfer of development rights, cluster development and agricultural exemptions to maximize the impact of each dollar spent, it is essential to the continuation of its preservation efforts to have the flexibility to purchase property interest outright through the issuance of bonds in an estimated maximum cost of \$2,000,000.

This proposition, if approved by the voters, will allow the Town Board to issue the bonds and to acquire property interests in open spaces and areas, including agricultural lands.

Dated: Riverhead, New York
September 3, 1996

BARBARA GRATTAN
Town Clerk

Tabled

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 683

AUTHORIZES THE TOWN OF RIVERHEAD TO SECURE OR DEMOLISH UNSAFE BUILDING(S) OR STRUCTURE(S) PURSUANT TO CHAPTER 54 OF THE RIVERHEAD TOWN CODE

COUNCILMAN FRUSINOWSKI offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code entitled, "Unsafe Buildings and Collapsed Structures", certain land and buildings owned by Melvina and Monette Graham located at 38 Lewis Street, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-105-2-81, has been determined by the Building Inspector to be unsafe or dangerous to the public; and

WHEREAS, all notices pursuant to Chapter 54 of the Riverhead Town Code have been served; and

WHEREAS, a public hearing was held on the 3rd day of September, 1996 at 7:20 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, the owners did not appear at the public hearing and the owner has not taken any steps toward abating the condition by repair and rehabilitation or by demolition and removal in accordance with the procedures set forth in Chapter 54.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby finds the parcel above described contains unsafe buildings or structures as is described at Chapter 54-3; and be it further

RESOLVED, the the Town Board authorizes the Town Engineering Department to assist the Building Department in connection with any work done to remove the danger or in connection with the demolition and removal of any such building or structure; and be it further

RESOLVED, that pursuant to Chapter 54-9, all actual expenses incurred by the Town of Riverhead to remove the danger or in connection with the demolition and removal of any such buildings or structure shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Melvina and Monette Graham, P.O. Box 1551, Greensboro, North Carolina, 27402-1551; the Building Department; Kenneth Testa, P.E. and the Town Attorney.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

1206

9/3/96

TOWN OF RIVERHEAD

Resolution # 684

**AUTHORIZES THE TOWN OF RIVERHEAD TO SECURE OR DEMOLISH
UNSAFE BUILDING(S) OR STRUCTURE(S) PURSUANT TO CHAPTER 54 OF THE
RIVERHEAD TOWN CODE**

COUNCILMAN PRUSINOWSKI

COUNCILMAN LULL

offered the following resolution, was seconded by

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code entitled, "Unsafe Buildings and Collapsed Structures", certain land and buildings owned by Lloyd Seymour located at 34 Oak Street, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-65-1-15, has been determined by the Building Inspector to be unsafe or dangerous to the public; and

WHEREAS, all notices pursuant to Chapter 54 of the Riverhead Town Code have been served; and

WHEREAS, a public hearing was held on the 3rd day of September, 1996 at 7:25 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, the owners did not appear at the public hearing and the owner has not taken any steps toward abating the condition by repair and rehabilitation or by demolition and removal in accordance with the procedures set forth in Chapter 54.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby finds the parcel above described contains unsafe buildings or structures as is described at Chapter 54-3; and be it further

RESOLVED, the the Town Board authorizes the Town Engineering Department to assist the Building Department in connection with any work done to remove the danger or in connection with the demolition and removal of any such building or structure; and be it further

RESOLVED, that pursuant to Chapter 54-9, all actual expenses incurred by the Town of Riverhead to remove the danger or in connection with the demolition and removal of any such buildings or structure shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Lloyd Seymour, c/o Marianne Fitzgerald, 223 Flanders Road, Apt. #20, Riverhead, New York, 11901; the Building Department; Kenneth Testa, P.E. and the Town Attorney.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

September 2, 1996

TOWN OF RIVERHEAD

RESOLUTION# 685

AUTHORIZATION TO PUBLISH BID

COUNCILMAN KWASNA

OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILMAN WITTMEIER :

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR REPAVING OF ROADS IN THE SUN UP DEVELOPMENT IN THE TOWN OF RIVERHEAD.

BE IT RESOLVED, THAT THE TOWN CLERK BE, AND HEREBY IS, AUTHORIZED TO FORWARD A COPY OF THIS RESOLUTION TO THE HIGHWAY DEPARTMENT.

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the FURNISHING AND PLACING OF ASPHALT CONCRETE TYPE 1A TOP on roads shown on subdivision map "SUN UP" will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:00 a.m. on September 25 1996.

Bid packets, including specifications, may be obtained at the Town Clerk's Office at Town Hall Monday through Friday between the hours of 8:30 am and 4:30 pm.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation BID FOR FURNISHING AND PLACING ASPHALT CONCRETE TYPE 1A TOP - SUN UP DEVELOPMENT.

**BY ORDER OF THE TOWN BOARD OF THE
TOWN OF RIVERHEAD**

Barbara Grattan, Town Clerk

SEPTEMBER 3, 1996

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR BENJAMIN MOORE PAINT FOR HISTORICAL PROPERTY

RESOLUTION # 686

COUNCILMAN WITTMEIER OFFERED THE FOLLOWING RESOLUTION,
WHICH WAS SECONDED BY COUNCILMAN KWASNA

WHEREAS, the Town Clerk was authorized to publish and post a Notice To Bidders for BENJAMIN MOORE PAINT FOR HISTORICAL PROPERTY;

WHEREAS, bids were received, opened and read aloud on the 3rd day of SEPTEMBER, 1996, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, the date, time and place given in the Notice To Bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for BENJAMIN MOORE PAINT FOR HISTORICAL PROPERTY be awarded to RIVERHEAD PAINTS PLUS AND GRIFFING HARDWARE CO., as listed on the following sheet.

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

RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a certified copy of this Resolution to RIVERHEAD PAINTS PLUS, GRIFFING HARDWARE CO., the Accounting Department and the Engineering Department.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

BID AWARD FOR
BENJAMIN MOORE PAINT FOR HISTORICAL PROPERTY

BENJAMIN MOORE "MOORE GUARD" PAINT

PAINTS PLUS

GRIFFING HARDWARE

WHITE PRIMER #100-00 \$20.99 gal.

MOOREGUARD EXTERIOR -PAINT

COLOR #204 CREAM	\$21.10 gal.
#HC157 NARAGANSETT GREEN	\$25.10 gal.
#254 YELLOW	\$21.60 gal.
#HC165 BOOTHBAY GRAY	\$21.60 gal.
#01 BRILLIANT WHITE	\$20.45 gal.

Adopted

SEPTEMBER 3, 1996

TOWN OF RIVERHEAD

RESOLUTION # 687

APPOINTS DETENTION ATTENDANTS

COUNCILMAN FRUSINOWSKI OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY COUNCILMAN LULL

WHEREAS, there is a need for Detention Attendants in the Police Department; and

WHEREAS, pursuant to interviews, a recommendation has been made by the Chief of Police to hire Victoria Quick and Ramona Moore in the positions.

NOW, THEREFORE, BE IT RESOLVED, effective immediately the Town Board hereby authorizes the appointment of Victoria Quick and Ramona Moore to the position of Detention Attendant at an hourly rate of pay of \$11.20; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copy of this resolution to Victoria Quick, Ramona Moore and the Office of Accounting.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

September 3, 1996

AdoptedTOWN OF RIVERHEAD
Resolution # 688**GENERAL FUND**
BUDGET ADJUSTMENTS**COUNCILMAN LULL**

offered the following resolution,

COUNCILMAN FRUSINOWSKI

which was seconded by _____

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

		FROM:	
001.010100.542607	TOWN BOARD, ORDINANCE CODIFICATION		\$ 900.
001.012200.541500	SUPERVISOR, TOWN CAR EXPENSE		100.
001.016250.541150	BLDGS & GRNDS, REPAIR & MAINT.		5,000.
001.016250.541205	BLDGS & GRNDS, REC REPAIR & MAINT.		7,500.
001.031200.524501	POLICE, PRISONER SHIELDS		500.
001.031200.542309	POLICE, TRAFFIC BARRICADES		40.
001.031200.543401	POLICE, TRAINING EXPENSE		1,730.
001.031220.541406	BAY CONSTABLE, EQUIPMENT REPAIR & MAINT.		1,900.
001.070200.542104	RECREATION ADMINISTRATION, SUPPLIES		750.
			TO:
001.010100.524000	TOWN BOARD, EQUIPMENT		\$ 300.
001.010100.542100	TOWN BOARD, MISC. OFFICE SUPPLIES		600.
001.012200.549000	SUPERVISOR, MISCELLANEOUS		100.
001.016250.547504	BLDGS & GRNDS, SANITATION EXP		7,500.
001.016250.541305	BLDGS & GRNDS, PARKING FIELD REPAIR & MAINT		5,000.
001.031200.542405	POLICE, UNIFORM REPLACEMENT EXPENSE		800.
001.031200.542802	POLICE, LAW BOOKS		150.
001.031200.524350	POLICE, LAW LIBRARY		50.
001.031200.522100	POLICE, PROPERTY STORAGE BUILDING		1,000.
001.031200.542408	POLICE, BULLET PROOF VESTS		270.
001.031220.541530	BAY CONSTABLE, AUTO REPAIR		1,900.
001.070200.543405	RECREATION ADMINISTRATION, TRAVEL EXP		750.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

SEPTEMBER 3, 1996

TOWN OF RIVERHEAD

Resolution # 689

STREET LIGHTING DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN LULL

OFFERED THE FOLLOWING RESOLUTION WHICH

WAS SECONDED BY **COUNCILMAN PRUSINOWSKI**

IT IS RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADJUSTMENT:

		FROM:
1820.546200	ELECTRICITY EXPENSE	\$10,000
		TO:
1820.541414	STREET LIGHTING MAINT.	\$ 5,000
1820.541415	TRAFFIC LIGHT MAINT.	\$ 5,000

THE VOTE

Wittmeier	(Aye)	Nay
Kwasna	(Aye)	Nay
Lull	(Aye)	Nay
Prusinowski	(Aye)	Nay
Stark	(Aye)	Nay

The Resolution was thereupon duly adopted.

Adopted

1215

SEPTEMBER 3, 1996

TOWN OF RIVERHEAD

Resolution # 690

HUBBARD AVENUE ROAD IMPROVEMENTS

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN LULL

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY

COUNCILMAN PRUSINOWSKI

IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADOPTION:

095731.494200.45001

SERIAL BOND PROCEEDS

FROM:

\$175,000

TO:

051100.541301.45001

ROAD PAVING EXPENSE

\$ 175,000

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

COUNCILMAN PRUSINOWSKI
COUNCILMAN LULL

offered the following Resolution which was seconded by

Adopted

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

*****ACCOUNTS*****	*CD - NONE*	**CHECKRUN TOTALS*	***GRAND TOTALS***
GENERAL TOWN 001	\$0.00	\$17,811.43	\$17,811.43
PARKING METER 002	\$0.00	\$0.00	\$0.00
AMBULANCE FUND 003	\$0.00	\$0.00	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00	\$0.00	\$0.00
TEEN CENTER 005	\$0.00	\$0.00	\$0.00
RECREATION PROGRAM 006	\$0.00	\$184.00	\$184.00
SENIOR NUTRITION SITE COUNCIL 007	\$0.00	\$0.00	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00	\$0.00	\$0.00
CHILD CARE BUILDING FUND 009	\$0.00	\$0.00	\$0.00
SENIOR CITIZEN DAYCARE CENTER 027	\$0.00	\$0.00	\$0.00
HIGHWAY 111	\$0.00	\$0.00	\$0.00
WATER 112	\$0.00	\$31,797.01	\$31,797.01
REPAIR & MAINTENANCE 113	\$0.00	\$0.00	\$0.00
SEWER 114	\$0.00	\$13,197.84	\$13,197.84
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$91.08	\$91.08
STREET LIGHTING 116	\$0.00	\$0.00	\$0.00
PUBLIC PARKING 117	\$0.00	\$0.00	\$0.00
BUSINESS IMPROVEMENT DISTRICT 118	\$0.00	\$0.00	\$0.00
TOR URBAN DEV CORP TRUST ACCT 119	\$0.00	\$0.00	\$0.00
WORKER'S COMPENSATION FUND 173	\$0.00	\$1,633.25	\$1,633.25
HOSPITALIZATION SELF INSURANCE 174	\$0.00	\$0.00	\$0.00
RISK RETENTION FUND 175	\$0.00	\$255.50	\$255.50
UNEMPLOYMENT INSURANCE FUND 176	\$0.00	\$0.00	\$0.00
MAIN STREET REHAB PROGRAM 177	\$0.00	\$0.00	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00	\$0.00	\$0.00
RESIDENTIAL REHAB 179	\$0.00	\$0.00	\$0.00
DISCRETIONARY/SMALL CITIES 180	\$0.00	\$0.00	\$0.00
CTBG CONSORTIUM ACCOUNT 181	\$0.00	\$33.23	\$33.23
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$0.00	\$0.00	\$0.00
SEWER DISTRICT DEBT 382	\$0.00	\$0.00	\$0.00
WATER DEBT 383	\$0.00	\$0.00	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE DISTRICT DEBT 385	\$0.00	\$0.00	\$0.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00	\$0.00	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$0.00	\$179,690.22	\$179,690.22
EIGHT HUNDRED SERIES 408	\$0.00	\$0.00	\$0.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00	\$0.00	\$0.00
NUTRITION CAPITAL IMPROVEMENTS 441	\$0.00	\$0.00	\$0.00
CHIPS 451	\$0.00	\$0.00	\$0.00
YOUTH SERVICES 452	\$0.00	\$0.00	\$0.00
SENIORS HELPING SENIORS 453	\$0.00	\$69.13	\$69.13
ETREP 454	\$0.00	\$135.63	\$135.63
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00	\$0.00	\$0.00
MUNICIPAL GARAGE 626	\$0.00	\$0.00	\$0.00
TRUST & AGENCY 735	\$0.00	\$0.00	\$0.00
SPECIAL TRUST 736	\$0.00	\$0.00	\$0.00
COMMUNITY DEVELOPMENT AGENCY 915	\$0.00	\$0.00	\$0.00
JOINT SCAVENGER WASTE 918	\$0.00	\$12,635.03	\$12,635.03
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
*****TOTALS*****	\$0.00	\$257,533.35	\$257,533.35

COUNCILMAN PRUSINOWSKI offered the following Resolution which was recorded by COUNCILMAN LULL

Adopted

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

*****ACCOUNTS*****	*CD - NONE*	**CHECKRUN TOTALS*	***GRAND TOTALS***
GENERAL TOWN 001	\$0.00	\$389,098.06	\$389,098.06
PARKING METER 002	\$0.00	\$0.00	\$0.00
AMBULANCE FUND 003	\$0.00	\$0.00	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00	\$0.00	\$0.00
TEEN CENTER 005	\$0.00	\$0.00	\$0.00
RECREATION PROGRAM 006	\$0.00	\$11,842.17	\$11,842.17
SENIOR NUTRITION SITE COUNCIL 007	\$0.00	\$0.00	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00	\$0.00	\$0.00
CHILD CARE BUILDING FUND 009	\$0.00	\$0.00	\$0.00
SENIOR CITIZEN DAYCARE CENTER 027	\$0.00	\$501.12	\$501.12
HIGHWAY 111	\$0.00	\$159,748.69	\$159,748.69
WATER 112	\$0.00	\$37,102.26	\$37,102.26
REPAIR & MAINTENANCE 113	\$0.00	\$0.00	\$0.00
SEWER 114	\$0.00	\$16,509.42	\$16,509.42
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$9,642.61	\$9,642.61
STREET LIGHTING 116	\$0.00	\$4,052.73	\$4,052.73
PUBLIC PARKING 117	\$0.00	\$2,725.57	\$2,725.57
BUSINESS IMPROVEMENT DISTRICT 118	\$0.00	\$2,933.64	\$2,933.64
TOR URRAN DEV CORP TRUST ACCT 119	\$0.00	\$0.00	\$0.00
WORKER'S COMPENSATION FUND 173	\$0.00	\$2,138.24	\$2,138.24
HOSPITALIZATION SELF INSURANCE 174	\$0.00	\$0.00	\$0.00
RISK RETENTION FUND 175	\$0.00	\$479.70	\$479.70
UNEMPLOYMENT INSURANCE FUND 176	\$0.00	\$0.00	\$0.00
MAIN STREET REHAB PROGRAM 177	\$0.00	\$0.00	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00	\$2,588.53	\$2,588.53
RESIDENTIAL REHAB 179	\$0.00	\$0.00	\$0.00
DISCRETIONARY/SMALL CITIES 180	\$0.00	\$0.00	\$0.00
CDRG CONSORTIUM ACCOUNT 181	\$0.00	\$1,185.22	\$1,185.22
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$0.00	\$0.00	\$0.00
SEWER DISTRICT DEBT 382	\$0.00	\$0.00	\$0.00
WATER DEBT 383	\$0.00	\$0.00	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE DISTRICT DEBT 385	\$0.00	\$0.00	\$0.00
CORN DEVEL AGENCY CAP PROJECT 405	\$0.00	\$63.66	\$63.66
TOWN HALL CAPITAL PROJECTS 406	\$0.00	\$324,316.84	\$324,316.84
EIGHT HUNDRED SERIES 408	\$0.00	\$0.00	\$0.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00	\$0.00	\$0.00
NUTRITION CAPITAL IMPROVEMENTS 441	\$0.00	\$0.00	\$0.00
CRIPS 451	\$0.00	\$0.00	\$0.00
YOUTH SERVICES 452	\$0.00	\$1,445.50	\$1,445.50
SENIORS HELPING SENIORS 453	\$0.00	\$1,366.48	\$1,366.48
EISEP 454	\$0.00	\$624.50	\$624.50
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00	\$4,248.16	\$4,248.16
MUNICIPAL GARAGE 626	\$0.00	\$3,256.19	\$3,256.19
TRUST & AGENCY 735	\$0.00	\$451,553.07	\$451,553.07
SPECIAL TRUST 736	\$0.00	\$0.00	\$0.00
COMMUNITY DEVELOPMENT AGENCY 915	\$0.00	\$0.00	\$0.00
JOINT SCAVENGER WASTE 918	\$0.00	\$13,138.14	\$13,138.14
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
*****TOTALS*****	\$0.00	\$1,440,560.50	\$1,440,560.50

Stark Authentication www.stark.com

Adopted

Town Clerk

1218

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 692

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST
NOTICE TO BIDDERS FOR COLLECTION AND DISPOSAL OF
SOLID WASTE (INCLUDING YARD WASTE)**

COUNCILMAN PRUSINOWSKI

Councilman _____ offered the following resolution, which was

seconded by Councilman **COUNCILMAN LULL** :

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice to Bidders once in the *Suffolk County Life*, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon
duly adopted.

TOWN OF RIVERHEAD NOTICE TO BIDDERS

RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES

**Riverhead Refuse and Garbage District
January 1, 1997 through December 31, 1999**

Sealed bids will be received until 4:00 P.M. on September 27, 1996, by the Town Clerk, 200 Howell Avenue, Riverhead, New York, 11901, for the collection, removal and disposal of solid waste from residential dwelling units in each of six (6) Contract Bid Areas for January 1, 1997, through December 31, 1999. Immediately upon receipt of the bids, they will be publicly opened and read aloud by the Town Clerk in the meeting room in Town Hall.

Bid packages may be obtained on or after September 13, 1996, at the Town Clerk's Office between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

Each bid must be submitted on the forms furnished by the Town of Riverhead with the bid package. Each envelope containing a bid must be sealed and must clearly show the name and address of the bidder and the letter designation of the contract Bid Area which the bid applies and must state:

**BID FOR COLLECTION AND DISPOSAL OF SOLID WASTE
(Including Yard Waste)**

Each bid must be accompanied by a certified check or bid bond conforming to the enclosed bid bond form in a sum not less than Five per cent (5%) of the bid price for 1997 and payable to the "Town of Riverhead". Failure or refusal to execute the Contract and deliver the required performance security and insurance certificates, within twenty (20) days after award of contract, will result in forfeiture of the check or bid bond as liquidated damages for abandoning the Contract.

A separate bid and bid security must be submitted for each Contract Bid Area within the Riverhead Refuse and Garbage District. The bid package will be annexed to and made a part of the executed Contract.

The Town of Riverhead reserves the right to reject any or all bids, to waive irregularities and/or informalities in any bid, and to make an award in any manner consistent with law, deemed in the best interest of the Town, including limiting the number of Contract Bid Areas awarded to any one bidder.

Dated at:

Riverhead, New York
September 3, 1996.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD
Barbara Grattan, Town Clerk

Adopted

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 693

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST
NOTICE TO BIDDERS FOR COLLECTION AND DISPOSAL OF
SOLID WASTE (EXCLUDING YARD WASTE)**

COUNCILMAN PRUSINOWSKI

Councilman _____ offered the following resolution, which was

seconded by Councilman **COUNCILMAN LULL** :

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice to Bidders once in the *Suffolk County Life*, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

TOWN OF RIVERHEAD NOTICE TO BIDDERS

**RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES
Riverhead Refuse and Garbage District
January 1, 1997 through December 31, 1999**

Sealed bids will be received until 4:00 P.M. on September 27, 1996, by the Town Clerk, 200 Howell Avenue, Riverhead, New York, 11901, for the collection, removal and disposal of solid waste from residential dwelling units in each of six (6) Contract Bid Areas for January 1, 1997, through December 31, 1999. Immediately upon receipt of the bids, they will be publicly opened and read aloud by the Town Clerk in the meeting room in Town Hall.

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Each bid must be submitted on the forms furnished by the Town of Riverhead with the bid package. Each envelope containing a bid must be sealed and must clearly show the name and address of the bidder and the letter designation of the contract Bid Area which the bid applies and must state:

**BID FOR COLLECTION AND DISPOSAL OF SOLID WASTE
(Excluding Yard Waste)**

Each bid must be accompanied by a certified check or bid bond conforming to the enclosed bid bond form in a sum not less than Five per cent (5%) of the bid price for 1997 and payable to the "Town of Riverhead". Failure or refusal to execute the Contract and deliver the required performance security and insurance certificates, within twenty (20) days after award of contract, will result in forfeiture of the check or bid bond as liquidated damages for abandoning the Contract.

A separate bid and bid security must be submitted for each Contract Bid Area within the Riverhead Refuse and Garbage District. The bid package will be annexed to and made a part of the executed Contract.

The Town of Riverhead reserves the right to reject any or all bids, to waive irregularities and/or informalities in any bid, and to make an award in any manner consistent with law, deemed in the best interest of the Town, including limiting the number of Contract Bid Areas awarded to any one bidder.

Dated at: Riverhead, New York
September 3, 1996.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD
Barbara Grattan, Town Clerk

Adopted

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 694

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST
NOTICE TO BIDDERS FOR COLLECTION AND DISPOSAL OF
YARD WASTE**

COUNCILMAN PRUSINOWSKI

Councilman _____ offered the following resolution, which was

seconded by Councilman **COUNCILMAN LULL** :

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice to Bidders once in the *Suffolk County Life*, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall.

THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<u>Aye</u>	Nay
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

TOWN OF RIVERHEAD NOTICE TO BIDDERS**RESIDENTIAL YARD WASTE COLLECTION AND DISPOSAL SERVICES****Riverhead Refuse and Garbage District****January 1, 1997 through December 31, 1999**

Sealed bids will be received until 4:00 P.M. on September 27, 1996 by the Town Clerk, 200 Howell Avenue, Riverhead, New York, 11901, for the collection, removal and disposal of residential yard waste from residential dwelling units in each of six (6) Contract Bid Areas for January 1, 1997, through December 31, 1996. Immediately upon receipt of the bids, they will be publicly opened and read aloud by the Town Clerk in the meeting room in Town Hall.

Bid packages may be obtained on or after September 13, 1996 at the Town Clerk's Office between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

Each bid must be submitted on the forms furnished by the Town of Riverhead with the bid package. Each envelope containing a bid must be sealed and must clearly show the name and address of the bidder and the letter designation of the contract Bid Area which the bid applies and must state:

BID FOR COLLECTION AND DISPOSAL OF YARD WASTE

Each bid must be accompanied by a certified check or bid bond conforming to the enclosed bid bond form in a sum not less than Five per cent (5%) of the bid price for 1997 and payable to the "Town of Riverhead". Failure or refusal to execute the Contract and deliver the required performance security and insurance certificates, within twenty (20) days after award of contract, will result in forfeiture of the check or bid bond as liquidated damages for abandoning the Contract.

A separate bid and bid security must be submitted for each Contract Bid Area within the Riverhead Refuse and Garbage District. The bid package will be annexed to and made a part of the executed Contract.

The Town of Riverhead reserves the right to reject any or all bids, to waive irregularities and/or informalities in any bid, and to make an award in any manner consistent with law, deemed in the best interest of the Town, including limiting the number of Contract Bid Areas awarded to any one bidder.

Dated at: Riverhead, New York
September 3, 1996.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 695

APPROVES FIREWORKS APPLICATION OF FIREWORKS BY GRUCCI, INC.

COUNCILMAN LULL offered the following resolution, which was seconded by COUNCILMAN PRUSINOWSKI

WHEREAS, Fireworks by Grucci, Inc. submitted a letter for the purpose of conducting a fireworks display for the Cassata Foundation Golf Classic to be held at Fox Hills Country Club, Baiting Hollow, New York, on September 9, 1996 at approximately 9:00 p.m.; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as Additional Insured; and

WHEREAS, a Town of Riverhead Application for Fireworks Permit will be submitted to the Town Clerk; and

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

NOW THEREFORE BE IT RESOLVED, that the application of Fireworks by Grucci, Inc. submitted an application for the purpose of conducting a fireworks display for the Cassata Foundation Golf Classic to be held at Fox Hills Country Club, Baiting Hollow, New York, on September 9, 1996 at approximately 9:00 p.m., be and is hereby approved subject to their submission of a Town of Riverhead Application for Fireworks Permit; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Fireworks by Grucci, Inc., One Grucci Lane, Brookhaven, New York, 11719 and the Riverhead Police Department.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Kwasna	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Lull	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Prusinowski	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay
Stark	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay

The Resolution was thereupon duly adopted.

Adopted

9/3/96

TOWN OF RIVERHEAD

Resolution # 696

ADOPTS A LOCAL LAW ENTITLED, " A LOCAL LAW REQUESTING THE NEW YORK STATE LEGISLATURE TO APPROVE LEGISLATION PERMITTING A BINDING REFERENDUM ON THE CREATION OF PECONIC COUNTY IN THE TOWNS OF EAST HAMPTON, RIVERHEAD, SHELTER ISLAND, SOUTHAMPTON, AND SOUTHOLD AND REQUIRING A FOUR FIFTHS VOTE OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD IN APPROVING ANY ACTIONS RELATING TO THE CREATION OF SAID COUNTY"

COUNCILMAN PRUSINOWSKI offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, the Town Clerk was authorized to publish and post public notice of the proposed local law once in the August 14, 1996 edition of the Suffolk County Life, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and

WHEREAS, a public hearing was held on the 26th day of August, 1996 at 2:00 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.

NOW THEREFORE BE IT RESOLVED, that the Local Law entitled, " a Local Law requesting the New York State Legislature to approve legislation permitting a binding referendum on the creation of Peconic County in the Towns of East Hampton, Riverhead, Shelter Island, Southampton, and Southold and requiring a four fifths vote of the Town Board of the Town of Riverhead in approving any actions relating to the creation of said county" is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward to certified copy of this resolution to the Riverhead Planning Board; the Suffolk County Planning Commission; the L.I. State Park Commission; the Towns of Shelter Island, East Hampton, Southold and Southampton; the Hon. Patricia L. Acampora, Assemblywoman, Peach Tree Executive Park, 189 Main Street, Suite C, Riverhead, New York, 11901 and Senator Kenneth P. Lavelle, 325 Middle Country Road, Suite 4, Selden, New York, 11784.

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law entitled, "a Local Law requesting the New York State Legislature to approve legislation permitting a binding referendum on the creation of Peconic County in the Towns of East Hampton, Riverhead, Shelter Island, Southampton, and Southold and requiring a four fifths vote of the Town Board of the Town of Riverhead", at its regular meeting held on September 3, 1996, as follows:

BE IT ENACTED by the Town Board of the Town of Riverhead as follows:

Section 1. Legislative Findings. It is hereby found by the Town Board of the Town of Riverhead that the creation of a new country in the State of New York from the Towns of East Hampton, Riverhead, Shelter Island, Southampton, and Southold is an issue that has been long discussed among the residents of these East End Towns. It has been the ultimate goal to achieve the passage of state legislation which would create the new county, to be known as Peconic County, subject to the final approval of the people of these East End Towns through a binding referendum.

To that end, a Financial Feasibility Study was completed in 1995 to investigate whether the creation of Peconic County was financially feasible and to provide East End residents with the necessary information to make an informed decision on the creation of the new county. Said Study was funded through the joint efforts of the State of New York and the five East End Towns. The Study was completed by an independent and objective municipal financial management firm under the auspices of the East End Economic and Environmental Task Force.

Said Study concluded that not only was the creation of Peconic County feasible, it was fiscally desirable. In summary, the study found that due to the strong second home economy on the East End, the East End generates 14.4% of all Suffolk general fund tax revenues despite having only 8% of the year round population. Further, that because of this strong revenue base and the level of services provided by Suffolk to the East End, each year East End residents pay about \$20 million more in taxes that the cost of providing county services to the East End. The result is that the creation of Peconic County would result in a reduction in the County portion of the real property tax burden of over 50%.

In addition, the study provided for a division that would be fair to the remainder of Suffolk County. While the tax savings to the East End would be substantial, the loss of tax revenue to Suffolk would represent only about 1.25% of all its total revenue. Further, Suffolk would be compensated for the East End's share of existing county liabilities in an amount equal to the East End's current tax contribution for such liabilities. Today, Peconic County's share of these liabilities would be about \$75 million. In addition, Suffolk would continue to share in the use of such assets as parks, open space, the jail and community college.

Said Feasibility Study has been subject to intense public scrutiny over the last year,

including numerous public hearings and intergovernmental reviews. The conclusions of the study have withstood such review.

The Town of Riverhead now wishes to proceed with the next step towards the creation of Peconic County. Through this local law, the Town Board of the Town of Riverhead hereby requests that the New York State Legislature adopt legislation establishing a procedure by which Peconic County may be created, subject to final approval of the voters of the East End Towns.

Further, this Town Board believes that the creation of the new county shall require clear and convincing support from its constituent towns if it is to be successful. To help insure that such clear and convincing support exists, it is also the purpose of this local law to require that any action taken by the Town of Riverhead to advance the creation of Peconic County must be approved by a four fifths vote of the Town Board.

It is understood that subjecting actions of the Town Board advancing the creation of Peconic County to a four fifths vote instead of a simple majority will curtail the power of the Town Board under Section 23(2)(f) of the Municipal Home Rule Law, thereby subjecting this local law to a mandatory referendum (See Comptroller's Opinion 78-735). The Town Board wishes to decide on the issue of requiring a four fifths vote of the Town Board on actions advancing the creation of Peconic County, but also to allow voters to express their position on the Town's request that the State Legislature create Peconic County subject to the approval of voters of the East End in binding referendum.

Finally, it is understood that Section 63 of the Town Law requires that actions of the Town to advance the creation of Peconic County be approved by only a simple majority of the Town Board. Pursuant to Section 10(1)(d)(3) of the Municipal Home Rule Law, the Town Board expressly supersedes the application of the Town Law in such instances.

Section 2. Request for State Legislation. The Town Board of the Town of Riverhead hereby requests that the New York State Legislature adopt legislation establishing a procedure under which the voters of the Towns of East Hampton, Riverhead, Shelter Island, Southampton, and Southold, in a binding referendum, can decide the question of creating a new county, to be known as Peconic County, from the Towns of East Hampton, Riverhead, Shelter Island, Southampton and Southold.

Section 3. Four fifths Vote Required for Town Board Votes to Advance Peconic County. Actions by the Town Board of the Town of Riverhead which advance the creation of Peconic County shall require a four fifths vote of the Town Board. For the purposes of this section, "action" shall include any resolution which authorizes the appropriation of money, the institution of legal action, directs a Town officer or employee to take an action, or any other activity designed to advance the creation of Peconic County.

Section 4. Form or Proposition. Pursuant to Section 23(2)(f) of the Municipal Home Rule Law, this local law curtails the powers of the Town Board requiring a mandatory referendum. Therefore, the following proposition shall be submitted to the electors of the Town of Riverhead at the general election to be held November 5, 1996:

"SHALL LOCAL LAW NO. 2 OF 1996, ENTITLED 'A LOCAL LAW REQUESTING THE NEW YORK STATE LEGISLATURE TO APPROVE LEGISLATION PERMITTING

A BINDING REFERENDUM ON THE CREATION OF PECONIC COUNTY IN THE TOWNS OF EAST HAMPTON, RIVERHEAD, SHELTER ISLAND, SOUTHAMPTON AND SOUTHOLD, AND REQUIRING A FOUR FIFTHS VOTE OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD IN APPROVING ANY ACTIONS RELATING TO THE CREATION OF SAID COUNTY' be approved?"

Section 5. Severability. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 6. Effective date. This local law shall take effect after approval at the general election to be held November 5, 1996 by the affirmative vote of the qualified electors of the Town of Riverhead upon the proposition.

Dated: September 3, 1996
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon
duly adopted.