

Adopted

May 19, 1998

TOWN OF RIVERHEAD

Resolution # 404
Adopted May 19, 1998

EXTENDING PERIOD FOR NEGOTIATIONS WITH JAMES BISSETT

COUNCILMAN KENT

_____ offered the following resolution, which was

COUNCILMAN CARDINALE

seconded by _____.

WHEREAS, by Resolution #263 adopted 4/5/98, the Riverhead Town Board authorized negotiations between a designated committee and James Bissett regarding the sale of property at 431 East Main Street as a preliminary measure in determining whether James Bissett d/b/a Atlantis Seaquarium of Long Island or other entity should be designated the sponsor pursuant to Urban Renewal Law for the redevelopment of subject parcel; and

WHEREAS, said Resolution provided for a negotiation period of thirty (30) days; and

WHEREAS, the appointed committee did meet and did initiate negotiations with James Bissett; and

WHEREAS, numerous issues and requirements of the Town remain open requiring additional consideration by James Bissett prior to execution of proposed memorandum of understanding.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes an additional thirty (30) days from May 7, 1998 for negotiations between the Community Development Agency and James Bissett in order to determine whether James Bissett d/b/a Atlantis Seaquarium of Long Island should be designated the sponsor for redevelopment of the subject Community Development Agency parcel.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to James Bissett, 469 East Main Street, Riverhead, New York 11901, Thomas Rothman, Esq., 900 Third Avenue, New York, New York 10022-4677; Councilman Phil Cardinale; Councilman James Lull; Jack Hansen, Financial Administrator; Richard Hanley, Director of Planning; Monique Gablenz, Director of the Industrial Development Agency and Andrea Lohneiss, Community Development Director.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input type="checkbox"/> No <i>Absent</i>
Vitella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # _____ 405

AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 (VEHICLES & TRAFFIC) OF THE RIVERHEAD TOWN CODE

COUNCILMAN CARDINALE

offered the following resolution,

COUNCILMAN KWASNA

which was seconded by _____:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the May 28, 1998 issue of News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Highway Department and the Riverhead Police Department.

THE VOTE

Cardinale Yes No Kent Yes No

Kwasna Yes No Lull Yes No

Vilella Yes No *absent*

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 2nd day of June, 1998 at 7:15 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

§101-10. Parking prohibited.

Street	Side	Location
Remsen Road	South	Between Old <u>North</u> Country Road and Overlook Drive

Dated: Riverhead, New York
May 19, 1998

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

BARBARA GRATTAN, Town Clerk

- Overstrike represents deletion(s)
- Underline represents addition(s)

Tabled

Adopted

673

May 19, 1998

06/02/98

TOWN OF RIVERHEAD
406

Resolution # _____

APPROVES SITE PLAN OF BAITING HOLLOW COMMONS (FREDERICK H. TERRY)

COUNCILMAN KWASNA

_____ offered the following resolution,

which was seconded by **COUNCILMAN KENT** _____:

WHEREAS, a site plan and elevations were submitted by Frederick H. Terry, for the conversion of a residence and farm buildings to commercial use as retail and restaurant, in phases, and attendant site improvements, located at 3225 Sound Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-42-1-4; and

WHEREAS, the Planning Department has reviewed the site plan dated last April 29, 1998, as prepared by Peter Tokar, R.A., 110 Mill Road, Westhampton Beach NY 11978, and elevations dated April 29, 1998, consisting of four sheets, as prepared by Peter Tokar, R.A., 110 Mill Road, Westhampton Beach NY 11978, 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 initialed 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 98-12505 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 Frederick H. Terry, for the conversion of a residence and farm buildings to commercial use as retail and restaurant, in phases, and attendant site improvements, located at 3225 Sound Avenue,

Riverhead, New York, site plan dated last April 29, 1998, as prepared by Peter Tokar, R.A., 110 Mill Road, Westhampton Beach NY 11978, and elevations dated April 29, 1998, consisting of four sheets, as prepared by Peter Tokar, R.A., 110 Mill Road, Westhampton Beach NY 11978, 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 proves 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. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Frederick H. Terry hereby authorizes and consents to the Town of Riverhead to enter premises at 3225 Sound Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That 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 equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Frederick H. Terry, Peter Tokar, R.A., the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1998, made by Frederick H. Terry, residing at 4 China Lane, Setauket NY 11733, 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 as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Frederick H. Terry hereby authorizes and consents to the Town of Riverhead to enter premises at 3225 Sound Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That 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 pose a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

Adopted

Frederick H. Terry

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

On the _____ day of _____, 1998, before me personally came Frederick H. Terry, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at 3225 Sound Avenue, Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

At Regular Board Meeting of June 2, 1998, COUNCILMAN KWASNA OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE; WHICH WAS SECONDED BY COUNCILMAN LULL.

The Vote: Cardinale, yes, Kent, Yes, Kwasna, Yes, Lull, Yes, and Villella yes. The Resolution was thereupon declared to be brought off the table.

Councilman Kwasna offered the resolution, which was seconded by Councilman Kent.

The Vote: Cardinale, yes, Kent, yes, Kwasna yes, Lull, Yes and Villella, Yes.

THE RESOLUTION WAS THEREUPON DECLARED DULY

THE VOTE

Cardinale Yes ___ No ___ Kent Yes ___ No ___
Kwasna Yes ___ No ___ Lull ___ Yes ___ No ___ *absent*
Villella ___ Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ~~ADOPTED~~

Tabled

Adopted

06/02/98

1931, Riverhead NY 11901, landscape plan dated May 4, 1998, as prepared by Natural Landscape Accents, Southold NY 11971, and elevations dated February 1998 (dated in-house May 12, 1998), as prepared by Unknown, 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 proves 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. That 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 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, Michael A. Ireland hereby authorizes and consents to the Town of Riverhead to enter premises at East Main Street (NYS Route 25), 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. That pursuant to Section 108-1331 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 equivalent 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 this approval shall be subject to the requirements of the New York State Department of Transportation for improvements within the right of way, and that a revised site plan depicting said requirements shall be provided prior to the issuance of a building permit;
15. That the oil heating business and garage shall be situated on the east side of the proposed facility and that all oil trucks shall be stored within the structure;
16. That only licensed/registered motor vehicles shall be parked or stored in the rear of the premises; and be it further

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

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 1998, made by Michael A. Ireland, residing at RD 2 84 Shade Tree Lane, Riverhead NY 11901, 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. That 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. Further, by execution and filing of this document, Michael A. Ireland hereby authorizes and consents to the Town of Riverhead to enter premises at East Main Street (NYS Route 25), Riverhead, New York, to enforce said handicapped parking regulations;
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. That 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 pose a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
11. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
12. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
13. That the oil heating business and garage shall be situated on the east side of the proposed facility and that all oil trucks shall be stored within the structure;

14. That only licensed/registered motor vehicles shall be parked or stored in the rear of the premises.

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

Michael A. Ireland

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

On the _____ day of _____, 1998, before me personally came Michael A. Ireland, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at East Main Street (NYS Route 25), Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

THE VOTE

Cardinale Yes ___ No ___ Kent Yes ___ No ___
Kwasna Yes ___ No ___ Lull Yes ___ No ___
Vilella Yes ___ No ___ *Albert*

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

Tabled

MAY 19, 1998

Adopted

JUNE 2, 1998

TOWN OF RIVERHEAD

Resolution # 408

AUTHORIZES THE RETENTION OF SMITH, FINKELSTEIN, LUNDBERG,
ISLER & YAKABOSKI, LLP, IN CONNECTION
WITH THE CONDEMNATION AND RELATED URBAN RENEWAL
PROJECT ON MAIN STREET AND ROANAKE AVENUE

COUNCILMAN CARDINALE

_____ offered the following resolution, was seconded
by **COUNCILMAN KENT**

BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the retention of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP. to provide legal assistance to the Town Board, the Community Development Agency and the Public Parking District in connection with the proposed urban renewal project on Main Street and Roancke Avenue (the Swezey's project). These services will include the handling of any eminent domain proceedings or other proceedings that may be required by the Town Board in its review and decision-making regarding this application; and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute a Retainer Agreement with Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., which agreement shall set forth the hourly rate of compensation and which shall be on file with the Town Clerk; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.C. Box 389, 456 Griffing Avenue, Riverhead, New York, 19901; the Town Attorney and Monique Gablenz, Industrial Development.

AT THE REGULAR BOARD MEETING OF JUNE 2, 1998, Councilman Cardinale offered the Resolution to be brought off the Table, which was seconded by Councilman Kent.

The Vote: Cardinale, Yes, Kent, Yes, Kwasna, Yes, Lull, Yes, and Villella, Yes. The Resolution was thereupon declared to be brought off the table.

Councilman Cardinale offered the resolution which was seconded by Councilman Kent. Councilman Kent made motion to remove all attachments, seconded by Cardinale.

The Vote: Cardinale, Yes, Kwasna, Yes, Kent, Yes, Lull, Yes, and Villella, Yes. The resolution was thereupon declared duly adopted.

THE VOTE

Cardinale Yes No Kent Yes No
Kwasna Yes No Lull Yes No
Villella Yes No

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

Adopted

June 2, 1998

Tabled

RETAINER AGREEMENT

Agreement made this ___ day of May, 1998, by and between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York 11901 (hereinafter the Town), and Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., 456 Griffing Avenue, P.O. Box 389, Riverhead, New York 11901 (hereinafter the Firm), pursuant to Resolution #___ of Town Board adopted May __, 1998, as follows:

1. The Town retains the Firm to provide the legal services described in said Resolution.
2. The Town agrees to pay the Firm at an hourly rate of \$175 an hour for partners; \$150 an hour for associates; and \$85 an hour for paralegals.
3. The Town shall reimburse the Firm for actual disbursements.

TOWN OF RIVERHEAD

BY: VINCENT G. VILLELLA
SUPERVISOR

Smith, Finkelstein, Lundberg,
Isler & Yakaboski, LLP.

BY: FRANK A. ISLER

PLEASE NOTE:

RESOLUTION WAS ADOPTED ON JUNE 2, 1998 AT A REGULAR TOWN BOARD MEETING WITHOUT THE RETAINER AGREEMENT.

Adopted

5/19/98

TOWN OF RIVERHEAD

409

Resolution # _____

APPROVES APPLICATION OF LIVING WATER FULL GOSPEL CHURCH

COUNCILMAN CARDINALE

_____ offered the following resolution, was seconded by

COUNCILMAN KWASNA

WHEREAS, Living Water Full Gospel Church has submitted an application for the purpose of conducting a display of the performing arts on the grounds of the Country Commons Shopping Center, corner of Main Road and Tuthills Lane, Aquebogue, New York, to be held on June 12, 1998 between the hours of 8:00 p.m. to 10:00 p.m.; on June 13, 1998 between the hours of 12:00 noon to 10:00 p.m. and on June 14, 1998 between the hours of 7:00 p.m. to 10:00 p.m.; 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 Living Water Full Gospel Church for the purpose of conducting a display of the performing arts on the grounds of the Country Commons Shopping Center, corner of Main Road and Tuthills Lane, Aquebogue, New York, to be held on June 12, 1998 between the hours of 8:00 p.m. to 10:00 p.m.; on June 13, 1998 between the hours of 12:00 noon to 10:00 p.m. and on June 14, 1998 between the hours of 7:00 p.m. to 10:00 p.m. be and is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the application fee in connection with this application; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Living Water Full Gospel Church, 24 Shade Tree Lane, Riverhead, New York, 11901 and the Riverhead Police Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
					<i>absent</i>

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 410

APPROVES APPLICATION OF APPLE AUTO GROUP

COUNCILMAN KWASNA

offered the following resolution, was seconded by

COUNCILMAN KENT

WHEREAS, Apple Auto Group has submitted an application for the purpose of erecting a tent to display automobiles, at the location of Rte. 58, Riverhead, New York, to be held from May 13, 1998 to May 27, 1998, between the hours of 9:00 a.m. to 8:00 p.m. Monday through Friday and between the hours of 9:00 a.m. to 6:00 p.m. on Saturday; 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 Apple Auto Group for the purpose of erecting a tent to display automobiles, at the location of Rte. 58, Riverhead, New York, to be held from May 13, 1998 to May 27, 1998, between the hours of 9:00 a.m. to 8:00 p.m. Monday through Friday and between the hours of 9:00 a.m. to 6:00 p.m. on Saturday, be and is hereby approved, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Apple Auto Group, Rte. 58, Riverhead, New York, 11901 and the Riverhead Police Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # _____ 411

**APPROVES APPLICATION OF RIVERHEAD BUSINESS IMPROVEMENT DISTRICT
MANAGEMENT ASSOCIATION, INC.**

COUNCILMAN KENT _____ offered the following resolution, was seconded by

COUNCILMAN CARDINALE _____

WHEREAS, the Riverhead Business Improvement District Management Association, Inc. has submitted an application for the purpose of conducting their 2nd Annual Community Mosaic and Street Painting Festival to be held on the grounds of the East End Arts Council and in the Peconic River parking lot, Riverhead, New York, on Sunday, May 24, 1998, between hours of 9:00 a.m. to 5:00 p.m., having a rain date of Monday, May 25, 1998; 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 the Riverhead Business Improvement District Management Association, Inc. for the purpose of conducting their 2nd Annual Community Mosaic and Street Painting Festival to be held on the grounds of the East End Arts Council and in the Peconic River parking lot, Riverhead, New York, on Sunday, May 24, 1998, between hours of 9:00 a.m. to 5:00 p.m., having a rain date of Monday, May 25, 1998, be and is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead be and hereby waives the \$100.00 application fee; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Business Improvement District Management Association, Inc., Attn: Victoria Staciwo, 112 West Main Street, Riverhead, New York, 11901; Kenneth Testa, P.E. and the Riverhead Police Department.

a:\wp60\wpdocs\bid.res

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			<i>absent</i>

THE RESOLUTION WAS WAS NOT _____

THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 412

APPROVES APPLICATION OF THE POLISH TOWN CIVIC ASSOCIATION

COUNCILMAN CARDINALE

offered the following resolution, was seconded by

COUNCILMAN KWASNA

WHEREAS, the Polish Town Civic Association has submitted an application for the purpose of conducting their annual Polish Street Fair and Festival to be held at the location of Pulaski Street, Hamilton Avenue, Osborne Avenue and Lincoln Street, Riverhead, New York, to be held on August 14, 1998 between the hours of 7:30 p.m. and 11:30 p.m., on August 15, 1998 between the hours of 10:00 a.m. and 12:00 a.m. and August 16, 1998 between the hours of 10:00 a.m. to 8:00 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 Polish Town Civic Association for the purpose of conducting their annual Polish Street Fair and Festival to be held at the location of Pulaski Street, Hamilton Avenue, Osborne Avenue and Lincoln Street, Riverhead, New York, to be held on August 14, 1998 between the hours of 7:30 p.m. and 11:30 p.m., on August 15, 1998 between the hours of 10:00 a.m. and 12:00 a.m. and August 16, 1998 between the hours of 10:00 a.m. to 8:00 p.m., be and is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the application fee in connection with this application; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Polish Town Civic Association, P.O. Box 972, Riverhead, Riverhead, New York, 11901 and the Riverhead Police Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

absent

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 413

APPROVES APPLICATION OF TANGER FACTORY OUTLET CENTERS, INC.

COUNCILMAN KWASNA

_____ offered the following resolution, was seconded by

COUNCILMAN KENT

WHEREAS, Tanger Factory Outlet Centers, Inc. has submitted an application for the purpose of conducting a tent sale (Liz Claiborne) to be held in the Tanger Outlet Center parking lot in front of Liz Claiborne, Tanger Drive, Riverhead, on May 20, 1998 through May 26, 1998, between the hours of 10:00 a.m. and 9:00 p.m. Monday through Saturday and between the hours of 10:00 a.m. and 7:00 p.m. on Sunday; 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 Tanger Factory Outlet Centers, Inc. for the purpose of conducting a tent sale (Liz Claiborne) to be held in the Tanger Outlet Center parking lot in front of Liz Claiborne, Tanger Drive, Riverhead, on May 20, 1998 through May 26, 1998, between the hours of 10:00 a.m. and 9:00 p.m. Monday through Saturday and between the hours of 10:00 a.m. and 7:00 p.m. on Sunday, be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tanger Factory Outlet Centers, Inc., Att: Janine H. Nebons, Tanger Drive, Suite 200, Riverhead, New York, 11901 and the Riverhead Police Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 414

APPROVES APPLICATION OF TANGER FACTORY OUTLET CENTERS, INC.

COUNCILMAN KENT

_____ offered the following resolution, was seconded by

COUNCILMAN CARDINALE

WHEREAS, Tanger Factory Outlet Centers, Inc. has submitted an application for the purpose of conducting a tent sale (Liz Claiborne) to be held in the Tanger Outlet Center parking lot in front of Liz Claiborne, Tanger Drive, Riverhead, on July 1, 1998 through July 7, 1998, between the hours of 10:00 a.m. and 9:00 p.m. Monday through Saturday and between the hours of 10:00 a.m. and 7:00 p.m. on Sunday; 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 Tanger Factory Outlet Centers, Inc. for the purpose of conducting a tent sale (Liz Claiborne) to be held in the Tanger Outlet Center parking lot in front of Liz Claiborne, Tanger Drive, Riverhead, on July 1, 1998 through July 7, 1998, between the hours of 10:00 a.m. and 9:00 p.m. Monday through Saturday and between the hours of 10:00 a.m. and 7:00 p.m. on Sunday, be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tanger Factory Outlet Centers, Inc., Att: Janine H. Nebons, Tanger Drive, Suite 200, Riverhead, New York, 11901 and the Riverhead Police Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY DECLARED ADOPTED

5/19/98

Adopted

TOWN OF RIVERHEAD

Resolution # _____ 415

APPROVES APPLICATION OF TANGER FACTORY OUTLET CENTERS, INC.

COUNCILMAN CARDINALE offered the following resolution, was seconded by
COUNCILMAN KWASNA

WHEREAS, Tanger Factory Outlet Centers, Inc. has submitted an application for the purpose of conducting a tent sale (Liz Claiborne) to be held in the Tanger Outlet Center parking lot in front of Liz Claiborne, Tanger Drive, Riverhead, on September 2, 1998 through September 8, 1998, between the hours of 10:00 a.m. and 9:00 p.m. Monday through Saturday and between the hours of 10:00 a.m. and 7:00 p.m. on Sunday; 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 Tanger Factory Outlet Centers, Inc. for the purpose of conducting a tent sale (Liz Claiborne) to be held in the Tanger Outlet Center parking lot in front of Liz Claiborne, Tanger Drive, Riverhead, on September 2, 1998 through September 8, 1998, between the hours of 10:00 a.m. and 9:00 p.m. Monday through Saturday and between the hours of 10:00 a.m. and 7:00 p.m. on Sunday, be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tanger Factory Outlet Centers, Inc., Att: Janine H. Nebons, Tanger Drive, Suite 200, Riverhead, New York, 11901 and the Riverhead Police Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<i>absent</i>		

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # _____ 416

**APPROVES CARDO SITE DEVELOPMENT, INC.
AS DRAINLAYER FOR RIVERHEAD SEWER DISTRICT**

COUNCILMAN KWASNA _____ offered the following resolution, was seconded by

COUNCILMAN KENT _____

WHEREAS, pursuant to Section 88-3 of the Riverhead Town Code, Cardo Site Development Inc. has submitted a request to become an authorized drainlayer with the Riverhead Sewer District.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby approves Cardo Site Development, Inc., Inc. as an authorized drainlayer with the Riverhead Sewer District; and be it further

RESOLVED, that approval of this resolution is **subject to** the receipt of a performance bond naming the Town of Riverhead as Obligee to be submitted no later than May 29, 1998; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Cardo Site Development, Inc., P.O. Box 506, Montauk Highway, Quogue, New York, 11959, the Riverhead Sewer District; Richard A. Ehlers, Esq. and the Accounting Department.

THE VOTE

Cardinale Yes ___ No ___ Kent Yes ___ No ___

Kwasna Yes ___ No ___ Lull ___ Yes ___ No ___

Villella Yes ___ No ___ *absent*

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 417

AUTHORIZES SUPERVISOR TO EXECUTE A LEASE AGREEMENT BETWEEN BOMEL RIVERHEAD COMPANY, LLC AND THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, INC.

COUNCILMAN CARDINALE

offered the following resolution, was seconded by

COUNCILMAN KWASNA

BE IT HEREBY RESOLVED, that the Supervisor be and is hereby authorized to enter into and execute a lease agreement between Bomel Riverhead Company, LLC and the Riverhead Business Improvement District Management Association, Inc., to commence December 1, 1997 and expire November 30, 1998 at an annual rate of Ten Thousand Two Hundred and 00/100 (\$10,200.00) Dollars, the subject premises located at 112 West Main Street, Riverhead; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Bomel Riverhead Company, LLC, P.O. Box 372, Woodmere, New York, 11598; Riverhead Business Improvement District Management Association, Attn: Barry Barth, President; Jack Hansen, Financial Administrator; Andrea Lohneiss, Community Development Director and the Office of Town Attorney.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lu'll	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # _____ 418

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE DEMOLITION OF BUILDINGS OWNED BY CHARLES MASON PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED, "UNSAFE BUILDINGS AND COLLAPSED STRUCTURES"

COUNCILMAN CARDINALE

_____ offered the following resolution, was seconded by

COUNCILMAN KWASNA

:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the demolition of certain building(s) owned by Charles Mason located at 432 East Avenue, Riverhead, New York, further described as Suffolk County Tax Map #0600-126-4-48; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Charles Mason, 432 East Avenue, Riverhead, New York, 11901; the Office of the Town Attorney the Riverhead Building Department.

THE VOTE

Cardinale Yes No Kent Yes No
 Kwasna Yes No Lull Yes No
 Villella Yes No *Albert*

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of June, 1998 at 2:10 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider whether the owner of real property owned by Charles Mason located at 432 East Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-126-4-48, should secure the buildings situate on said property so that the health, safety and welfare of the residents of the Town of Riverhead shall not be endangered or, if the buildings are found to be in an unsafe condition as described pursuant to Chapter 54 of the Code of the Town of Riverhead entitled, "Unsafe Buildings and Collapsed Structures" to be repaired and secured or demolished and removed.

Dated: Riverhead, New York
May 19, 1998

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

BARBARA GRATTAN, Town Clerk

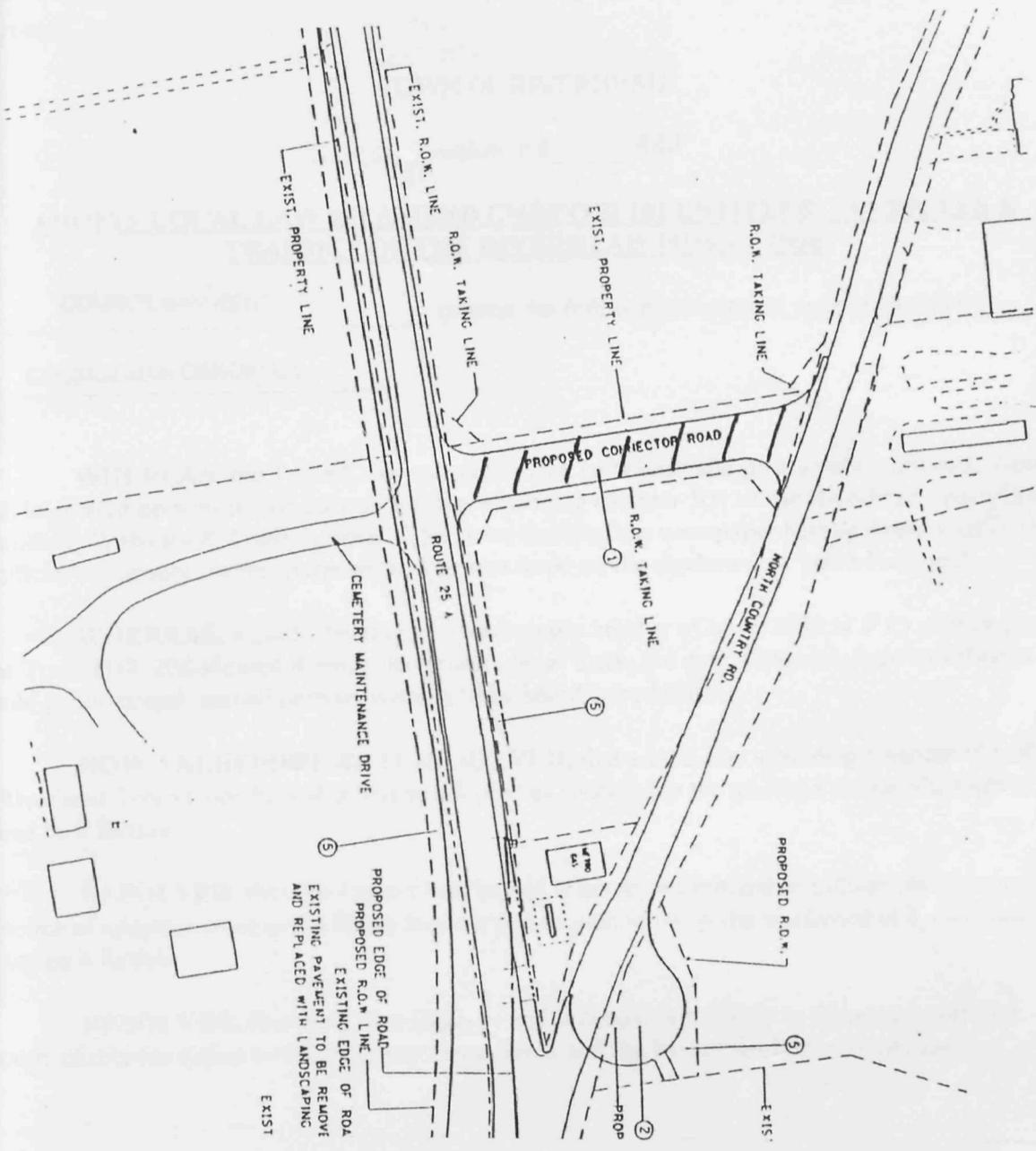
**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 2nd day of June, 1998 at 7:10 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the naming of a Riverhead Town road currently under construction at the intersection of New York State Route 25A, Sound Avenue and North Country Road, Wading River, New York to "Debbie Lane" (map attached).

Dated: Riverhead, New York
May 19, 1998

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

BARBARA GRATTAN, Town Clerk



Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 420

ADOPTS LOCAL LAW TO AMEND CHAPTER 101 ENTITLED, "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE

COUNCILMAN KENT

_____ offered the following resolution, was seconded by

COUNCILMAN CARDINALE

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic", once in the News Review, 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 5th day of May, 1998 at 7:15 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 a local law amending Chapter 101 of the Riverhead Town Code be and 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 publish the attached notice of adoption once in the **News Review** and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			<i>absent</i>

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on May 19, 1998 as follows:

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign On	Entrance From
<u>Karlin Drive</u>	<u>Jakes Lane</u>	<u>West</u>

Dated: Riverhead, New York
May 19, 1998

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

BARBARA GRATTAN, Town Clerk

* Underscore represents addition(s)

Adopted

5/19/98

AWARDS BID FOR MEADOWCREST III @ HIDDEN ACRES
RIVERHEAD WATER DISTRICT

Resolution 421

COUNCILMAN CARDINALE

_____ offered the following resolution
which was seconded by COUNCILMAN KWASNA,

WHEREAS, this Town Board did authorize the advertisement for bids for the installation of water mains and appurtenances for Meadowcrest III at Hidden Acres, and

WHEREAS, the Town Clerk was authorized to advertise for such bids, and

WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and

WHEREAS, by letter dated April 17, 1998, from H2M, consulting engineers to the Riverhead Water District, it was recommended that the bid be awarded to Pat Noto, Inc., at a total bid price of \$148,119,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Meadowcrest III at Hidden Acres be and is hereby awarded to Pat Noto, Inc. in the total bid of \$148,199, and be it further

RESOLVED, that the Town Clerk forwarded certified copies of this resolution to Pat Noto, Inc., H2M, Gary Pendzick, Accounting Department, and Frank Isler, Esq.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <i>absent</i>
Vitella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

ORDER ESTABLISHING LATERAL WATER MAIN
VILLAGE AT WADING RIVER
RIVERHEAD WATER DISTRICT

Resolution 422

COUNCILMAN KWASNA

_____ offered the following resolution which was seconded by COUNCILMAN KENT,

WHEREAS, petition has been made by the owners of Village at Wading River in Wading River for the installation of a lateral water main of the Riverhead Water District to serve their realty subdivision located at North Wading River Road in Wading River, and

WHEREAS, said subdivision comprises 43 building lots, and

WHEREAS, H2M consulting engineers of the Riverhead Water District have prepared their preliminary cost estimate and engineering report which is filed with the Town Clerk and available for inspection during regular business hours at 200 Howell Avenue, Riverhead, New York, and

WHEREAS, said plan provides for the installation of approximately 4,310 linear feet of water main and appurtenances at a total cost of \$145,000, with all costs associated with this lateral shall be borne by the petitioner, and

WHEREAS, in consideration of the benefit of the installation of the lateral the petitioner agrees to pay key money as calculated to offset the infrastructure costs to the existing customers of the District in an amount equal to \$107,500, and

WHEREAS, a public hearing was held April 21, 1998, and all those wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District, approves the petition of Village at Wading River for the installation of a lateral water main, subject to the following conditions:

1. The applicant has posted a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District in the amount of \$107,500 which is equal to \$2,500 key money for each dwelling unit within the proposed subdivision. Said \$2,500 to be paid upon the earlier of

Adopted

the happening of two events: (a) an application for a certificate of occupancy; (b) two years from the date hereof.

2. The applicant has posted a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District, in the amount of \$145,000.

3. A grant of a sub-surface easement to the Riverhead Water District covering all locations of the proposed water main installation, and be it further

RESOLVED that the bid contemplated herein shall not be awarded unless approved by the petitioner or his successors in title, and it is further

RESOLVED, that the terms and conditions of this Order shall be accepted and agreed to by the petitioner owner whose consent shall be duly acknowledged and shall be binding on the heirs and assigns of the petitioner and shall run with the land and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to H2M Group, Frank Isler, Esq., Gary Pendzick, and the applicant.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED



RIVERHEAD WATER DISTRICT

HIGH ZONE BOOSTER PUMP STATION AT PLANT NO. 9

GENERAL CONSTRUCTION CONTRACT

H2M PROJECT NO.: RDWD 97-03

CHANGE ORDER NO. 1

April 21, 1998

Owner:

RIVERHEAD WATER DISTRICT

1035 Pulaski Street

Riverhead, New York 11901

Contact: Supt. Gary Pendzick (516) 727-3205

Contractor:

PHILIP ROSS INDUSTRIES, INC.

200 Long Island Avenue

Wyandanch, New York 11798

Contact: Philip Carlucci (516) 253-3077

Engineer:

HOLZMACHER, McLENDON & MURRELL, P.C.

575 Broad Hollow Road

Melville, New York 11747

Contact: Dennis M. Kelleher, P.E. (516) 756-8000. ext. 410

Item No. 1.: DESCRIPTION OF CHANGE:

The construction contract called for an early completion bonus of \$500 per day for every day work was operational before the contracted completion period. Contractor was completed 22 days early.

REASON FOR CHANGE:

Booster Pump Station was operational 22 days early, thereby eliminating the emergency low pressure situation in the Wading River area.

COST OF CHANGE:

Early Completion Bonus (22 days x \$500/day) \$ 11,000.00

H2M GROUP

Riverhead Water District
Change Order No. 1
April 21, 1998
Page Two

Item No. 2: **DESCRIPTION OF CHANGE**

Installation of instrumentation and controls at Plant No. 9 and at the Main Office. These items were included in the original bid as an option, but were not awarded.

REASON FOR CHANGE:

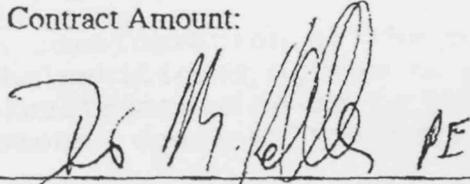
Modifications were requested by the District to enable remote monitoring and control.

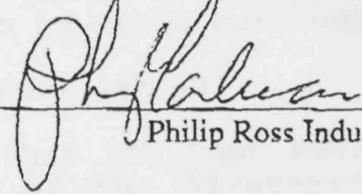
COST OF CHANGE:

Additional instrumentation and controls	\$34,935.00
TOTAL COST OF CHANGE ORDER NO. 1:	\$45,935.00
(Items 1 and 2)	

Contract Cost Summary

A. Original Contract Amount:	\$99,500.00
B. Cost of Change Order No. 1:	<u>45,935.00</u>
C. Revised Contract Amount:	\$145,435.00

Recommended By:  PE Date: 4-27-98
 Holzmacher, McLendon & Murrell, P.C.

Accepted By:  Date: 4-24-98
 Philip Ross Industries, Inc.

Approved By: _____ Date: _____
 Town of Riverhead/Riverhead Water District

equal to \$2,500 key money for each dwelling unit within the proposed subdivision. Said \$2,500 to be paid upon the earlier of the happening of two events: (a) an application for a certificate of occupancy; (b) two years from the date hereof.

2. The applicant has posted a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District, in the amount of \$42,000.

3. A grant of a sub-surface easement to the Riverhead Water District covering all locations of the proposed water main installation, and be it further

RESOLVED that the bid contemplated herein shall not be awarded unless approved by the petitioner or his successors in title, and it is further

RESOLVED, that the terms and conditions of this Order shall be accepted and agreed to by the petitioner owner whose consent shall be duly acknowledged and shall be binding on the heirs and assigns of the petitioner and shall run with the land and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to H2M Group, Frank Isler, Esq., Gary Pendzick, and the applicant.

THE VOTE

Cardinale Yes ___ No ___ Kent Yes ___ No ___
Kwasna Yes ___ No ___ Lull ___ Yes ___ No ___
Villette Yes ___ No ___ *absent*

THE RESOLUTION WAS WAS NOT ___

THEREUPON WAS DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 425

AUTHORIZES TOWN SUPERVISOR TO SUBMIT GRANT APPLICATION FOR FINANCIAL ASSISTANCE TO THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION PURSUANT TO TITLE 9 OF THE ENVIRONMENTAL PROTECTION ACT OF 1993 AND TITLE 3 OF THE 1996 CLEAN WATER/CLEAN AIR BOND ACT FOR PROJECT KNOWN AS PECONIC RIVER GREENWAY AND RIVERSIDE PARK

COUNCILMAN CARDINALE

~~COUNCILMAN KWASNA~~ offered the following resolution, which was seconded by

WHEREAS, the Town of Riverhead in cooperation with the Riverhead Economic Advisory Panel (REAP) and the Riverhead Industrial Development Agency has determined that the establishment of a greenway and riverside park located along the Peconic River from Forge Road to Nugent Drive will serve as a catalyst to accomplish a host of positive community goals; and

WHEREAS, the Riverhead Industrial Development Agency has contracted with The National Aviation and Transportation Center at Dowling College to prepare a conceptual plan of Phase I for said greenway and riverside park and assist in the completion and submission of the required grant application.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor of the Town of Riverhead be and is hereby authorized and directed to file an application for grant funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 and Title 3 of the Clean Water/Clean Air Bond Act, in an amount not to exceed \$850,000.00, and upon approval of said request to enter into and execute a project agreement with the State of New York for such financial assistance to the Town of Riverhead for the "Peconic River Greenway and Riverside Park".

BE IT FURTHER RESOLVED, that the Town Clerk is requested to forward a certified copy of this resolution to Monique Gablenz, Executive Director of the RIDA, and Peter S. Danowski, Jr., Esq., Chairman of REAP.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <i>absent</i>
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # _____ 426

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE DEMOLITION OF BUILDINGS OWNED BY BROOKFIELD FARMS, INC. PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED, "UNSAFE BUILDINGS AND COLLAPSED STRUCTURES"

COUNCILMAN KWASNA

_____ offered the following resolution, was seconded by

COUNCILMAN KENT

_____ :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the demolition of certain building(s) owned by Brookfield Farms, Inc. located at 446 Main Road, Aquebogue, New York, further described as Suffolk County Tax Map #0600-85-3-3; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Brookfield Farms, Inc., Box 51, Main Street, Mattituck, New York, 11952; the Office of the Town Attorney the Riverhead Building Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			<i>absent</i>

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of June, 1998 at 2:05 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider whether the owner of real property owned by Brookfield Farms, Inc. located at 446 Main Road, Aquebogue, New York, known and designated as Suffolk County Tax Map #0600-85-3-3, should secure the buildings situate on said property so that the health, safety and welfare of the residents of the Town of Riverhead shall not be endangered or, if the buildings are found to be in an unsafe condition as described pursuant to Chapter 54 of the Code of the Town of Riverhead entitled, "Unsafe Buildings and Collapsed Structures" to be repaired and secured or demolished and removed.

Dated: Riverhead, New York
May 19, 1998

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

BARBARA GRATTAN, Town Clerk

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # _____ 427

AWARDS BID FOR SNACK VENDOR AT IRON PIER BEACH

COUNCILMAN KENT

_____ offered the following resolution, was seconded by

COUNCILMAN CARDINALE

RESOLVED, the Town Clerk was authorized to publish and post a notice to bidders for snack vendors at various location at Stotzky Park, Reeves Park Beach, Iron Pier Beach and Wading River Beach; and

WHEREAS, four (4) bids were received, opened and read aloud on the 20th day of April, 1998 at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders.

NOW THEREFORE BE IT RESOLVED, that the bid for a snack vendor for the location of Iron Pier Beach is hereby awarded to **Harry Wilkinson** in the amount of \$200.00; and be it further

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

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Harry Wilkinson, 1036 Middle Road, Riverhead, New York, 11901; the Recreation Department; the Engineering Department and the Accounting Department.

Abstain
Abstain

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 428

AUTHORIZES SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND THE TOWN OF RIVERHEAD

COUNCILMAN CARDINALE

_____ offered the following resolution, was seconded by

COUNCILMAN KWASNA

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor be and is hereby authorized to enter into and execute an Agreement between the New York State Department of Environmental Conservation and the Town of Riverhead in regard to the Youngs Avenue Landfill; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the New York State Department of Environmental Conservation, Attn: Lori Riley, Esq., Regional Attorney, Building 40, SUNY, Stony Brook, New York, 11790-2356; Frank Isler, Esq., Office of the Supervisor; Ken Testa, P.E.; Office of the Town Attorney and Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY DECLARED ADOPTED

5/19/98

Adopted

TOWN OF RIVERHEAD

Resolution # 429

REDUCES LETTER OF CREDIT OF MEADOWCREST - SECTION 2

COUNCILMAN KWASNA offered the following resolution, was seconded by

COUNCILMAN KENT

WHEREAS, Robert J. Strecker, Esq., on behalf of Meadowcrest Section 2 subdivision by letter dated March 4, 1998, did request a reduction of the performance bond for work completed in the aforementioned subdivision; and

WHEREAS, John J. Raynor, consulting engineer to the Planning Board, by memorandum dated March 9, 1998, stated the performance bond should be reduced to one-third of the original estimate and that no further reductions be granted until all the work has been completed and a maintenance bond substituted in connection with the dedication of the streets.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby approves the reduction of the performance bond for the Meadowcrest Section 2 subdivision to Two Hundred Ninety Two Thousand Six Hundred Sixty Seven and 00/100 (\$292,667.00) Dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert Strecker, Meadowcrest at Fawn Run, North Country Road, Wading River, New York, 11792; the Highway Superintendent; the Planning Department; Kenneth Testa, P.E.; Charlene Cambria, Senior Auditor; the Building Department and the Town Attorney's Office.

THE VOTE

Cardinale	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Kent	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Kwasna	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Lull	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Villella	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No					<i>absent</i>

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

5/19/98

Adopted

TOWN OF RIVERHEAD

Resolution # 430
Adopted May 19th, 1998

AWARDS BID FOR VAIL LEAVITT THEATRE BOILER REPLACEMENT (PECONIC AVENUE)

COUNCILMAN KENT offered the following resolution,

COUNCILMAN CARDINALE

which was seconded by _____.

WHEREAS, Suffolk County Community Development Block Grant funds have been provided for boiler replacement to be performed at the historic Vail Leavitt Theater; and

WHEREAS, bids were solicited and three (3) bids have been received for boiler replacement.

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby awards the boiler replacement work to Berner Brothers Plumbing and Heating Inc., in the amount of \$4,800.00.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss; Dominion Construction Corp., 108 Allen Blvd, Farmingdale, New York 11735; Weber & Grahn Air Conditioning, 216 East Montauk Highway, Hampton Bays, New York 11946 and Berner Brothers Plumbing and Heating Inc., 19 Northbay Avenue, Eastport, New York 11941 and Ken Testa, Town Engineer.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<i>absent</i>		

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 431

AUTHORIZES NATURAL SCIENCE DIVISION OF SOUTHAMPTON COLLEGE AND THE MARINE PROGRAM OF CORNELL COOPERATIVE EXTENSION ACCESS TO EAST CREEK (HARVEST SEED SCALLOPS)

COUNCILMAN CARDINALE

offered the following resolution, was seconded by

COUNCILMAN KWASNA

WHEREAS, by correspondence dated April 20, 1998, Stephen T. Tettelbach, Associate Professor of Marine Science of Southampton College and Christopher F. Smith, Director of the Marine Program of Cornell Cooperative Extension requested the Town of Riverhead support a spawner sanctuary deployment project in East Creek with the goal to augment the bay scallop seed supply and future bay scallop harvest. This deployment will not incur any cost to the Town of Riverhead. (Copy of correspondence attached herewith).

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby authorizes Marine Science of Southampton College and Cornell Cooperative Extension personell access to East Creek to carry out the spawner sanctuary deployment project, incurring no cost to the Town of Riverhead, to augment the bay scallop seed supply and future bay scallop harvest; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Stephen T. Tettelbach, Associate Professor of Marine Science, Natural Science Division, Southampton College, Southampton, New York, 11968; Christopher F. Smith, Director, Marine Program, Cornell Cooperative Extension, 3059 Sound Avenue, Riverhead, New York, 11901; the Riverhead Bay Constable and the Riverhead Police Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Absent</i>		

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

MAY 19, 1998

TOWN OF RIVERHEAD

RESOLUTION# 432

AUTHORIZATION TO PUBLISH BID FOR FOOD

COUNCILMAN KWASNA

OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILMAN KENT

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF FOOD 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 THE PURCHASING DEPARTMENTS.

THE VOTE

Cardinale	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Kent	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Kwasna	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Lull	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Villella	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No		<i>absent</i>			

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **FOOD** 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 June 5, 1998.**

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.

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR FOOD.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

MAY 19, 1998

TOWN OF RIVERHEAD

RESOLUTION# 433

AUTHORIZATION TO PUBLISH BID

COUNCILMAN KENT OFFERED THE FOLLOWING RESOLUTION
WHICH WAS SECONDED BY COUNCILMAN CARDINALE

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE **MEAT & POULTRY PRODUCTS** 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

Cardinale Yes ___ No ___ Kent Yes ___ No ___

Kwasna Yes ___ No ___ Lull ___ ~~Yes~~ ___ ~~No~~ ___

Villella Yes ___ No ___ *absent*

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **MEAT & POULTRY PRODUCTS** 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 **11:005 a.m. on June 5, 1998**.

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

May 19, 1998

TOWN OF RIVERHEAD

434

AUTHORIZES THE RELEASE OF BID BONDS TO THE RECREATION DEPARTMENT

COUNCILMAN CARDINALE

offered the following resolution,

which was seconded by COUNCILMAN KWASNA

WHEREAS, Bids for Snack Vendor for Stotzky Park and Wading River Beach were awarded by Resolution to Hines Catering and Karl Freudenberg, respectively; and

WHEREAS, the bidder is required to place a deposit (bond) to obtain the bid packet; and

WHEREAS, the release of these bonds are necessary to complete payment due to the Riverhead Recreation Department.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby authorizes the Town Clerk to apply the bid deposit to the payment due and payable to the Riverhead Recreation Department; and

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

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

May 19, 1998

TOWN OF RIVERHEAD

Resolution # 435

GRANTS LEAVE OF ABSENCE

COUNCILMAN KWASNA

offered the following resolution ,

which was seconded by COUNCILMAN KENT

WHEREAS, the Town of Riverhead Civil Service Employees Association Contract, Article XII, Section 4 states; "Leave of absence without pay may be granted to employees in the discretion of the Town Board for a maximum of six (6) months upon written application therefor and good cause shown"; and

WHEREAS, Scott Sinnickson has requested a leave of absence to commence June 1, 1998 and proceed to November 31, 1998.

NOW, THEREFORE, BE IT RESOLVED, that Scott Sinnickson is hereby granted a leave of absence without pay, as requested, subject to the following condition:

To facilitate proper functioning of Town offices, the employee shall submit written notice to the Town Supervisor of his/her intent to return to work, resign, retire or other relief at least thirty (30) days prior to the expiration of the leave of absence,

and;

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

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

MAY 19, 1998

TOWN OF RIVERHEAD RESOLUTION # 436

EXTENDS CONTRACT FOR HOMOGENIZED MILK

COUNCILMAN KENT offered the following resolution, which was seconded by **COUNCILMAN CARDINALE**:

Whereas, the Purchasing Department has requested the contract with **Arshamomaque Dairy** originally awarded under Resolution #480 adopted June 18, 1996, extended under Resolution #340 adopted May 7, 1997 be extended until May 31, 1999 and;

Whereas, the above named vendor has agreed to extend the contract until May 31, 1999; and

Whereas, the Town Board has reviewed said request.

Now, therefore, be it

Resolved, that the contract for **Homogenized Milk** be, and hereby is, extended to May 31, 1999; and

Resolved, that the Town Clerk be, and hereby is, directed to forward a Certified Copy of this Resolution to Arshamomaque Dairy, Purchasing Department, the nutrition Department and the Accounting Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			<i>absent</i>

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

May 19, 1998

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR TONER AND SUPPLIES

RESOLUTION # 437

COUNCILMAN CARDINALE 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 TONER AND SUPPLIES;

WHEREAS, bids were received, opened, and read aloud on the 8th day of May, 1998, 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 TONER & SUPPLIES, be and is hereby awarded to O.P.G. Industries, Inc.; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to O.P.G. Industries and the Purchasing Department.

THE VOTE

Cardinale Yes No Kent Yes No
 Kwasna Yes No Lull Yes No
 Vitella Yes No *absent*

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Company Name: _____

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 438

APPOINTS A SUMMER RECREATION AIDE

TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KWASNA offered the following resolution,

which was seconded by COUNCILMAN KENT

RESOLVED, that Cheryl Berezny is hereby appointed to the serve as a Summer Recreation Aide, effective, June 1, 1998 to and including, September 8, 1998, to be paid at the rate of \$6.00 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>Absent</i>	

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

RESOLUTION # 439
Adopted May 19, 1998

APPOINTS TEMPORARY CLERKS TO THE TAX RECEIVER'S OFFICE

COUNCILMAN KENT

_____ offered the following resolution

which was seconded by COUNCILMAN CARDINALE

WHEREAS, this Town Board recognizes the need to provide additional clerical personnel to the Office of the Receiver of Taxes to assist in the processing of tax money.

NOW, THEREFORE, BE IT RESOLVED, that Richard A. Park and Brianna P. Roregno be and are hereby appointed as temporary clerks at an hourly rate of compensation of \$8.20 effective May 26, 1998 through June 19, 1998.

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Richard A. Park, Brianna P. Roregno; Diane M. Stuke, Receiver of Taxes; and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Kent	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Kwasna	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Lull	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Villella	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No					<i>absent</i>

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

May 19, 1998

TOWN OF RIVERHEAD

Resolution # 440

APPOINTS CUSTODIAL WORKER I

COUNCILMAN CARDINALE

_____ offered the following resolution ,

which was seconded by COUNCILMAN KWASNA

WHEREAS, the position of Custodial Worker I exists in the Buildings & Grounds Department; and

WHEREAS, the position was duly posted as per the Civil Service Employees Association Contract; and

WHEREAS, an application was filed by Charles Ramsey, currently serving in the position of Part Time Custodial Worker I; and

WHEREAS, The Town Engineer has requested that Mr. Ramsey be hired to the position on a full time basis.

NOW, THEREFORE, BE IT RESOLVED, effective May 26, 1998, the Town Board hereby appoints Charles Ramsey to the position of Custodial Worker I at the annual salary as set fourth in the current CSEA contract, Group 1, Step P; and

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

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 441

APPOINTS A PARK ATTENDANT II

TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KWASNA offered the following resolution,
which was seconded by COUNCILMAN KENT

RESOLVED, that John Galvin is hereby appointed to the serve as a Park Attendant II, effective, May 23, 1998 to and including, October 31, 1998, to be paid at the rate of \$8.60 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

May 19, 1998

TOWN OF RIVERHEAD

442

AMENDS RESOLUTION #335 OF 1998

COUNCILMAN KENT offered the following resolution,
which was seconded by COUNCILMAN CARDINALE

WHEREAS, resolution #335 of 1998 appoints four(4) individuals to the position of Seasonal Laborer in the Buildings & Grounds Department; and

WHEREAS, Brandon M. Norris subsequently declined the position; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby amends resolution #335 of 1998 to exclude the name of Brandon M. Norris as an employee; and

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

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

MAY 19, 1998

Adopted

TOWN OF RIVERHEAD

EXTENDS OPENING DATE FOR BID 98-12, SPORTS EQUIPMENT

RESOLUTION # 443

COUNCILMAN CARDINALE
COUNCILMAN KWASNA offered the following resolution, which was seconded by

WHEREAS, Town Board Resolution 98-316 authorized the Town Clerk to publish and post a notice to bidders for SPORTS EQUIPMENT and in that notice, the bid opening was to be on May 22, 1998 at 11:00am;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the bid opening to be extended for one week to May 29, 1998 at 11:00am.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

May 19, 1998

TOWN OF RIVERHEAD

Resolution # 444

APPROVES SITE PLAN OF PIZZA HUT - FACADE ALTERATIONS

COUNCILMAN KWASNA

_____ offered the following resolution,

which was seconded by **COUNCILMAN KENT** _____:

WHEREAS, a site plan and elevations were submitted by Robert H. Ellis as agent for Pizza Hut, Inc., for facade alterations to the windows, entry door, and color of the roof, located at 999 Old Country Road, Riverhead NY 11901, New York, known and designated as Suffolk County Tax Map Number 0600-108-4-11.2; and

WHEREAS, the Planning Department has reviewed the elevations dated April 7, 1998, as prepared by Arthur J. Michaels, AIA, One Harmon Meadow Blvd., Secaucus NJ 09709, 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 initialed 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 98-13901 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 elevations submitted by Robert H. Ellis as agent for Pizza Hut, Inc., for facade alterations to the windows, entry door, and color of the roof, located at 999 Old Country Road, Riverhead NY 11901, New York, elevations dated April 7, 1998, as prepared by Arthur J. Michaels, AIA, One Harmon Meadow Blvd., Secaucus NJ 09709, 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 proves 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. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Pizza Hut, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at 999 Old Country Road, Riverhead NY 11901, New York, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

11. That all new utilities shall be constructed underground;
12. That 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 equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
15. That any dead or damaged shrubs shall be replaced;
16. That one street tree (Zelkova Serrata or Littleleaf Linden of 3 – 3 1/2" caliper) shall be added along the Roanoke Avenue frontage;
17. That any damaged or deteriorated asphalt shall be removed and replaced in accordance with Town specifications, and in compliance with the requirements of the Town Engineer; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert H. Ellis as agent for Pizza Hut, Inc., the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 1998, made by Pizza Hut, Inc., residing at 200 Lanidex Plaza, Parsippany NJ 07054, 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. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Pizza Hut, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at 999 Old Country Road, Riverhead NY 11901, 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 new utilities shall be constructed underground;
11. That 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 pose a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

PIZZA HUT, INC.

By: _____

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1997, 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

THE VOTE

Cardinale Yes No Kent Yes No
Kwasna Yes No Lull Yes No
Villella Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

May 19, 1998

TOWN OF RIVERHEAD

Resolution 445

APPOINTS SEASONAL LABORER TO THE BUILDINGS & GROUNDS DEPARTMENT

COUNCILMAN CARDINALE offered the following resolution,
which was seconded by COUNCILMAN KWASNA

WHEREAS, the position of Seasonal Laborer exists in the Buildings & Grounds Department; and

WHEREAS, the position was posted and applicants were interviewed; and

WHEREAS, the Town Engineer has requested that the Town Board hire Jason Hubbard in the position.

BE IT FURTHER, RESOLVED, effective May 26, 1998, the Town Board hereby authorizes the appointment of Jason Hubbard to the position of Seasonal Laborer in the Buildings & Grounds Department at an hourly salary of \$7.80; and

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

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

May 19, 1998

TOWN OF RIVERHEAD

Resolution # 446

APPOINTS JAYNA HEILBRUNN & MICHAEL LONGO
AS SUMMER INTERNS IN THE OFFICE OF ACCOUNTING

COUNCILMAN KENT

_____ offered the following resolution ,

which was seconded by **COUNCILMAN CARDINALE** _____

WHEREAS, it is beneficial to the Town to hire interns to work cooperatively with individual Departments; and

WHEREAS, it is the desire of the Accounting Department to have interns appointed to work during the summer months to complete various annual projects.

NOW, THEREFORE, BE IT RESOLVED, effective June 1, 1998 the Town Board hereby appoints Jayna M. Heilbrunn and Michael Longo to the position of Summer Intern in the Office of Accounting at the hourly rate of pay of \$8.00; and

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

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			<i>absent</i>

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

May 19, 1998

TOWN OF RIVERHEAD

Resolution # 447

STREET LIGHTING DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE

_____ offered the following resolution ,

which was seconded by **COUNCILMAN KENT** _____

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

116.051820.546200	STREET LIGHTING ELECTRICITY	FROM: \$9,000.
116.051820.541414	STREET LIGHTING MAINTENANCE	TO: \$9,000.

THE VOTE

Cardinale Yes ___ No ___ Kent Yes ___ No ___
 Kwasna Yes ___ No ___ Lull ___ Yes ___ No ___
 Vitella Yes ___ No ___ *absent*

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

Adopted

May 19, 1998

TOWN OF RIVERHEAD

Resolution # 448

**AMENDS SECTION 108-45 (B) OF THE RIVERHEAD ZONING
ORDINANCE TO PROVIDE FOR DAY CARE CENTER/NURSERY
SCHOOL AS A SPECIALLY PERMITTED USE**

COUNCILMAN KWASNA

_____ offered the following resolution which

was seconded by **COUNCILMAN KENT** _____

WHEREAS, the Planning Department has recommended that the Riverhead Zoning Ordinance provide for day care center/nursery school as specially permitted use within the Industrial A Zoning Use District, and

WHEREAS, the Town Board did hold a public hearing on such amendment on the 7th of April, 1998, and

WHEREAS, the Town Board has carefully considered the merits of the zoning amendment, the SEQRA record created to date, the report of the Planning Department, as well as all other relevant planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the subject zoning amendment the Riverhead Town Board hereby makes the following findings:

1. That the Master Plan of 1973 did not contemplate the need for the proposed use;
2. That market forces have changed employment patterns within the region creating a need for day care and nursery school use in addition to traditional kindergarten;
3. That in 1990 the Town Board amended the Zoning Ordinance to provide for day care center/nursery school use in commercial districts as a special permit, and

BE IT FURTHER

RESOLVED, that based upon its findings in the subject action, the Riverhead Town Board hereby declares itself to be the lead agency and declares the action to be Unlisted pursuant to 6NYCRR Part 617 and that an environmental impact statement need not be prepared, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Town Board hereby approves the subject zoning amendment, and

BE IT FURTHER

RESOLVED, that such amendment shall take effect immediately, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution shall be transmitted to the Planning Department, the Town Attorney and the Building Department.

THE VOTE

Cardinale	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No absent
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

Tabled

Adopted

May 19, 1998

06/02/98

TOWN OF RIVERHEAD

Resolution # 449

APPROVES SPECIAL PERMIT PETITION OF KROEMER AVENUE HOLDING CO., INC.

COUNCILMAN KWASNA

_____ offered the following resolution which

was seconded by **COUNCILMAN CARDINALE** _____

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit from Peter S. Danowski, Esq. on behalf of the Kroemer Avenue Holding Co., Inc. to establish a day care center as a non-nuisance industry upon real property located at Kroemer Avenue, Riverhead: such real property more particularly described as Suffolk County Tax Map Numbers 0600-119-1-28.005 & 28.006, and

WHEREAS, the Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the approval of the petition subject to certain conditions, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the attending site plan, as well as all other relevant planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Kroemer Avenue Holding Co., Inc., the Riverhead Town Board makes the following findings:

1. That the premises is located within the Industrial A Zoning Use District;
2. That the land uses existing within 500 feet of the subject property are considered to be industrial;
3. That the site is currently improved with a 23,000 square feet masonry building, with associated parking;
4. That a day care center use is considered appropriate in industrially zoned areas with respect to proximity to significant employers of labor;
5. The lot area is sufficient for the intended use and any reasonably anticipated expansion thereof;
6. The use is not unsuitably near a church, school, theater, recreation area or place of public assembly;

- 7. Access facilities are adequate for the use from public streets for the intended use with curb cuts appropriately located. Truck traffic serving industrial uses within the general vicinity could make entering and exiting the site inconvenient;
- 8. The number of off street parking stalls are adequate for the proposed use with the parking area layout conducive to convenient and safe operation;
- 9. The screening and buffering of the proposed use from contiguous industrial uses is non-existent. Adequate buffer yards, landscaping, walls or fences should be provided. The abandonment of the materials processing use and the reclamation of the processing area should further mitigate this concern.
- 10. The proposed use requires a recreational area as an amenity. The recreation area should be both adequately improved (removal of asphalt; provision of equipment) and adequately screened, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby approves the subject special permit petition subject to the following conditions:

- FIRST: That the material processing use be abandoned into perpetuity;
- SECOND: That the day care center use be completely and suitably screened from contiguous industrial uses through a combination of fences, walls, and landscaping;
- THIRD: That the proposed play area be improved with equipment and that the asphalt area be removed;, and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded Kroemer Avenue Holding Co., Inc. or their agent.

AT REGULAR BOARD MEETING OF JUNE 2, 1998, Councilman Kwasna offered the resolution to be brought off the table, which was seconded by Councilman Kent.

The VOTE: Cardinale, Yes, Kent, Yes, Kwasna, Yes, Lull, Yes, and Villella Yes. The Resolution was thereupon declared to be brought off the table.

Councilman Kwasna offered the resolution for adoption, which was seconded by Councilman Cardinale.

The VOTE: Cardinale, No, Kent, No, Kwasna Yes, Lull, Yes, and Villella, Yes.

The Resolution was thereupon declared duly

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			<i>absent</i>

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ~~ADOPTED~~

Adopted
06/02/98

Tabled

Adopted

May 19, 1998

TOWN OF RIVERHEAD

Resolution # 450

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING - PURCHASE OF DEVELOPMENT RIGHTS

COUNCILMAN KENT offered the following resolution which was seconded by COUNCILMAN CARDINALE

WHEREAS, the Farmland Preservation Committee has recommended that the Town Board consider the purchase of development rights from real property located at Union Avenue, Aquebogue; such real property more particularly described as Suffolk County Tax Map No. 0600-66-4-1.1, and

WHEREAS, such recommendation was made pursuant to Section 44-6(c) of the Riverhead Town Code, and

WHEREAS, a public hearing is required prior to such purchase of development rights and the Town Board desires to hold such public hearing, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the following notice of public hearing.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		<i>absent</i>	

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of June, 1998 at 2:15 o'clock p.m. at 200 Howell Avenue, Riverhead, New York to hear all interested parties to consider the purchase of development rights from a portion of a tract of real property located at Union Avenue, Aquebogue, such tract more particularly described as Suffolk County Tax Map Number 0600-66-4-1.1. The subject purchase of development rights is being considered pursuant to Section 44-6(c) of the Town Code. The particulars of such purchase will be available for public inspection at the office of the Town Clerk beginning on the 5th day of June, 1998 between the hours of 8:30a.m. and 4:30 p.m..

DATED: May 19, 1998
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

TOWN OF RIVERHEAD
Resolution # 451
Adopted 5/19/98

Adopted

**AUTHORIZATION FOR PREPARATION OF AN URBAN RENEWAL PLAN
COUNCILMAN CARDINALE**

_____ offered the following resolution, which was

COUNCILMAN KWASNA

seconded by _____

WHEREAS, pursuant to General Municipal Law Article 15-b, Title 116, Section 680-c, the Town of Riverhead Community Development Agency was established for the purposes outlined in Article 15 and Article 15-a of General Municipal Law; and

WHEREAS, the Riverhead Community Development Agency is an urban renewal agency; and

WHEREAS, pursuant to Article 15 of the Urban Renewal Law and Article 15-a of General Municipal Law, the Supervisor, as Chairman, and the Town Board constitute the members of the Urban Renewal Agency; and

WHEREAS, the Riverhead Town Board desires to undertake certain redevelopment activities at the former NWIRP at Calverton pursuant to an acceptable Urban Renewal Plan; and

WHEREAS the Planning Department has recommended to the Town Board that the creation of an Urban Renewal Plan should be considered a Type I Action pursuant to the New York State Environmental Conservation Law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Riverhead Community Development Agency and the Riverhead Planning Department prepare or cause to be prepared an urban Renewal Plan in conformance with the General Municipal Law, such plan to incorporate that land area as depicted on the map accompanying this resolution; and

BE IT FURTHER RESOLVED, that in the matter of the subject Urban Renewal Plan, the Riverhead Town Board hereby declares itself to be the Lead Agency and determines the action to be Type I without a significant impact upon the environment and that an Environmental Impact Statement need not be prepared; and

BE IT FURTHER RESOLVED, that the Planning Director be authorized to publish a Notice of Non-Significance as required by the Environmental Conservation Law; and

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

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <i>absent</i>
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

May 19, 1998

TOWN OF RIVERHEAD

Resolution # 452

EAST CREEK PUMPOUT STATION

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN KENT

_____ offered the following resolution ,

which was seconded by **COUNCILMAN CARDINALE**

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

		FROM:	
06.072300.492220.70093	NYS EFC GRANT	\$16,000.	
06.072300.481900.70093	TRANSFER FROM PARK & REC FUND	5,500.	
			TO:
406.072300.523006.70093	CONSTRUCTION		\$9,000.
406.072300.543504.70093	ENGINEERING		5,000.
406.072300.524900.70093	EQUIPMENT		7,500.

THE VOTE

Cardinale Yes ___ No ___ Kent Yes ___ No ___
 Kwasna Yes ___ No ___ Lull ___ Yes ___ No ___
 Villella Yes ___ No ___ *absent*

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY DECLARED ADOPTED

Adopted

RESOLUTION # <u>453</u> ABSTRACT #19-98 MAY 7, 1998 (TBM 5/19/98)					
COUNCILMAN KWASNA		offered the following Resolution which was seconded by			
COUNCILMAN KENT					
FUND NAME		NONE	CHECKRUN TOTALS	GRAND TOTALS	
GENERAL TOWN	001	\$ -	\$ 422,187.68	\$	422,187.68
PARKING METER	002	\$ -	\$ -	\$	-
AMBULANCE	003	\$ -	\$ -	\$	-
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 1,622.96	\$	1,622.96
TEEN CENTER	005	\$ -	\$ 100.00	\$	100.00
RECREATION PROGRAM	006	\$ -	\$ 4,234.43	\$	4,234.43
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$	-
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$	-
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ 840.00	\$	840.00
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 1,427.39	\$	1,427.39
HIGHWAY	111	\$ -	\$ 63,538.47	\$	63,538.47
WATER	112	\$ -	\$ 37,336.47	\$	37,336.47
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$	-
SEWER	114	\$ -	\$ 15,452.61	\$	15,452.61
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 2,293.23	\$	2,293.23
STREET LIGHTING DISTRICT	116	\$ -	\$ 9,877.55	\$	9,877.55
PUBLIC PARKING DISTRICT	117	\$ -	\$ 2,265.32	\$	2,265.32
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 6.24	\$	6.24
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$	-
WORKER'S COMPENSATION FUND	173	\$ -	\$ 4,517.39	\$	4,517.39
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$	-
RISK RETENTION FUND	175	\$ -	\$ 914.00	\$	914.00
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$	-
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$	-
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$	-
RESIDENTIAL REHAB	179	\$ -	\$ -	\$	-
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$	-
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 998.74	\$	998.74
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$	-
RESTORE	184	\$ -	\$ -	\$	-
PUBLIC PARKING DEBT SERVICE	381	\$ -	\$ -	\$	-
SEWER DISTRICT DEBT SERVICE	382	\$ -	\$ -	\$	-
WATER DEBT SERVICE	383	\$ -	\$ -	\$	-
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$	-
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$	-
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$	-
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 2,665.87	\$	2,665.87
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$	-
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$	-
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$	-
CHIPS	451	\$ -	\$ -	\$	-
YOUTH SERVICES	452	\$ -	\$ 1,554.55	\$	1,554.55
SENIORS HELPING SENIORS	453	\$ -	\$ 1,616.07	\$	1,616.07
EISEP	454	\$ -	\$ 634.45	\$	634.45
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$	-
MUNICIPAL FUEL	625	\$ -	\$ 5,932.32	\$	5,932.32
MUNICIPAL GARAGE	626	\$ -	\$ 3,068.55	\$	3,068.55
TRUST & AGENCY	735	\$ -	\$ 675,936.60	\$	675,936.60
SPECIAL TRUST	736	\$ -	\$ -	\$	-
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 1,284.00	\$	1,284.00
JOINT SCAVENGER WASTE	918	\$ -	\$ 10,912.32	\$	10,912.32
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$	-
TOTALS		\$	1,271,217.21	\$	1,271,217.21

THE VOTE

Cardinale Yes No Kent Yes No

Kwasna Yes No Lull Yes No *absent*

Villella Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY DECLARED ADOPTED

RESOLUTION # <u>453</u> ABSTRACT #20-98 MAY 14, 1998 (TBM 5/19/98)				
COUNCILMAN KWASNA				
offered the following Resolution which was seconded by				
COUNCILMAN KENT				
FUND NAME		NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 49,817.61	\$ 49,817.61
PARKING METER	002	\$ -	\$ 330.30	\$ 330.30
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 1,209.83	\$ 1,209.83
TEEN CENTER	005	\$ -	\$ 73.72	\$ 73.72
RECREATION PROGRAM	006	\$ -	\$ -	\$ -
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ 85.40	\$ 85.40
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ 4,466.50	\$ 4,466.50
WATER	112	\$ -	\$ 1,538.09	\$ 1,538.09
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
SEWER	114	\$ -	\$ 17,702.04	\$ 17,702.04
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 188.34	\$ 188.34
STREET LIGHTING DISTRICT	116	\$ -	\$ 6,166.84	\$ 6,166.84
PUBLIC PARKING DISTRICT	117	\$ -	\$ 23,298.95	\$ 23,298.95
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 3,099.12	\$ 3,099.12
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ -	\$ -	\$ -
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 2,343.15	\$ 2,343.15
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT SERVICE	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT SERVICE	382	\$ -	\$ -	\$ -
WATER DEBT SERVICE	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 177,639.89	\$ 177,639.89
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL	625	\$ -	\$ 46.01	\$ 46.01
MUNICIPAL GARAGE	626	\$ -	\$ 945.13	\$ 945.13
TRUST & AGENCY	735	\$ -	\$ 1,125,200.00	\$ 1,125,200.00
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 635.00	\$ 635.00
JOINT SCAVENGER WASTE	918	\$ -	\$ 8,286.64	\$ 8,286.64
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 1,423,072.56	\$ 1,423,072.56

THE VOTE

Cardinale Yes No Kent Yes No
 Kwasna Yes No Lull Yes No *Absent*
 Villiella Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY DECLARED ADOPTED

Adopted

5/19/98

TOWN OF RIVERHEAD

Resolution # 454

ACCEPTS PERFORMANCE BONDS FROM EASTERN CREST CORPORATION FOR ROAD AND DRAINAGE IMPROVEMENTS, PARK & RECREATION FEES AND WATER DISTRICT KEY MONEY AT "MEADOWCREST III AT HIDDEN ACRES" SUBDIVISION

COUNCILMAN KWASNA

_____ offered the following resolution, was seconded

by **COUNCILMAN KENT** _____:

WHEREAS, by resolution adopted on December 4, 1997, the Riverhead Planning Board conditionally approved the subdivision known as the "Meadowcrest III at Hidden Acres", with one of the conditions of final approval being the submission and filing of a performance bond in the amount of \$910,000.00 covering the road and drainage improvements, \$122,000.00 covering park and recreation fees and \$110,000.00 covering Water District Key Monies within said subdivision; and

WHEREAS, Eastern Crest Corporation has submitted to the Town of Riverhead Performance Bond # **SU2216802** from Utica Mutual Insurance Company in the amount of Nine Hundred Ten Thousand and 00/100 (**\$910,000.00**) Dollars, Performance Bond # **SU2216803** from Utica Mutual Insurance Company in the amount of One Hundred Twenty Two Thousand and 00/100 (**\$122,000.00**) Dollars; and Performance Bond # **SU2216804** from Utica Mutual Insurance Company in the amount of One Hundred Ten Thousand and 00/100 (**\$110,000.00**) Dollars for the road and drainage improvements, park and recreation fees and Water District Key Money, respectively; and

WHEREAS, said performance bonds are found to be acceptable covering the improvements in the subdivision known as the "Meadowcrest III at Hidden Acres".

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby accepts Performance Bond # **SU2216802** from Utica Mutual Insurance Company in the amount of Nine Hundred Ten Thousand and 00/100 (**\$910,000.00**) Dollars, Performance Bond # **SU2216803** from Utica Mutual Insurance Company in the amount of One Hundred Twenty Two Thousand and 00/100 (**\$122,000.00**) Dollars; and Performance Bond # **SU2216804** from Utica Mutual Insurance Company in the amount of One Hundred Ten Thousand and 00/100 (**\$110,000.00**) Dollars for the road and drainage improvements, park and recreation fees and Water District Key Money, respectively in the subdivision known as the "Meadowcrest III at Hidden Acres"; and be it further

