

9/16/97

Adopted

TOWN OF RIVERHEAD

Resolution # 929

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE
RE: INSTALLATION OF WATER MAINS & APPURTENANCES
SOUND BREEZE SUBDIVISION - SECTIONS 5 & 6**

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

RESOLVED, that the Town Clerk be and is hereby directed to publish the following public notice once in the , 1997 issue of **The Suffolk County Life**, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard(s) in Town Hall.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowsk	Aye	Nay
Stark	Aye	Nay

**The Resolution was thereupon
duly adopted.**

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for Installation of Water Mains and Appurtenances for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 AM, prevailing time, on **Thursday, December 4, 1997**, at which time and place all bids will be publicly opened and read for *Project No. RDWD 96-52, Installation of Water Mains, Sound Breeze Subdivision, Secs. 5 & 6.*

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead
Town Hall, 200 Howell Avenue
Riverhead, New York 11901

Holzmaacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations on or after *November 20, 1997*, upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to Bidders who return same in good condition within ten (10) days. Other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: November 19, 1997

Town of Riverhead
Resolution # 930
Adopted November 18, 1997

**AUHTORIZES TOWN CLERK TO ADVERTISE FOR BIDS ON
LIQUID CALCIUM CHLORIDE**

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

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on "LIQUID CALCIUM CHLORIDE" requirements for the use of the Riverhead Highway Department for the year 1997-1998.

AND BE IT FURTHER RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways and bids be returnable up to 11:00 A.M. on December 1, 1997 AND BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on December 1, 1997 at 11:00 A.M. at the Town Clerk's office, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation "BID ON LIQUID CALCIUM CHLORIDE".

THE VOTE

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

The Resolution was thereupon
duly adopted.

C.B.P.

NOTICE TO BIDDERS

Sealed bids for the purchase of "Liquid Calcium Chloride" for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 A.M. on December 1, 1997.

Instruction for bidders, specifications and forms may be obtained at the Office of the Town Clerk at the Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M..

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet of paper bearing the designation "Exceptions to the Specifications", and attached to the bid form.

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

The bids will be submitted in a sealed envelope bearing the designation "Bid on Liquid Calcium Chloride"

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

Date: November 18, 1997

November 18, 1997

Adopted

TOWN OF RIVERHEAD

Resolution # 931**APPROVES SITE PLAN OF MCDONALD'S RESTAURANT****COUNCILMAN KWASNA**

offered the following resolution,

which was seconded by **COUNCILMAN WITTMEIER**:

WHEREAS, a site plan and elevations were submitted by Paul Safacella, as agent for McDonald's Corp., for the construction of a 40-seat, 2350 square foot restaurant, and attendant site improvements, located at the south side of NYS Route 25A, 673' west of Wading River Manorville Road, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-73-1-1.15; and

WHEREAS, the Planning Department has reviewed the site plan dated last September 25, 1997, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated September 15, 1997, as prepared by Gustavson/Dundes, 192 Lexington Avenue, New York NY 10016, 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 97-_____ 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 Paul Safacella, as agent for McDonald's Corp., for the construction of a 40-seat, 2350 square foot restaurant, and attendant site improvements, located at the south side of NYS Route 25A, 673' west of Wading River Manorville Road, Wading River, New York, site plan dated

last September 25, 1997, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated September 15, 1997, as prepared by Gustavson/Dundes, 192 Lexington Avenue, New York NY 10016, 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, Arthur Kretschmer, Mary Barbante, and Joanne Gualtieri hereby authorizes and consents to the Town ;of Riverhead to enter premises at the south side of NYS Route 25A, 673' west of Wading

River Manorville Road, Wading River, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and letter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all utilities shall be constructed underground;
12. 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 upon completion of the service road ("Main Street") or the development of the parcel to the south, whichever occurs first, the southerly boundary of the subject parcel shall be planted with an evergreen screen, as required by the Town Code and approved by the Planning Department;
16. That the RPZ valve shall be located within the building;
17. That this approval shall be subject to the provision of a detail for the dumpster enclosure;
18. That the location of any tanks outside of the building shall be subject to further site plan approval; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Paul Safacella, as agent for McDonald's Corp., Peter S. Danowski, Jr., Esq., Young & Young, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1997, made by Arthur Kretschmer, Mary Barbante, and Joanne Gualtieri, residing at 445 Griffing Avenue, Riverhead NY 11901, Declarants:

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, Arthur Kretschmer, Mary Barbante, and Joanne Gualtieri hereby authorizes and consents to the Town of Riverhead to enter premises at the south side of NYS Route 25A, 673' west of Wading River Manorville Road, Wading River, 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 108-133I 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;

Declarants have hereunto set his/her hand and seal the day and year above first written.

ARTHUR KRETSCHMER

MARY BARBANTE

JOANNE GUALTIERI

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1997, before me personally came Arthur Kretschmer, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the south side of NYS Route 25A, 673' west of Wading River Manorville Road, Wading River, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1997, before me personally came Mary Barbante, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the south side of NYS Route 25A, 673' west of Wading River Manorville Road, Wading River, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

 NOTARY PUBLIC

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1997, before me personally came Joanne Gualtieri, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the south side of NYS Route 25A, 673' west of Wading River Manorville Road, Wading River, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

 NOTARY PUBLIC

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 932

AUTHORIZATION TO PUBLISH BID

COUNCILMAN WITTMEIER
COUNCILPERSON _____ OFFERED THE FOLLOWING
RESOLUTION WHICH WAS SECONDED BY
COUNCILPERSON COUNCILMAN KWASNA

BE IT RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR SEALED BIDS FOR THE PURCHASE OF A MUGSHOT SYSTEM FOR USE BY THE TOWN OF RIVERHEAD.

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

THE VOTE

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

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of a MUGSHOT SYSTEM 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 December 4, 1997.

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 BID FOR MUGSHOT SYSTEM.

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

Adopted

11/18/97

TOWN OF RIVERHEAD

Resolution # 933

REDUCES S.C.N.B. LETTER OF CREDIT OF 1994 SOUNDVIEW GOLF, INC. (SOUND BREEZE - SECTION 4)

COUNCILMAN PRUSINOWSKI offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, 1994 Soundview Golf, Inc. posted a S.C.N.B. Letter of Credit in the amount of \$458,500 for roads, drainage and recharge basin improvements; and

WHEREAS, by memorandum dated November 6, 1997, John J. Raynor, P.E., L.S. has recommended said S.C.N.B. Letter of Credit be reduced from \$458,500.00 to \$243,667.00.

NOW THEREFORE BE IT RESOLVED, that the S.C.N.B. Letter of Credit in the amount of \$485,500.00 shall be returned to 1994 Soundview Golf, Inc. or its agent, upon the Town Attorney's receipt of a bond reduction in the amount of \$243,667.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to 1994 Soundview Golf, Inc., 4747 20 Nesconset Highway, Port Jefferson Station, New York, 11776; the Planning Department, Ken Testa, P.E.; Charlene Cambria, Senior Auditor; the Building Department and the Town Attorney's Office.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

TOWN OF RIVERHEAD

Resolution # 934

APPROVES MCLEAN CONTRACTING, INC. AS DRAINLAYER FOR RIVERHEAD SEWER DISTRICT

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN PRUSINOWSKI

WHEREAS, pursuant to Section 88-3 of the Riverhead Town Code, McLean Contracting, Inc. has submitted a request to become an authorized drainlayer with the Riverhead Sewer District; and

WHEREAS, a performance bond and certificate of insurance will be submitted by McLean Contracting, Inc. upon Town Board acceptance.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby approves McLean Contracting, Inc. as an authorized drainlayer with the Town of Riverhead Sewer District **subject to** McLean Contracting, Inc. filing with the Town Clerk, a performance bond and certificate of insurance not later than November 28, 1997; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to McLean Contracting, Inc., 377 Oak Street, Garden City, New York, 11530, the Riverhead Sewer District and the Accounting Department.

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

TOWN OF RIVERHEAD

Resolution # 935

APPOINTS ZONING INSPECTOR

COUNCILMAN KWASNA

offered the following resolution ,

which was seconded by **COUNCILMAN WITTEMEIER**

WHEREAS, Raymond W. Wiwczar retired from the Town of Riverhead thereby creating a vacancy in the Building Department: and

WHEREAS, Suffolk County Department of Civil Service has established list #97A-486 for the position of Zoning Inspector in the Town of Riverhead.

NOW, THEREFORE, BE IT RESOLVED, effective December 1, 1997 and upon his resignation as Assessor, the Town Board hereby appoints Leroy E. Barnes, Jr. to the position of Zoning Inspector as per Suffolk County Department of Civil Service List #97A-486; and

BE IT FURTHER, RESOLVED, that the Town Supervisor be and is hereby authorized to enter into and execute a Department Head Contract with Leroy E. Barnes, Jr.; and

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

THE VOTE

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

The Resolution was thereupon duly adopted.

Adopted

TOWN OF RIVERHEAD

RESOLUTION#936

AUTHORIZATION TO PUBLISH BID

COUNCILPERSON COUNCILMAN WITTMIEIER OFFERED THE FOLLOWING
RESOLUTION WHICH WAS SECONDED BY COUCILPERON COUNCILMAN KWASNA.

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

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

THE VOTE

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

The Resolution was thereupon
duly adopted.

NOTICE TO BIDDERS

Sealed bids for the purchase of MEDICAL SUPPLIES 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 11:05 a.m. on December 4, 1997.

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 BID FOR MEDICAL SUPPLIES.

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

11/18/97

Adopted

TOWN OF RIVERHEAD

Resolution # 937
Adopted November 18, 1997

REAPPOINTS MEMBER TO ARCHITECTURAL REVIEW BOARD

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

WHEREAS, the term of service of Richard Searles, R.A., with the Town of Riverhead Architectural Review Board does expire on November 17, 1997; and

WHEREAS, Richard Searles, R.A., has expressed his willingness to continue to serve; and

WHEREAS, the Planning Director has made his recommendation to the Town Board pursuant to Section 46 A(5) of the Code of the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that Richard Searles, R.A., be and is hereby reappointed as a member of the Town of Riverhead Architectural Review Board for a three (3) year term; and be it further

RESOLVED, that said term shall expire on November 17, 2000; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard Searles, R.A., Architecture East, PO Box 1895, Rocky Point NY 11778, and to the Planning Department.

THE VOTE

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

The Resolution was thereupon duly adopted.

TOWN OF RIVERHEAD

Resolution # 938
Adopted November 18, 1997

REAPPOINTS MEMBER TO ARCHITECTURAL REVIEW BOARD

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

WHEREAS, the term of service of Timothy A. Rumph, RLA, with the Town of Riverhead Architectural Review Board does expire on November 17, 1997; and

WHEREAS, Timothy A. Rumph, RLA, has expressed his willingness to continue to serve; and

WHEREAS, the Planning Director has made his recommendation to the Town Board pursuant to Section 46 A(5) of the Code of the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that Timothy A. Rumph, RLA, be and is hereby reappointed as a member of the Town of Riverhead Architectural Review Board for a three (3) year term; and be it further

RESOLVED, that said term shall expire on November 17, 2000; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Timothy A. Rumph, RLA, Araiys Designs, 85 Red Creek Road, Hampton Bays NY 11946, and to the Planning Department.

THE VOTE

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

The Resolution was thereupon duly adopted.

11/18/97

Adopted

TOWN OF RIVERHEAD

Resolution #939

AUTHORIZES THE SUPERVISOR TO EXECUTE AND SUBMIT A GRANT APPLICATION TO SUFFOLK COUNTY FOR FISCAL YEAR 1998 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

COUNCILMAN KWASNA offered the following resolution,

which was seconded by COUNCILMAN WITTMEIER

WHEREAS, the Town of Riverhead annually requests Community Development Block Grant funds from the United States Department of Housing and Urban Development for benefit to low and moderate income persons and for the prevention of slum and blight; and

WHEREAS, the Town of Riverhead has complied with the citizen participation requirements of the Community Development Block Grant Program; and

WHEREAS, the Town of Riverhead possesses the legal authority to make a grant application and to execute a community development and housing program.

THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute and submit a grant application to the Suffolk County Department of Community Development as grantee of Community Development Block Grant funds from the United States Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, that upon approval by the grantor, the Town Board authorizes the Supervisor to execute the required agreement between Suffolk County and the Town of Riverhead and to undertake the program as approved.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to provide a certified copy of this resolution to Joseph Sanseverino, Suffolk County Community Development Director and Andrea Lohneiss, Community Development Director.

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

TOWN OF RIVERHEAD

Adopted

Resolution # 940

RECLASSIFIES EMPLOYEE IN THE BUILDING DEPARTMENT

COUNCILMAN WITTMEIER offered the following resolution ,

which was seconded by COUNCILMAN KWASNA

WHEREAS, Richard Podlas is currently classified as a Building Permits Coordinator in the Building Department; and

WHEREAS, Suffolk County Department of Civil Service has established list #97A-486 for the position of Zoning Inspector in the Town of Riverhead and Richard Podlas is on said list.

NOW, THEREFORE, BE IT RESOLVED, effective December 8, 1997, the Town Board hereby reclassifies Richard Podlas from the position of Building Permits Coordinator to the position of Zoning Inspector as per Suffolk County Department of Civil Service List #97A-486, on Step P, Group 6 of the Administrative Salary Schedule of the Labor Contract between the Town of Riverhead and the Civil Service Employees Association; and

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

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

Adopted

TOWN OF RIVERHEAD

Resolution #941**APPROVES SITE PLAN OF THURM'S MOBILE HOME ESTATES -
EQUIPMENT STORAGE BUILDING****COUNCILMAN PRUSINOWSKI**

offered the following resolution,

which was seconded by **COUNCILMAN LULL**:

WHEREAS, a site plan and elevations were submitted by B. Arthur Thurm, for the construction of a 2160 square foot equipment storage building, located at the east side of Fresh Pond Avenue, north of East First Street, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-59-2-2.2; and

WHEREAS, the Planning Department has reviewed the site plan dated last July 10, 1997, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated last September 10, 1997, as prepared by Ronald L. Sutton, P.E., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

WHEREAS, a copy of the site plan has been marked and 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 97-26818 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 B. Arthur Thurm, for the construction of a 2160 square foot equipment storage building, located at the east side of Fresh Pond Avenue, north of East First Street, Calverton, New York, site plan dated last July 10, 1997, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated last September 10, 1997, as prepared by Ronald L.

Sutton, P.E., 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 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, B. Arthur Thurm hereby authorizes and consents to the Town of Riverhead to enter premises at the east side of Fresh Pond Avenue, north of East First Street, Calverton, New York, to enforce said handicapped parking regulations;
7. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and letter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
8. That all new utilities shall be constructed underground;
9. 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;

10. That the building shall be located fifty feet (50') to the south of the location shown on the site plan as submitted; and be it further

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

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1997, made by B. Arthur Thurm, residing at 703 Fresh Pond Avenue, Unit 200, Calverton NY 11933, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
3. 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 any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
- 6. That all new utilities shall be constructed underground;
- 7. 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;

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

B. Arthur Thurm

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

On the _____ day of _____, 1997, before me personally came B. Arthur Thurm, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at the east side of Fresh Pond Avenue, north of East First Street, Calverton, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

THE VOTE

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

NOTARY PUBLIC

The Resolution was thereupon duly adopted.

November 18, 1997

1709

Adopted

TOWN OF RIVERHEAD

Resolution # 942

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR
AUTOMOTIVE EQUIPMENT OPERATOR IN THE HIGHWAY DEPARTMENT**

COUNCILMAN LULL

offered the following resolution

COUNCILMAN PRUSINOWSKI

which was seconded by

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the following help wanted ad in the November 26, 1997 issue of Suffolk County Life;

THE VOTE

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

The Resolution was thereupon duly adopted.

HELP WANTED

Please take notice that the Town of Riverhead is seeking qualified individuals to serve in the position of Automotive Equipment Operator in the Highway Department. Applicants **MUST** have a clean CDL. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY between the hours of 8:30 A.M. and 4:30 P.M. Monday through Friday. No applications will be accepted after 4:00 p.m. on December 8, 1997. The Town of Riverhead does not discriminate on the basis of age, race, color, national origin, sex or handicapped status in the employment or provision of services.

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

11/18/97

Adopted

TOWN OF RIVERHEAD
Resolution # 943

Authorizes Supervisor To Execute Change Order for Jamesport Lighting Project

COUNCILMAN KWASNA offered the following

resolution, which was seconded by COUNCILMAN WITTMIEIER

WHEREAS, on April 15, 1997 the Riverhead Town Board adopted Resolution #320 entitled "Awards Bid for Main Street Lighting Improvement Project at Jamesport"; and

WHEREAS, said bid was awarded to T.H. Cheshire & Son, Inc. in the amount of \$59,853.50; and

WHEREAS, grant funds were obtained to fund this project.

WHEREAS, additional work associated with breaking and removal of 12" monolithic curb and sidewalk on north side of Rte. 25, additional work associated with installation of one (1) extra photocell and cable/work to split electric load on north side, and construction of 3' x 3' x 1' 8" concrete bases in lieu of 2' x 5' bases at four locations is determined necessary by contractor and consulting engineer in the amount of \$2,075.00.

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

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to T.H. Cheshire & Son, Inc., Young and Young, and Andrea Lohneiss, Community Development Director.

THE VOTE

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

The Resolution was thereupon duly adopted.

PROJECT: Main Street Lighting Improvement Project At Jamesport, T/O Riverhead, Suffolk County, New York

CHANGE ORDER NO.: 2 DATE: 11/04/97

CONTRACTOR: T.H. Cheshire & Son, Inc. P.O. Box 243 Calverton, New York 11933

ENGINEER'S PROJECT NO.: 96-0457 CONTRACT DATE: 05/06/97

CONTRACT FOR: CONSTRUCTION OF STREET LIGHTING IMPROVEMENTS

Contract is changed as follows:

Table with 2 columns: Description of work and Amount. Includes items like 'ADDITIONAL WORK ASSOCIATED WITH BREAKING AND REMOVAL OF 12" MONOLITHIC CURB...' and 'TOTAL \$2,075.00'.

Not valid until signed by the Owner, Engineer and Contractor

Summary table showing contract sum changes: original sum \$59,853.50, change by previous orders 0.00, new sum including this order \$61,928.50, and completion date 11/30/97.

Signature and address lines for Engineer (ung & Young), Contractor (T.H. Cheshire & Sons, Inc.), and Owner (Town of Riverhead). Includes handwritten signature and date 11-4-97.

November 18, 1997

TOWN OF RIVERHEAD

Adopted

Resolution # 944**AMENDS SITE PLAN OF 865 YOUNGS AVENUE CORP. (D/B/A CROWN SANITATION)****COUNCILMAN WITTMEIER**

offered the following resolution,

which was seconded by **COUNCILMAN KWASNA**:

WHEREAS, by Resolution # #628, dated August 20, 1996 , the Riverhead Town Board did approve the site plan of Gordon K. Ahlers, P.E., as agent for 865 Youngs Avenue Corp. (d/b/a Crown Sanitation), for the construction of a 7500 square foot building addition to an existing storage and maintenance garage located at 865 Youngs Avenue, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-80-2-14, and

WHEREAS, Gordon K. Ahlers, P.E., as agent for 865 Youngs Avenue Corp. (d/b/a Crown Sanitation), has requested that a modification of said site plan approval in regard to the use of the northernmost portion of the parcel for storage of materials and containers, as per a site plan dated last November 17, 1997, as prepared by Gordon K. Ahlers, P.E., Box 6, 188 Manor Lane, Jamesport NY 11947, and a change to the west building elevation, as per an elevation drawing dated last May 14, 1997, as prepared by Gordon K. Ahlers, P.E., Box 6, 188 Manor Lane, Jamesport NY 11947, be approved by the Riverhead Town Board, and

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

WHEREAS, this Town Board has reviewed the modification aforementioned, and

WHEREAS, the site plan amendment 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 97-_____ of the Office of the Supervisor of the Town of Riverhead;

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Riverhead does amend the site plan approval of Gordon K. Ahlers, P.E., as agent for 865 Youngs Avenue Corp. (d/b/a Crown Sanitation) to provide for the following:

the use of the northernmost portion of the parcel for storage of materials and containers, as per a site plan dated last November 17, 1997, as prepared by Gordon K. Ahlers, P.E., Box 6, 188 Manor Lane, Jamesport NY 11947, and a change to the west building elevation, as per an elevation drawing dated last May 14, 1997, as prepared by Gordon K. Ahlers, P.E., Box 6, 188 Manor Lane, Jamesport NY 11947; and

BE IT FURTHER

RESOLVED, that all other conditions and requirements of the previous approvals shall remain in full force and effect; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Gordon K. Ahlers, P.E., as agent for 865 Youngs Avenue Corp. (d/b/a Crown Sanitation), the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

THE VOTE

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

The Resolution was thereupon duly adopted.

11/18/97

Adopted

TOWN OF RIVERHEAD

**RESOLUTION # 945
Adopted November 18, 1997**

**AUTHORIZES SUPERVISOR TO RELEASE PETTY CASH MONIES TO
RECEIVER OF TAXES**

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

RESOLVED, that the Supervisor be and is hereby authorized to release \$200.00 to the Receiver of Taxes from the Petty Cash Fund Account established for Petty Cash Fund purposes for the office of Receiver of Taxes, pursuant to Section 64-1 of Town Law.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Diane M. Stuke, Receiver of Taxes, and the Office of Accounting.

THE VOTE

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

The Resolution was thereupon
duly adopted.

11/18/97

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 946
Adopted November 18, 1997

APPOINTS TEMPORARY CLERKS TO THE TAX RECEIVER'S OFFICE

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

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 Nicole Montalbano be and are hereby appointed as temporary clerks at an hourly rate of compensation of \$8.20 effective December 15, 1997 through January 16, 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, P.O. Box 162, Church Lane, Aquebogue, New York 11931; Nicole Montalbano, 11 Patrick Lane, Ridge, New York 11961; Diane M. Stuke, Receiver of Taxes; and the Office of Accounting.

THE VOTE

Table with 3 columns: Name, Vote (Aye/Nay), and another Vote (Aye/Nay). Rows include Wittmeier, Kwasna, Lull, Prusinowski, Stark.

The Resolution was thereupon duly adopted.

Adopted

11/18/97

TOWN OF RIVERHEAD

Resolution #947

ACCEPTS RESIGNATION OF PART-TIME CLERK TYPIST IN TOWN CLERK'S OFFICE

The following resolution was offer by COUNCILMAN KWASNA

and was seconded by COUNCILMAN WITTMEIER.

WHEREAS, a letter of resignation was received on November 10, 1997 from Melissa A. White of the town Clerk's Office, to be effective November 14, 1997; and

WHEREAS, the town Board would like to gratefully acknowledge the hard work and dedication of Melissa A. White;

NOW, THEREFORE, be it resolved that the Town Board of the Town of Riverhead does regretfully accept the resignation of Melissa A. white effective November 14, 1997 and wish her all the best for the future; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified coy of this resolution to the Accounting Department.

THE VOTE

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

The Resolution was thereupon duly adopted.

TOWN OF RIVERHEAD

Adopted

Resolution # 948

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW AMENDING CHAPTER 101 ENTITLED, "VEHICLES AND TRAFFIC" OF THE RIVERHEAD TOWN CODE

COUNCILMAN WITTMEIER

offered the following resolution, was seconded by

COUNCILMAN KWASNA

WHEREAS, the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider a local law amending Chapter 101 entitled, "Vehicles and Traffic" of the Riverhead Town Code once in the Suffolk County Life, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; 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

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

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 2nd day of December, 1997 at 7:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested parties to consider a local law amending Chapter 101 entitled, "Vehicles and Traffic" of the Riverhead Town Code as follows:

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

Intersection	Stop Sign On	Entrance From
<u>Farm Road West</u>	<u>Farm Road East</u>	<u>North</u>

§101-10. Parking prohibited.

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

§101-13. Parking time limited.

A.

Street	Side	Location
Second Street	Both	Between Roanoke Avenue and Griffing Avenue <u>except where two hour parking is permitted as provided in subsection E, herein.</u>

E.

Street	Side	Location
<u>Second Street</u>	<u>South</u>	<u>+/- 186 feet as measured from the intersection of Second Street with the easterly line of Griffing Avenue.</u>

Dated: Riverhead, New York
November 18, 1997

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

* Underscore represents addition(s)

11/18/97

Adopted

TOWN OF RIVERHEAD

Resolution # 949

AUTHORIZES THE EXECUTION OF A SERVICE CONTRACT WITH WITTEL COMMUNICATIONS, LLC

COUNCILMAN PRUSINOWSKI offered the following resolution, was seconded by

COUNCILMAN LULL

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute a one (1) year service contract with Witel Communications, LLC in regard to the Town of Riverhead phone system; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E.; the Town Attorney and the Accounting Department.

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

Adopted

TOWN OF RIVERHEAD

Resolution # 950APPOINTS PROVISIONAL DOG CONTROL OFFICER ICOUNCILMAN LULL

offered the following resolution ,

which was seconded by

COUNCILMAN PRUSINOWSKI

WHEREAS, the Suffolk County Department of Civil Service has approved a provisional appointment for the position of Dog Control Officer I with the Town of Riverhead; and

WHEREAS, the position was duly advertised and posted, all applicants were interviewed and a recommendation was forwarded to the Town Board.

BE IT RESOLVED, effective November 19, 1997 the Town Board hereby authorizes the appointment of Alexander Anasky to the provisional position of Dog Control Officer I on Group 5; Step 9 of the Operational and Technical Salary Structure of the current Labor Contract between the Town of Riverhead and the Civil Service Employees Association; and

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

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

1723

Adopted

TOWN OF RIVERHEAD

Resolution # 951

APPOINTS CROSSING GUARD

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

WHEREAS, due to the unfortunate and untimely illness of James Shallow the position of Crossing Guard exists in the Police Department; and

WHEREAS, pursuant to interviews, a recommendation has been made by the Chief of Police to hire James Temperino in the position on a part-time basis.

NOW, THEREFORE, BE IT RESOLVED, effective November 19, 1997 the Town Board hereby authorizes the appointment of James Temperino to the position of Crossing Guard at an hourly rate of pay of \$8.25; and

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

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

Adopted

TOWN OF RIVERHEAD

Resolution # 952**AMENDS SITE PLAN OF RIVERHEAD COMMERCE PARK ASSOCIATES,
LLC (FIDELITY NATIONAL TITLE)**

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

WHEREAS, by Resolution # #823, dated October 7, 1997 , the Riverhead Town Board did approve the site plan of Richard Israel, as agent for Riverhead Commerce Park Associates, LLC, for the construction of a 7900 square foot office building, and attendant site improvements, located at the east side of Commerce Drive (formerly Warsaw Drive), 200' north of Old Country Road (CR 58), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-101-1-10.13, and

WHEREAS, Richard Israel, as agent for Riverhead Commerce Park Associates, LLC, has requested that a modification of said site plan approval in regard to the location of ten (10) landbanked parking stalls, as per a site plan dated last November 14, 1997, as prepared by Robert J. Gruber, R.A., 476 Expressway Drive South, Medford NY 11763, be approved by the Riverhead Town Board, and

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

WHEREAS, this Town Board has reviewed the modification aforementioned, and

WHEREAS, the site plan amendment 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 97-_____ of the Office of the Supervisor of the Town of Riverhead;

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Riverhead does amend the site plan approval of Richard Israel, as agent for Riverhead Commerce Park Associates, LLC to provide for the following:

the location of ten (10) landbanked parking stalls, as per a site plan dated last November 14, 1997, as prepared by Robert J. Gruber, R.A., 476 Expressway Drive South, Medford NY 11763, subject to the following conditions:

1. That those parking stalls indicated on the site plan amended herein as "landbanked stalls" shall be approved as such for a period of five (5) years, at which time the Town Board shall reevaluate the parking needs and conditions at the site;
2. That the requisite amount of drainage shall be provided initially, as if all landbanked parking stalls were to be constructed, and that the site plan shall be revised to reflect said calculations and shall be approved by the Planning Department, prior to the issuance of a building permit;
3. That all trees shall be a minimum of 3-3 1/2" caliper;
4. That all terms and conditions of Town Board resolution #823 of 1997 shall remain in full force and effect; and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard Israel, as agent for Riverhead Commerce Park Associates, LLC, the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

Adopted

TOWN OF RIVERHEAD

Resolution # 953

APPOINTS PART-TIME DOG CONTROL OFFICER I

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

WHEREAS, a vacancy exists in the Position of Part Time Dog Control Officer I;
and

WHEREAS, the position was posted as per the rules of Civil Service Employees Association, applications were received, applicants were interviewed and a recommendation was made by the Town Board Personnel Committee.

NOW, THEREFORE, BE IT, RESOLVED, effective November 21, 1997, the Town Board hereby appoints Amy Newman to the position of Part Time Dog Control Officer I with the Town of Riverhead subject to approval by the Suffolk County Department of Civil Service, at an hourly rate of pay of \$10.00; and

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

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

TOWN OF RIVERHEAD

Resolution # 954

BUSINESS IMPROVEMENT DISTRICT

BUDGET ADJUSTMENT

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

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

118.000000.390599	APPROPRIATED FUND BALANCE	FROM:	\$5,000.
118.064100.544120	WINTER CELEBRATIONS	TO:	\$5,000.

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

Adopted

1728

TOWN OF RIVERHEAD

Resolution # 955

STREET LIGHTING DISTRICT

BUDGET ADJUSTMENT

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

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

116.051820.541414	STREET LIGHTING MAINTEANANCE	FROM: \$ 3,000.
116.051820.541415	TRAFFIC LIGHT MAINTENANCE	TO: \$ 3,000.
116.051820.546200	ELECTRICITY	20,000.
116.099010.595001	TRANS TO GENERAL FUND	3,100.

THE VOTE

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

The Resolution was thereupon duly adopted.

September 18, 1997

Adopted

TOWN OF RIVERHEAD

Resolution # 956

TOWN HALL IMPROVEMENTS

CAPITAL PROJECT

BUDGET ADJUSTMENT

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

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

016200.547900.40038	CONTINGENCY	FROM:	\$10,000.
406.016200.523026.40038	TH BASEMENT FIRE ESCAPE IMPROV.	TO:	10,000.

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

Adopted

TOWN OF RIVERHEAD

Resolution # 957

MILL ROAD IMPROVEMENTS

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILMAN PRUSINOWSKI

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

406.095731.494200.45011	SERIAL BOND PROCEEDS	FROM: \$15,000.
406.051100.541301.45011	ROAD PAVING EXPENSE	TO: \$15,000.

THE VOTE

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

This Resolution was thereupon adopted.

November 18, 1997

1731
Adopted

TOWN OF RIVERHEAD

Resolution # 958

53 PHILLIPS STREET DEMOLITION

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN LULL offered the following resolution ,

which was seconded by COUNCILMAN PRUSINOWSKI

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

	FROM:	
406.010100.41100.41002 REAL PROPERTY TAXES	\$3,300.	

	TO:	
406.086600.523021.41002 DEMOLITION OF REAL PROPERTY	\$3,300.	

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

1732
Adopted

TOWN OF RIVERHEAD

Resolution # 959

SCAVENGER WASTE DISTRICT

BUDGET ADJUSTMENT

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

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

	FROM:	
918.000000.390599 APPROPRIATED FUND BALANCE	\$ 14,300.	
	TO:	
918.081890.542503 CHEMICAL EXPENSE		\$ 1,000.
918.081890.595001 TRANSFER TO GENERAL FUND		13,300.

THE VOTE

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

The Resolution was thereupon duly adopted.

November 18, 1997

TOWN OF RIVERHEAD

1733
Adopted

Resolution # 960

GENERAL FUND
BUDGET ADJUSTMENTS

COUNCILMAN LULL

offered the following resolution ,

which was seconded by

COUNCILMAN PRUSINOWSKI

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

		FROM:	
031200.542100	POLICE OFFICE SUPPLY EXPENSE	\$	138.
031200.524420	POLICE SIDE ARMS EQUIPMENT		733.
031200.542201	POLICE PRISONER FOOD & SUPPLIES		600.
031200.542312	POLICE NARCOTIC FIELD TEST KITS		100.
031200.542304	POLICE AMMUNITION EXPENSE		275.
031200.542408	POLICE BULLET PROOF VESTS		1,413.
011100.512500	TOWN JUSTICE OVERTIME		300.
012200.543405	TOWN SUPERVISOR TRAVEL EXPENSE		200.
045400.541152	AMBULANCE BUILDING MAINTENANCE		1,000.
000000.390599	APPROPRIATED FUND BALANCE		116,800.
067720.541400	NUTRITION EQUIPMENT REPAIR & MAINTENANCE		1,500.
016250.541150	BUILDINGS & GROUNDS REPAIR & MAINTENANCE		650.
		TO:	
001.016250.524000	BUILDINGS & GROUNDS EQUIPMENT		\$ 650.
001.031200.542502	POLICE EVIDENCE STORAGE MATERIALS		92.
001.031200.524380	POLICE MISC OFFICE EXPENSE		321.
001.031200.542115	POLICE COPY MACHINE SUPPLIES		600.
001.031200.542311	POLICE FINGERPRINT KITS		233.
001.031200.541540	POLICE WAXING & CLEANING VEHICLES		600.
001.031200.542405	POLICE UNIFORM REPLACEMENT		1,413.
001.010100.542609	TOWN BOARD ADVERTISING		1,000.
001.010100.543301	TOWN BOARD LITIGATION & RECORDINGS		100,000.
001.011100.542100	TOWN JUSTICE MISC SUPPLIES		300.
001.012100.549000	TOWN SUPERVISOR MISC EXPENSE		200.
001.013100.543900	FINANCE CONSULTING EXPENSE		15,000.
001.013550.541500	ASSESSOR CAR EXPENSE		500.
001.013550.543400	ASSESSOR EDUCATION		300.
001.045400.541401	AMBULANCE RADIO MAINTENANCE		1,000.
001.067720.542222	NUTRITION SNAP CONTRACTUAL EXPENSES		1,500.

November 18, 1997

TOWN OF RIVERHEAD

Adopted

Resolution # 961

WORKERS' COMPENSATION FUND

BUDGET ADJUSTMENTS

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

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

		FROM:	
092801.481000	GENERAL FUND TRANSFER	\$50,000.	
092801.482100	SEWER DISTRICT TRANSFER	10,000.	
			TO:
173.019300.548210	GENERAL FUND JUDGEMENTS & CLAIMS		50,000.
173.019300.548240	SEWER DISTRICT JUDGEMENTS & CLAIMS		10,000.

THE VOTE

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

The Resolution was thereupon duly adopted.

RESOLUTION # 962 ABSTRACT #49-97 NOVEMBER 6, 1997 (TBM 11/18/97)

COUNCILMAN PRUSINOWSKI the following Resolution which was seconded by

[COUNCILMAN LUL]

FUND NAME		CD-10/31/97	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 2,000,000.00	\$ 483,800.81	\$ 2,483,800.81
PARKING METER	002	\$ 24,000.00	\$ -	\$ 24,000.00
AMBULANCE	003	\$ 15,000.00	\$ -	\$ 15,000.00
POLICE ATHLETIC LEAGUE	004	\$ 4,500.00	\$ -	\$ 4,500.00
TEEN CENTER	005	\$ -	\$ 105.00	\$ 105.00
RECREATION PROGRAM	006	\$ -	\$ 305.08	\$ 305.08
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 1,940.19	\$ 1,940.19
HIGHWAY	111	\$ 476,000.00	\$ 44,708.87	\$ 519,708.87
WATER	112	\$ 70,000.00	\$ 32,578.82	\$ 102,578.82
REPAIR & MAINTENANCE	113	\$ 226,000.00	\$ -	\$ 226,000.00
SEWER	114	\$ 40,000.00	\$ 21,171.83	\$ 61,171.83
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 3,837.78	\$ 3,837.78
STREET LIGHTING	116	\$ 150,000.00	\$ 7,294.38	\$ 157,294.38
PUBLIC PARKING	117	\$ 50,000.00	\$ 97,207.86	\$ 147,207.86
BUSINESS IMPROVEMENT DISTRICT	118	\$ 65,000.00	\$ 416.72	\$ 65,416.72
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ 85,000.00	\$ 3,855.00	\$ 88,855.00
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	176	\$ 120,000.00	\$ 16,975.50	\$ 136,975.50
UNEMPLOYMENT INSURANCE FUND	178	\$ 8,000.00	\$ -	\$ 8,000.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ 2,681.37	\$ 2,681.37
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 632.82	\$ 632.82
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 12,000.00	\$ -	\$ 12,000.00
SEWER DISTRICT DEBT	382	\$ 40,000.00	\$ -	\$ 40,000.00
WATER DEBT	383	\$ 150,000.00	\$ -	\$ 150,000.00
GENERAL FUND DEBT SERVICE	384	\$ 40,000.00	\$ 6,361.30	\$ 46,361.30
SCAVENGER WASTE DEBT	386	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ 308,500.00	\$ 11,111.02	\$ 319,611.02
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ 1,500.00	\$ 1,654.56	\$ 3,054.56
SENIORS HELPING SENIORS	453	\$ -	\$ 1,681.66	\$ 1,681.66
EISEP	454	\$ -	\$ 638.63	\$ 638.63
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	626	\$ 150,000.00	\$ 3,392.98	\$ 153,392.98
MUNICIPAL GARAGE	626	\$ 20,000.00	\$ 3,529.20	\$ 23,529.20
TRUST & AGENCY	735	\$ -	\$ 463,030.05	\$ 463,030.05
SPECIAL TRUST	736	\$ 110,000.00	\$ -	\$ 110,000.00
COMMUNITY DEVELOPMENT AGENCY	916	\$ 200,000.00	\$ 564.07	\$ 200,564.07
JOINT SCAVENGER WASTE	918	\$ -	\$ 22,231.86	\$ 22,231.86
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 4,383,500.00	\$ 1,230,606.14	\$ 5,614,106.14

Adopted

RESOLUTION # 962 ABSTRACT #50-97 NOVEMBER 12, 1997 (TBM 11/18/97)

COUNCILMAN PRUSINOWSKI

offered the following Resolution which was seconded by

[COUNCILMAN LULL]

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 12,264.30	\$ 12,264.30
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	006	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ 1,525.00	\$ 1,525.00
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ 150.88	\$ 150.88
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ -	\$ -
WATER	112	\$ -	\$ 1,853.44	\$ 1,853.44
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
SEWER	114	\$ -	\$ 5,239.88	\$ 5,239.88
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 181.80	\$ 181.80
STREET LIGHTING	116	\$ -	\$ 4,642.24	\$ 4,642.24
PUBLIC PARKING	117	\$ -	\$ 3,246.56	\$ 3,246.56
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 77.44	\$ 77.44
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	\$ -	\$ 7,625.00	\$ 7,625.00
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 20,579.85	\$ 20,579.85
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 96,485.00	\$ 96,485.00
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 FUND	625	\$ -	\$ 28.45	\$ 28.45
MUNICIPAL GARAGE	626	\$ -	\$ 837.55	\$ 837.55
TRUST & AGENCY	735	\$ -	\$ 250.00	\$ 250.00
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 3,609.92	\$ 3,609.92
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 158,597.31	\$ 158,597.31

Nay
Nay
Nay
Nay
reupon

November 18, 1997

TOWN OF RIVERHEAD

Resolution # 963

APPOINTS MEMBERS OF THE RIVERHEAD FARMLAND PRESERVATION COMMITTEE

[COUNCILMAN LULL]

_____ offered the following resolution which was seconded by COUNCILMAN PRUSINOWSKI

WHEREAS, the Riverhead Town Board has adopted a local law designed to conserve the prime agricultural lands of the Town, and

WHEREAS, such local law provides for the creation and the conservation of a farmland preservation committee to manage certain efforts related to agricultural lands conservation, and

WHEREAS, such local law empowers the Town Board to appoint the members of the Farmlands Preservation Committee, and

WHEREAS, the Town Board desires to make such appointments at this time, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby creates the Farmland Preservation Committee as follows:

Land owners engaged in agricultural production:

- 1. Lyle Wells
- 2. Henry Talmage
- 3. Jake Rottkamp
- 4. Richard O'Dea

Members of the Planning Board

- 1. Barbara Blass

Planning Director

- 1. Richard Hanley

At Large:

- 1.

THE VOTE

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

The Resolution was thereupon duly adopted.

OTE
Nay
Nay
Nay
Nay
Nay
s thereupon

November 18, 1997

TOWN OF RIVERHEAD

Resolution #964

APPROVES CHANGE OF ZONE – RIVERHEAD CENTRE, LLC

[REDACTED]

offered the following resolution which

was seconded by

COUNCILMAN PRUSINOWSKI

WHEREAS, the Riverhead Town Board is in receipt of a petition from the Riverhead Centre, LLC to provide for the Destination Commercial Planned Development Overlay District in conjunction with the existing Industrial A, Agriculture A, Business B and Residence C Zoning Use Districts upon real property located at County Route 58, Riverhead, such real property more particularly described as Suffolk County Tax Map Parcel Numbers 0600-101-2-p/o 4, p/o 5, p/o 6.1, 6.3, 9.1, 9.2, 9.3, 10 and 11, and

WHEREAS, the Riverhead Centre, LLC had made previous petition for a number of special permits to allow the construction of a destination/entertainment commercial center upon the aforementioned real property; such application made the subject of an environmental impact statement upon which findings of the Riverhead Town Board, as Lead Agency, were adopted by resolution #271 of 1997, and

WHEREAS, the findings of the Town Board identified the application of the Destination Planned Development Overlay District upon the subject real property as a measure designed to mitigate the environmental impacts of the project, and

WHEREAS, the Town Board has referred the petition to the Suffolk County Planning Commission for its report and recommendation pursuant to Section A14 (14023) of the Suffolk County Charter; such Commission recommending disapproval of the application, and

WHEREAS, a public hearing was held upon the application pursuant to Section 108-20 of the Riverhead Zoning Ordinance, and

WHEREAS, the Town Board has carefully considered the merits of the subject petition, the SEQR record created to date, the report of the Planning Department, the report of the Planning Board, the report of the Suffolk County Planning Commission, the record of the relevant public hearing as well as all other planning, zoning, and environmental information, now

THEREFORE, BE IT

order to mitigate potential economic impacts to existing commercial land uses. Further, the EIS quantified the value of short term construction employment as well as permanent employment to be created by the project. The Riverhead Town Board accepts this data as demonstration that the public benefits of the project exceed its public costs; and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish and post that notice of zoning amendment as required by Section 265 of the Town Law, and

BE IT FURTHER

RESOLVED, that the zoning amendment described herein described shall become effective upon its filing in the Office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that the Town Clerk transmit this resolution to the firm of Young & Young, Land Surveyors, 400 Ostrander Avenue, Riverhead for the purposes of the inclusion of this amendment upon the Zoning Use District Map of the Town of Riverhead.

THE VOTE

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

The Resolution was thereupon duly adopted.

interest to the Riverhead Centre, in order to fund such other economic mitigation measures as determined by the Town to be reasonable and appropriate. The aforementioned cash payment shall be made to the Town upon the first draw of the contemplated construction loan to be secured by the applicant; and

BE IT FURTHER

RESOLVED, that this Town Board hereby fully and completely overrides the recommendation of the Suffolk County Planning Commission; such override based upon the following findings:

FIRST: That the Town Board of the Town of Riverhead, through the submission to it of various studies, reports, and market analysis is aware that there exists a strong demand for destination commercial uses within the Route 58 corridor such demand emanating from a catchment area which includes the Towns of Riverhead and Southold, the eastern portion of the Town of Brookhaven, and the westerly portion of the Town of Southampton;

SECOND: That a detailed traffic study analyzing the impacts of motor vehicle generation upon public highways has been submitted to the Town of Riverhead as part of SEQR process and measures designed to mitigate traffic impacts have been offered by the developer to the satisfaction of the Town of Riverhead and the Suffolk County Department of Public Works;

THIRD: That the Destination Commercial Planned Development Overlay District requires particular grading and extensive landscaping in order to buffer development from public highways and create an esthetic appearance. The appropriate buffering of proposed development will be a condition of the required site plan approval;

FOURTH: In the preparation of the environmental assessment form supporting the proposed zoning use district, the Town Board has assessed the impact of those motor vehicles to be generated by a build scenario pursuant to the proposed district as compared to a build scenario pursuant to the existing zoning. The analysis concluded that increased traffic volumes could be mitigated through roadway improvements within the vicinity as normally required by the Suffolk County Department of Public Works. Further, the Town Board is aware that the County of Suffolk presently retains adequate data and studies with regard to motor vehicle traffic and roadway improvements for the Route 58 Corridor which could be used in the review of individual petitions and to require private sector financing of those improvements;

FIFTH: The EIS prepared in support of the project identified a total of \$850,000.00 to be generated in real property taxes, as well as a payment of \$1,000,000.00 to the Town of Riverhead for the construction of public facilities in

eastern portion of the Town of Brookhaven and the western portion of the Town of Southampton;

SIXTH: That in response to the aforementioned studies, reports, and descriptive material the Town Board has adopted an economic development within the western portion of the Route 58 corridor, the most notable example being the Commercial Sewer District Extension of the Riverhead Sewer District; and

BE IT FURTHER

RESOLVED, that based upon its findings and determinations, this Town Board hereby amends the Zoning Use District Map of the Town of Riverhead to provide for the Destination Commercial Planned Development Overlay District in conjunction with the existing Industrial A, Agriculture, A, Business B and Residence C Zoning Use Districts upon the subject real property as described in Schedule A, attached, and

BE IT FURTHER

RESOLVED, that in the matter of the subject change of zone, the Riverhead Town Board makes the following determinations:

FIRST: That the use will not impair the orderly development of other properties within the vicinity;

SECOND: That the health, safety, welfare, comfort and order of the Town will not be adversely affected by the proposed land use;

THIRD: That the proposed use will be in harmony with and will promote the general purposes and intent of the Town of Riverhead Zoning Ordinance, and

BE IT FURTHER

RESOLVED, the Riverhead Town Board, based upon its findings and determinations, hereby approves the change of zone petition of the Riverhead Centre, LLC as heretofore described subject to the following conditions:

FIRST: That prior to the approval of a building permit, the applicant shall make those applications necessary to the Riverhead Sewer District in order for the district to exclusively collect and treat that sanitary waste to be generated by the project;

SECOND: That prior to the approval of a site plan pursuant to Section 108-128 of the Riverhead Zoning Ordinance, the Riverhead Centre, LLC shall enter into an agreement with the Town of Riverhead providing for a cash payment of \$1,000,000.00 to the Town of Riverhead to be held in escrow without residual

RESOLVED, that in the matter of the change of zone petition of the Riverhead Centre, LLC, the Riverhead Town Board hereby reaffirms resolution #173 of 1996 and remains as the declared Lead Agency, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board further reaffirms resolution #173 of 1996 determining the petition as a Type I Action, and

BE IT FURTHER

RESOLVED, that in the matter of the change of zone petition of the Riverhead Centre LLC as heretofore described, the Riverhead Town Board hereby makes the following findings:

FIRST: That the subject real property lies within the Industrial A, Business B Residence C and Agriculture A Zoning Use Districts distributed by area as follows:

Industrial A – 27.23 acres

Business B – 7.4 acres

Residence C – 6.7 acres

Agriculture A – 9.6 acres;

SECOND: That the 1973 Comprehensive Master Plan for the Town of Riverhead contemplated the subject property to be developed as a commercial-industrial park;

THIRD: That the commercial-industrial park land use designation provided for commercial uses including certain destination commercial, recreational, and office uses;

FOURTH: That since the adoption of the Comprehensive Master Plan by the Riverhead Planning Board the industrial development potential of the western portion of Route 58 has been significantly impeded by the adoption of a number of public policies and comprehensive planning positions which include:

- (i) The creation of county-wide groundwater protection regulations severely limiting industrial development;
- (ii) The availability of the Calverton Naval Weapons Testing Facility for private sector industrial development:

FIFTH: That since the adoption of the Comprehensive Master Plan by the Planning Board, the Town Board has been presented with a number of reports, studies and other descriptive material which identifies the Route 58 corridor as a regional commercial center which attracts customers for the purchase of goods from a significantly large catchment area which bounds various locations outside the boundaries of the Town of Riverhead, including the Town of Southold, the

Adopted

November 18, 1997

TOWN OF RIVERHEAD

Resolution # 965

APPROVES SITE PLAN OF RIVERHEAD CENTRE
COUNCILMAN KWASNA

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

WHEREAS, a site plan and elevations were submitted by H.B. Gianos, as agent for Riverhead Centre, LLC, for the construction of a 431,000 square foot shopping center, and attendant site improvements, located at the north side of Old Country Road (C.R. 58), east of Mill Road, Riverhead, New York, known and designated as Suffolk County Tax Map Numbers 0600-101-2-p/o 4, p/o 6.1, and the entirety of 6.3, 9.1, 9.2, 9.3, 10 & 11; and

WHEREAS, the Planning Department has reviewed the site plan dated last September 12, 1997, as prepared by Langan Engineering, River Drive Center 1, Elmwood Park NJ 07407; landscape plan dated last August 1, 1997, as prepared by Araiys Designs, 85 Red Creek Road, Hampton Bays NY 11946; and elevations dated last August 1, 1997, as prepared by Greenberg/Farrow, Architecture, 1755 The Exchange, Atlanta GA 30339, each of which has been further dated in-house November 18, 1997, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, a SEQR record has been compiled and a determination made pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617, which record is on file with the Town Clerk of the Town of Riverhead; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board, 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 97-32208 of the Office of the Supervisor of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by H.B. Gianos, as agent for Riverhead Centre, LLC, for the construction of a 431,000 square foot shopping center, and attendant site improvements, located at the north side of Old Country Road (C.R. 58),

east of Mill Road, Riverhead, New York, site plan dated last September 12, 1997, as prepared by Langan Engineering, River Drive Center 1, Elmwood Park NJ 07407; landscape plan dated last August 1, 1997, as amended, as prepared by Araiys Designs, 85 Red Creek Road, Hampton Bays NY 11946; and elevations dated last August 1, 1997, as prepared by Greenberg/Farrow, Architecture, 1755 The Exchange, Atlanta GA 30339, each of which has been further dated in-house September 16, 1997, 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 freestanding signage, as depicted upon the aforementioned site plan, has been conceptually approved by the Architectural Review Board, shall be submitted to the Town Board for its review and ministerial approval pursuant to Section 108-56 of the zoning ordinance prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design; and all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and 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, Riverhead Centre, LLC hereby authorizes and consents to the Town of Riverhead to enter premises at the north side of Old Country Road (C.R. 58), east of Mill Road, 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 utilities shall be constructed underground and all tanks shall be located 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 any clearing or grading of the subject parcels, 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. No clearing or grading shall commence, nor shall the building permit 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 project construction.. This security shall be in the amount of one million dollars (\$1,000,000.00) and shall be posted by the owner prior to the commencement of any clearing or grading in order to ensure site clearing and grading in accordance with this resolution. In addition to the above, in the event of the applicant's default in its obligation under this section, the Riverhead Town Board may, in its discretion, require the performance of the following actions:
 - a. the filling, to grade, of any excavated areas;
 - b. the screening of graded and excavated areas from view from public highways;
 - c. the stabilization of exposed soils by either grading or cover vegetation, the latter to consist of topsoil and hydroseed;with the Board to guarantee the performance thereof;
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

15. That the subject parcels shall conveyed to the Riverhead Centre, LLC, as a function of this approval, prior to the issuance of a building permit;
16. That an area measured fifty (50) feet from the newly created property line or measured eighty-five (85) feet from the existing property line along the entire road frontage of Route 58 shall be bounded by way of the installation of a snow fence and such area shall remain undisturbed until this condition is relaxed by the authorization of the Planning Director upon the necessity of construction in this area; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to H.B. Gianos, as agent for Riverhead Centre, LLC, Charles Cuddy, Esq., the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1997, made by Riverhead Centre, LLC, residing at 625 Madison Avenue, 10th floor, New York NY 10022, 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, Riverhead Centre, LLC hereby authorizes and consents to the Town of Riverhead to enter premises at the north side of Old Country Road (C.R. 58), east of Mill Road, 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 and all tanks shall be located 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 any clearing or grading of the subject parcels, 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. No clearing or grading shall commence, nor shall the building permit 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 project construction.. This security shall be in the amount of one million dollars (\$1,000,000.00) and shall be posted by the owner prior to the commencement of any clearing or grading in order to ensure site clearing and grading in accordance with this resolution. In addition to the above, in the event of the applicant's default in its obligation under this section, the Riverhead Town Board may, in its discretion, require the performance of the following actions:

- a. the filling, to grade, of any excavated areas;
- b. the screening of graded and excavated areas from view from public highways;
- c. the stabilization of exposed soils by either grading or cover vegetation, the latter to consist of topsoil and hydroseed;

with the Board to guarantee the performance 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.

RIVERHEAD CENTRE, LLC

By: _____

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of _____, 1997, before me personally came _____, to me known, and known to me to be one of the members of the firm of _____, described in and who executed the foregoing instrument, and (s)he acknowledged to me that (s)he executed the same as and for the act and deed of said firm.

NOTARY PUBLIC

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

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

The Resolution was thereupon
only adopted.