

# Adopted

8/19/97

AWARDS BID FOR INSTALLATION OF WATER MAINS AND APPURTENANCES  
ASHLEY HOMES SUBDIVISION  
RIVERHEAD WATER DISTRICT

Resolution # 684

Adopted \_\_\_\_\_

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

WHEREAS, this Town Board did authorize the advertisement for bids for the installation of water mains and appurtenances for Ashley Homes, and

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

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

WHEREAS, a total of five (5) bids were received, and

WHEREAS, it has been recommended by H2M, consulting engineers to the Riverhead Water District, by letter dated July 22, 1997, that the bid be awarded to Alessio Pipe & Construction Co., Inc. of Huntington Station, New York, for a total bid price of \$29,112.00,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for installation of water main and appurtenances for Ashley Homes be and is hereby awarded to Alessio Pipe & Construction Co., Inc. of Huntington Station, New York, for a total bid of \$29,112

RESOLVED, that the Town Clerk forwarded certified copies of this resolution to Alessio Pipe & Construction Co., Inc.; Pierre G. Lundberg, Esq., and Gary Pendzick, be it further

RESOLVED, that the Town clerk is hereby authorized to return to all the unsuccessful original bidders their respective bid security and it is further

RESOLVED, that upon completion of fully executed contracts and the filing of said contract with the Town Clerk, the Town Clerk is hereby authorized to release to the successful bidder the bidder's bid security.

# Adopted

## TOWN OF RIVERHEAD

RESOLUTION # 685

AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER  
FOR  
COMMERCIAL SEWER DISTRICT EXTENSION  
PHASE I PUMP STATION

ADOPTED: AUGUST 19, 1997

**COUNCILMAN LULL**

offered the following resolution which

was seconded by **COUNCILMAN PRUSINOWSKI**.

WHEREAS, on December 17, 1996, the Riverhead Town Board adopted Resolution No. 937, entitled, "Awards Bid for Route 58 Sewer District Extension, Phase I"; and

WHEREAS, the bid was awarded to Ferran Brothers, Inc. for General Construction, in the amount of Three Hundred Six Thousand, Five Hundred (\$306,500.00) and

WHEREAS, to facilitate operation and maintenance of the Tanger II pump station it was necessary to modify the site conditions by installing a temporary pump, pump manifold, curb cuts, 90 degree elbow at the storage tank in the amount of Nine Thousand Thirty Two Dollars and 27/100 cents (\$9,032.27).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 2; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Ferran Brothers, Inc., 93 Allen Blvd., Farmingdale, NY 11735, Frank Russo, P.E., H2M Group, 575 Broad Hollow Road, Melville, NY 11747-5076 and the Office of Accounting.

### THE VOTE

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

The Resolution was thereupon duly adopted.

# Adopted

## TOWN OF RIVERHEAD

Resolution # 686

### APPROVES APPLICATION OF LANDRESS HENDERSON III

COUNCILMAN KWASNA offered the following resolution, was seconded by

COUNCILMAN WITTMEIER :

WHEREAS, Landress Henderson III has submitted an application for the purpose of conducting a musical entertainment event, located at Hinda Boulevard, Riverhead, New York, on August 23, 1997, having a rain date of August 24, 1997, between the hours of 12:00 noon to 11:00 p.m.; and

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

NOW THEREFORE BE IT RESOLVED, that the application of Landress Henderson III for the purpose of conducting a musical entertainment event, located at Hinda Boulevard, Riverhead, New York, on August 23, 1997, having a rain date of August 24, 1997, between the hours of 12:00 noon to 11:00 p.m., be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Landress Henderson, III, 70 J.T. Boulevard, Riverhead, New York, 11901, and the Riverhead Police Department.

### THE VOTE

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

The Resolution was thereupon duly adopted.

# Adopted

8/19/97

TOWN OF RIVERHEAD

Resolution # 687

RATIFIES APPOINTMENT OF A FILL-IN LIFEGUARD  
TO THE RIVERHEAD RECREATION DEPARTMENT

### COUNCILMAN WITTMIEIER

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

RESOLVED, that John Gladysz is hereby appointed to serve as a Fill-In Lifeguard, effective August 13, 1997 to and including September 1, 1997 to be paid at the rate of \$7.00 per hour and to serve at the pleasure of the Town Board.

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

1. Current Suffolk County Lifeguard Certification;
2. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date; and

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

This appointment was necessary to replace summer personnel.

### THE VOTE

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

The Resolution was thereupon duly adopted.

# Adopted

8/19/97

TOWN OF RIVERHEAD

Resolution # 688

RATIFIES APPOINTMENT OF A FILL-IN LIFEGUARD  
TO THE RIVERHEAD RECREATION DEPARTMENT

**COUNCILMAN WITTMEIER**

Offered the following

resolution, which was seconded by **COUNCILMAN KWASNA** :

RESOLVED, that Christine Kaslyn is hereby appointed to serve as a Fill-In Lifeguard, effective August 13, 1997 to and including September 1, 1997 to be paid at the rate of \$7.00 per hour and to serve at the pleasure of the Town Board.

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

1. Current Suffolk County Lifeguard Certification;
2. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date; and

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

This appointment was necessary to replace summer personnel.

## THE VOTE

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

The Resolution was thereupon duly adopted.

# Adopted

TOWN OF RIVERHEAD

Resolution # 689

RATIFIES APPOINTMENT OF A FILL-IN LIFEGUARD  
TO THE RIVERHEAD RECREATION DEPARTMENT

**COUNCILMAN WITTMEIER**

Offered the following

resolution, which was seconded by

**COUNCILMAN KWASNA**

**RESOLVED**, that Raymond McKay is hereby appointed to serve as a fill-in lifeguard, effective August 13, 1997 to and including September 1, 1997 to be paid at the rate of \$7.00 per hour and to serve at the pleasure of the Town Board.

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

1. Current Suffolk County Lifeguard Certification;
2. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date; and

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

This appointment was necessary to replace summer personnel.

## THE VOTE

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

The Resolution was thereupon  
duly adopted.

**Adopted**

TOWN OF RIVERHEAD

RESOLUTION # 690

RATIFIES ATTENDANCE OF ASSESSOR AT MEETING

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

WHEREAS, a meeting of the Executive Board of the New York State Assessors' Association was held at Saranac Lake on August 9th, 1997, and

WHEREAS, a member of the Board of Assessors of the Town of Riverhead was requested by the Executive Board to attend the meeting.

NOW, THEREFORE, BE IT RESOLVED, that Laverne Tennenberg had been authorized to attend said meeting, and that all expenses shall be fully receipted upon her return, and

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

**THE VOTE**

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

The Resolution was thereupon duly adopted.

TOWN OF RIVERHEAD

**Adopted**

RESOLUTION # 691

AWARDS BID FOR TOWN HALL ROOF REPLACEMENT

ADOPTED: August 19, 1997

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for the Re-roofing of Town Hall; and

WHEREAS, five (5) bids were received, opened and read aloud on the 7th day of July, 1997, at the time and place given in the notice to bidders.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Re-roofing of Town Hall be and is hereby awarded to Douglas S. Plotke, Jr., Inc, d/b/a Roof Services, in the amount of the low bid to remove existing roofing and install build-up roof at \$109,000.00, to fabricate and install .050 Kynar finish aluminum coping at \$7,200.00 and replace damaged sheathing as deemed necessary by the Town Engineer at \$7.25/sq. ft. for approximately 1,000 square feet for the amount of \$7,250.00 (actual amount of sheathing will be determined during construction); and

BE IT FURTHER RESOLVED, that the Town Board be and hereby authorizes the Town Clerk to return any and all bid bonds received in connection with the above; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Douglas S. Plotke, Jr., Inc. d/b/a Roof Services, 45 Third Avenue, Bay Shore, NY 11706, Ken Testa and the Office of Accounting.

**THE VOTE**

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

The Resolution was thereupon duly adopted.

# Adopted

## TOWN OF RIVERHEAD

Resolution # 692

### AUTHORIZES SUPERINTENDENT OF SEWER DISTRICT TO ATTEND SEMINAR

COUNCILMAN PRUSINOWSKI offered the following resolution, was seconded by

COUNCILMAN LULL :

**WHEREAS**, Michael Reichel, Superintendent of the Sewer District has expressed a desire to attend a seminar regarding Sequencing Batch Reactors (similar to the system to be installed during the Plant upgrade) on August 20, 21, and 22, 1997 given by Aqua-Aerobic Systems, Inc. in Rockford, Illinois. The airfare and lodging for said seminar will be provided by Aqua-Aerobic Systems, Inc.; and

**WHEREAS**, Michael Reichel has requested that he be reimbursed for any related expenses in connection with the attendance of said seminar, not to exceed \$200.00 upon his return.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board be and hereby authorizes Michael Reichel, Superintendent of the Sewer District to attend a seminar regarding Sequencing Batch Reactors (similar to the system to be installed during the Plant upgrade) on August 20, 21, and 22, 1997 given by Aqua-Aerobic Systems, Inc. in Rockford, Illinois, and further, authorizes related expenses to be reimbursed upon submission of proper receipts upon his return; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael Reichel, Superintendent of the Sewer District and the Office of Accounting.

### THE VOTE

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

The Resolution was thereupon duly adopted.

# Adopted

## TOWN OF RIVERHEAD

Resolution # 693

### APPROVES BRIAN V. KLUG LANDSCAPER, 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, Brian V. Klug Landscaper, Inc. has submitted a request to become an authorized drainlayer with the Riverhead Sewer District; and

WHEREAS, a performance bond with Cigna Insurance Company (Bond No. KO5108949) in the sum of \$5,000.00 has been received naming the Town of Riverhead as Obligee.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby approves Brian V. Klug Landscaper, Inc. as an authorized drainlayer with the Riverhead Sewer District; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Brian V. Klug Landscaper, Inc., P.O. Box 349, Speonk, New York 11972, the Riverhead Sewer District and the Accounting Department.

### THE VOTE

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

The Resolution was thereupon duly adopted.

1/19/97

**Adopted**

TOWN OF RIVERHEAD

RESOLUTION # 694

AUTHORIZES ATTENDANCE OF ASSESSORS AT SEMINAR

COUNCILMAN KWASNA

offered the following resolution which was

seconded by COUNCILMAN WITTMEIER

WHEREAS, on October 5 through October 8, 1997, the Annual Meeting and Seminar on Assessment Administration is being held in Kamesha Lake, New York, and

WHEREAS, 2 members of the Board of Assessors have expressed an interest and desire in attending said seminar.

NOW, THEREFORE, BE IT RESOLVED, that the assessors are hereby authorized to attend said Seminar, and

BE IT FURTHER RESOLVED, that their use of the Town vehicle is hereby authorized, and

BE IT FURTHER RESOLVED, that each assessor shall be reimbursed for costs of registration, tuition, deposit, travel, lodging and meals, not to exceed a total of \$650.00 each, and

BE IT FURTHER RESOLVED, that said expenses are to be fully receipted upon their return, and

BE IT FURTHER RESOLVED, that expenses incurred for tuition, travel, lodging and meals are subject to reimbursement by the State of New York to the Town of Riverhead upon completion of said conference, and

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

**THE VOTE**

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

The Resolution was thereupon duly adopted.

# Adopted

## TOWN OF RIVERHEAD

Resolution # 695

### APPROVES APPLICATION OF RIVERHEAD COUNTRY FAIR

~~COUNCILMAN WITTMEIER~~ offered the following resolution, was seconded by

COUNCILMAN KWASNA :

**WHEREAS**, Riverhead Country Fair has submitted an application for the purpose of conducting the annual Riverhead Country Fair, to be held at the Peconic River parking lot, Main Street and Peconic Avenue, Riverhead, New York, on October 12, 1997, having a rain date of October 19, 1997 between the hours of 11:00 a.m. and 5:00 p.m.; and

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

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

**NOW THEREFORE BE IT RESOLVED**, that the application of Riverhead Country Fair for the purpose of conducting the annual Riverhead Country Fair, to be held at the Peconic River parking lot, Main Street and Peconic Avenue, Riverhead, New York, on October 12, 1997, having a rain date of October 19, 1997 between the hours of 11:00 a.m. and 5:00 p.m., be and is hereby approved; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Riverhead Country Fair, 200 Howell Avenue, Riverhead, New York, 11901 and the Riverhead Police Department.

### THE VOTE

Wittmeier	<u>Aye</u>	Nay
Kwasna	<u>Aye</u>	Nay
Lull	<del>Aye</del>	<del>Nay</del> <i>Abstain</i>
Prusinowski	<u>Aye</u>	Nay
Stark	<u>Aye</u>	Nay

The Resolution was thereupon duly adopted.

1270  
**Adopted**

TOWN OF RIVERHEAD

Resolution # 696

**AUTHORIZES RELEASE OF \$2,500.00 TO THE AMERICAN DIABETES ASSOCIATION.**

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

WHEREAS, by resolution number 480 of 1997 the Town Board approved the application of the American Diabetes Association for the purpose of erecting tents in the Peconic Parking Lot, Riverhead, New York, for their sixth annual Tour de Cure cycling event to be held on June 22, 1997, between the hours of 5:30 a.m. to 4:00 p.m.; and

WHEREAS, the American Diabetes Association deposited a check in the sum of Two Thousand Five Hundred and 00/100 (\$2,500.00) Dollars as a guarantee that the Peconic Parking Lot be restored to the condition existing prior to the Tour de Cure cycling event and to ensure that all Tour de Cure signs be removed; and

WHEREAS, the American Diabetes Association has complied with all conditions.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby authorizes the return of the sum of Two Thousand Five Hundred and 00/100 (\$2,500.00) Dollars to the American Diabetes Association; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the American Diabetes Association, at 149 Madison Avenue, New York, New York 10016 and 150 Motor Parkway, Ste. LL40, Hauppauge, New York 11788; the Accounting Department; the Engineering Department and the Riverhead Police Department.

**THE VOTE**

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

The Resolution was thereupon duly adopted.

# Adopted

## TOWN OF RIVERHEAD

Resolution # 697

### APPROVES APPLICATION OF DRESSAGE AT SUNNY ACRES (JOSEPH & BEATRICE PEPE)

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

**WHEREAS**, Dressage at Sunny Acres has submitted an application for the purpose of conducting a dressage horse show, to be held at 959 Middle Road, Riverhead, New York, on October 5, 1997 and November 2, 1997, between the hours of 7:00 a.m. and 6:00 p.m.; and

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

**NOW THEREFORE BE IT RESOLVED**, that the application of Dressage at Sunny Acres for the purpose of conducting a dressage horse show, to be held at 959 Middle Road, Riverhead, New York, on October 5, 1997 and November 2, 1997, between the hours of 7:00 a.m. and 6:00 p.m., be and is hereby approved; and be it further

**RESOLVED**, that the approval of said application is **subject to** the receipt of a Certificate of Insurance naming the Town of Riverhead as an additional insured prior to the event taking place; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Dressage at Sunny Acres, Att: Bea Pepe, 959 Middle Road, Riverhead, New York, 11901 and the Riverhead Police 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.

**Adopted**

8/19/97

TOWN OF RIVERHEAD

Resolution # 698

**RELEASES PERFORMANCE BOND OF EDWARDS AVENUE ASSOCIATES, INC.  
(FRANK BEAULIEU)**

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

**COUNCILMAN WITTMEIER** :

WHEREAS, Edwards Avenue Associates, Inc. has posted a performance bond in the sum of \$7,920.00 representing the 5% site plan bond pursuant to Section 108-133 I. of the Riverhead Town Code; and

WHEREAS, pursuant to memorandum dated August 14, 1997 from Leroy Barnes, Interim Building Department Head, said construction has been completed to the Building Department's satisfaction and Certificate of Occupancy #13651 has issued for said construction.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of said performance bond in the sum of Seven Thousand Nine Hundred Twenty and 00/100 (\$7,920.00) Dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Edwards Avenue Associates, Inc., Att: Frank Beaulieu, P.O. Box 612, Aquebogue, New York, 11931; the Building Department; the Planning Department and the Accounting Department.

**THE VOTE**

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

The Resolution was thereupon duly adopted.

# Adopted

## TOWN OF RIVERHEAD

Resolution # 699

### APPROVES APPLICATION OF ST. JOHN THE BAPTIST R.C. CHURCH

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

**WHEREAS**, St. John the Baptist R.C. Church has submitted an application for the purpose of conducting an Octoberfest, to be held on the church grounds at 1488 No. Country Road, Wading River, New York, on August 31, 1997, having a rain date of September 1, 1997 between the hours of 2:00 p.m. and 8:00 p.m.; and

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

**NOW THEREFORE BE IT RESOLVED**, that the application of St. John the Baptist R.C. Church for the purpose of conducting an Octoberfest, to be held on the church grounds at 1488 No. Country Road, Wading River, New York, on August 31, 1997, having a rain date of September 1, 1997 between the hours of 2:00 p.m. and 8:00 p.m., be and is hereby approved; and be it further

**RESOLVED**, that the approval of said application is **subject to** the receipt of a Certificate of Insurance naming the Town of Riverhead as an additional insured by **August 27, 1997**; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to St. John the Baptist R.C. Church, 1488 No. Country Road, Wading River, New York, 11792 and the Riverhead Police Department.

### THE VOTE

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

The Resolution was thereupon duly adopted.

August 19, 1997

# Adopted

TOWN OF RIVERHEAD

Resolution # 700

**APPROVES RATE SCHEDULE SUBMITTED BY H2M GROUP**

**CONSULTING ENGINEERS FOR THE RIVERHEAD WATER DISTRICT**

**COUNCILMAN PRUSINOWSKI** offered the following resolution ,

which was seconded by **COUNCILMAN LULL**

**WHEREAS**, the Town Board is in receipt of a rate schedule update from H2M, Group for billing purposes; and

**WHEREAS**, as per resolution #97-22 the Town Board reappointed H2M, Group as Consulting Engineers for the Riverhead Water District.

**NOW, THEREFORE, BE IT, RESOLVED**, that the Town Board hereby approves the attached rate sheet of H2M, Group; and

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to H2M Group, the Water District 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.

EXHIBIT A  
RIVERHEAD WATER DISTRICT  
SCHEDULE OF HOURLY RATES  
(as of July 31, 1997)

SMACHER, MCLENDON & MURRELL, P.C.

EMPLOYEE NAME	CLASSIFICATION	HRLY RATE
SMITH, MG	DRAFTER	\$13.500
SMITH, NM	PROJECT ENGINEER	\$15.375
SMITH, AA	PROJECT ENGINEER	\$35.625
SMITH, RJ	HYDROGEOLOGIST	\$27.500
SMITH, P	DRAFTER	\$20.500
SMITHLEWSKI, SW	INSPECTOR	\$11.875
SMITH, M	TECHNICAL TYPIST	\$13.125
SMITH, TM	DRAFTER	\$15.000
SMITH, CM	TECHNICAL TYPIST	\$13.625
SMITH, C	INSPECTOR	\$20.375
SMITH, V	INSPECTOR	\$13.125
SMITH, JL	PROJECT ENGINEER	\$29.500
SMITH, SA	PROJECT ENGINEER	\$21.500
SMITH, GW	PROJECT MANAGER	\$42.500
SMITH, MP	ENGINEER TECHNICIAN	\$11.250
SMITH, AP	PROJECT MANAGER	\$51.000
SMITH, RA	DRAFTER	\$11.000
SMITH, CJ	HYDROGEOLOGIST	\$18.500
SMITH, MN	HYDROGEOLOGIST	\$27.500
SMITH, SC	PROJECT ENGINEER	\$35.625
SMITH, JL	DRAFTER	\$14.250
SMITH, RJ	DRAFTER	\$11.125
SMITH, RW	PROJECT ENGINEER	\$27.500
SMITH, CM	TECHNICAL TYPIST	\$13.500
SMITH, SL	TECHNICAL TYPIST	\$14.375
SMITH, DM	PROJECT MANAGER	\$51.000
SMITH, RB	PROJECT ARCHITECT	\$24.625
SMITH, GE	PROJECT DIRECTOR	\$53.750
SMITH, RJ	PROJECT ENGINEER	\$26.250
SMITH, RS	SR. INSPECTOR	\$28.125
SMITH, J	PROJECT ENGINEER	\$20.750
SMITH, JA	SR. DRAFTER	\$22.625
SMITH, JG	SR. INSPECTOR	\$20.375
SMITH, MW	PROJECT ENGINEER	\$36.625
SMITH, RA	TECHNICAL TYPIST	\$12.000
SMITH, GJ	PROJECT MANAGER	\$45.500
SMITH, MR	PROJECT ENGINEER	\$23.500

EXHIBIT A  
RIVERHEAD WATER DISTRICT  
SCHEDULE OF HOURLY RATES  
(as of July 31, 1997)

BYMACHER, MCLENDON & MURRELL, P.C.

EMPLOYEE NAME	CLASSIFICATION	HRLY RATE
LODY, JJ	PROJECT DIRECTOR	\$60.125
OTOLA, JM	PROJECT ARCHITECT	\$35.625
BLDER, GP	RECORDS SPECIALIST	\$12.250
WLEN, R	PROJECT ARCHITECT	\$13.375
WOPF, JD	PROJECT ENGINEER	\$17.000
WSEN, ER	PROJECT ENGINEER	\$29.250
WNS, EA	DRAFTER	\$10.000
WY, GY	PROJECT ARCHITECT	\$25.375
WUSKY, CF	INSPECTOR	\$13.125
WVCE, J	DRAFTER	\$14.250
WZ, CD	TECHNICAL TYPIST	\$13.875
WZD, FM	PROJECT MANAGER	\$46.250
WZONE, JA	PROJECT ARCHITECT	\$24.375
WZLA, CA	PROJECT ENGINEER	\$15.000
WZADE, PJ	PROJECT ENGINEER	\$28.000
WZMNER, RM	PROJECT MANAGER	\$51.000
WZSER, E	ENGINEER TECHNICIAN	\$14.500
WZSE, DA	PROJECT ENGINEER	\$42.500
WZSERLOT, C	DRAFTER	\$7.000
WZSIAD, MA	PROJECT ENGINEER	\$33.250
WZSIAT, EM	PROJECT ENGINEER	\$21.875
WZSICHET, JP	CADD TECHNICIAN	\$20.375
WZSIBINO, AM	ENGINEER TECHNICIAN	\$8.000
WZSLS, DJ	PROJECT ENGINEER	\$15.500
WZSLAMS, SB	REPRO SPECIALIST	\$12.625
WZSLA, LJ	PROJECT ENGINEER	\$21.750

# Adopted

August 19, 1997

## TOWN OF RIVERHEAD

Resolution # 701AMENDS RESOLUTION #97-652

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

**WHEREAS**, resolution #97-652 appointed a Part Time Housing Inspector; and

**WHEREAS**, due to a typographical error the hourly rate of pay was incorrectly stated.

**NOW, THEREFORE, BE IT, RESOLVED**, effective August 11, 1997, the Town Board hereby appoints Walton Orth to the position of Part Time Housing Inspector in the Building Department subject to approval by the Suffolk County Department of Civil Service, at an hourly rate of pay of \$13.00; and

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

## THE VOTE

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

The Resolution was thereupon duly adopted.

# Adopted

August 19, 1997

TOWN OF RIVERHEAD

Resolution # 702

## WATER PUMP STATION #1 BUILDING IMPROVEMENTS

### CAPITAL PROJECT

### BUDGET ADOPTION

**COUNCILMAN KWASNA**

offered the following resolution ,

which was seconded by

**COUNCILMAN WITTMEIER**

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

**FROM:**

08301.482220.30053

TRANS FROM REPAIR & MAINT RESERVE \$20,000.

**TO:**

086.083200.522100.30053

CONSTRUCTION OF FACILITY

\$17,000.

086.083200.543501.30053

ENGINEERING SERVICES

3,000.

## THE VOTE

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

The Resolution was thereupon duly adopted.

# Adopted

August 19, 1997

TOWN OF RIVERHEAD

Resolution # 703

TOWN HALL IMPROVEMENTS

CAPITAL PROJECT

BUDGET ADOPTION

**COUNCILMAN KWASNA**

\_\_\_\_\_ offered the following resolution ,

which was seconded by **COUNCILMAN WITTMER** \_\_\_\_\_

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

		<b>FROM:</b>
31.494200.40038	SERIAL BOND PROCEEDS	\$225,000.
		<b>TO:</b>
06.016200.523025.40038	TOWN HALL ROOF REPLACE. IMPROV.	\$120,000.
06.016200.526026.40038	TH BASEMENT FIRE ESCAPE IMPROV.	50,000.
06.016200.523024.40038	TH HVAC IMPROVEMENTS	25,000.
06.016200.523027.40038	TH FIRE ALARM IMPROVEMENTS	20,000.
06.016200.547900.40038	CONTINGENCY	10,000.

## THE VOTE

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

The Resolution was thereupon duly adopted.

# Adopted

August 19, 1997

TOWN OF RIVERHEAD

Resolution # 704

## SENIOR CITIZEN DAY CARE CENTER

### BUDGET ADJUSTMENT

**COUNCILMAN KWASNA**

\_\_\_\_\_ offered the following resolution ,

which was seconded by **COUNCILMAN WITTMER** \_\_\_\_\_

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

6720.471000	GIFTS AND DONATIONS	<b>SOURCE:</b> \$2,000.
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067720.542000	SUPPLIES	<b>USE:</b> \$2,000.
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## THE VOTE

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

The Resolution was thereupon duly adopted.

# Adopted

August 19, 1997

TOWN OF RIVERHEAD

Resolution # 705

STREET LIGHTING

BUDGET ADJUSTMENT

**COUNCILMAN KWASNA**

offered the following resolution ,

which was seconded by

**COUNCILMAN WITTMEIER**

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

051820.541414

STREET LIGHTING MAINTENANCE

**FROM:**

\$7,500.

16.051820.541415

TRAFFIC LIGHT MAINTENANCE

**TO:**

\$7,500.

## THE VOTE

Wittmeier

**Aye**

Nay

Kwasna

**Aye**

Nay

Lull

**Aye**

Nay

Prusinowski

**Aye**

Nay

Stark

**Aye**

Nay

The Resolution was thereupon duly adopted.

August 19, 1997

# Adopted

TOWN OF RIVERHEAD

Resolution # 706

## RECREATION DEPARTMENT

### BUDGET ADJUSTMENT

**COUNCILMAN KWASNA**

\_\_\_\_\_ offered the following resolution ,

which was seconded by **COUNCILMAN WITTMEIER** \_\_\_\_\_

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

000000.499999	APPROPRIATED FUND BALANCE	<b>SOURCE:</b>	\$8,000.
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006.076250.524000	EQUIPMENT	<b>USE:</b>	\$8,000.
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## THE VOTE

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

The Resolution was thereupon duly adopted.

8/19/97

# Adopted

## TOWN OF RIVERHEAD

Resolution # 707**AUTHORIZES A TITLE SEARCH TO BE MADE FOR MIDWAY DRIVE,  
RIVERHEAD, NEW YORK****COUNCILMAN WITTMEIER**

\_\_\_\_\_ offered the following resolution, was seconded by

**COUNCILMAN KWASNA** :

**WHEREAS**, the Town Board of the Town of Riverhead has been petitioned by property owners residing at Midway Drive, Riverhead, New York to have Midway Drive dedicated to the Town Highway system; and

**WHEREAS**, title must be determined, via a title search, in order for the Town to consider said acceptance of dedication of Midway Drive; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead be and hereby authorizes the Town Attorney to order a title search of Midway Drive to consider the acceptance of dedication of said road; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Robert Kozakiewicz, Town Attorney; the Highway Department and the Office of Accounting.

**THE VOTE**

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

The Resolution was thereupon  
unanimously adopted.

8/19/97

# Adopted

## TOWN OF RIVERHEAD

Resolution # 708

### WAIVES SIGN PERMIT FEE AND BUILDING & ZONING PERMIT FEE FOR BOMEL RIVERHEAD CORP. (RIVERHEAD BUSINESS IMPROVEMENT DISTRICT)

COUNCILMAN PRUSINOWSKI offered the following resolution, was seconded by

COUNCILMAN LULL

**WHEREAS**, Bomel Riverhead Corp. has requested that the Town Board of the Town of Riverhead waive the sign permit fee for application dated July 9, 1997 and building and zoning permit fee for application dated July 21, 1997.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby waives the sign permit fee for application dated July 9, 1997 and building and zoning permit fee for application dated July 21, 1997; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Bomel Riverhead Corp.; the Building Department; the Planning Department and the Accounting 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

Resolution was thereupon duly adopted.

# Adopted

8/19/97

## TOWN OF RIVERHEAD

Resolution # 709

### AMENDS APPLICATION OF LIVING WATER FULL GOSPEL CHURCH

**COUNCILMAN LULL**

\_\_\_\_\_ offered the following resolution, was seconded by

**COUNCILMAN PRUSINOWSKI** :

**WHEREAS**, by Resolution #653 of 1997, the Town Board of the Town of Riverhead approved the application of the Living Water Full Gospel Church; and

**WHEREAS**, by letter dated August 11, 1997, a copy of which is annexed hereto, the Living Water Full Gospel Church has requested that the application be amended to allow the hours for their event to be held from 5:00 p.m. to 9:00 p.m., instead of the hours of 6:00 p.m. to 10:00 p.m.

**NOW THEREFORE BE IT RESOLVED**, that the application of the Living Water Full Gospel Church to amend their application be and is hereby approved; and be it further

**RESOLVED**, that all other terms and conditions of Resolution #653 of 1997 remain in full force and effect; and be it further

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

### THE VOTE

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

The Resolution was thereupon  
unanimously adopted.

# Adopted

August 19, 1997

## TOWN OF RIVERHEAD

Resolution # 710

**APPROVES CHANGES OF ZONE OF DAVID J. WILLMOTT ET AL –  
INDUSTRIAL A TO BUSINESS B**  
**COUNCILMAN KWASNA**

\_\_\_\_\_ offered the following resolution which  
was seconded by **COUNCILMAN WITTMEIER** \_\_\_\_\_

**WHEREAS**, the Riverhead Town Board is in receipt of a petition from David J. Willmott, et al to amend the Zoning Use District Map of the Town of Riverhead to provide for the Business B Zoning Use District upon real property located at Route 58, Riverhead; such real property more particularly described as Suffolk County Real Property Tax Map Parcel Numbers 0600-101-2-15.2, 0600-125-1-1 and 0600-125-1-2, and

**WHEREAS**, the Riverhead Town Board has declared itself to be the Lead Agency in this matter and has determined the application to be an Unlisted Action without a significant impact upon the environment and that an environmental impact statement need not be prepared, and

**WHEREAS**, the Town Board has referred the petition to the Suffolk County Planning Commission for its report and recommendation, such Planning Commission concluding that the petition is a matter for local determination, and

**WHEREAS**, the Town Board has referred the petition to the Riverhead Planning Board, such Planning Board recommending that the petition be denied, and

**WHEREAS**, the Town Board has held a public hearing on this matter pursuant to the Riverhead Zoning Ordinance, and

**WHEREAS**, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the 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 relevant planning, zoning and environmental information, now

**THEREFORE, BE IT**

**RESOLVED**, that in the matter of the change of zone petition of David J. Willmott, the Riverhead Town Board makes the following findings:

- FIRST:** That the Comprehensive Master Plan of the Town of Riverhead (McRosky-Reuter, 1973) designated the subject property for shopping center development;
- SECOND:** That the property has been used historically for commercial use;
- THIRD:** That the property is currently improved with a one story block building of 125,000 square feet with associated parking and access areas;
- FOURTH:** That in 1983, the Riverhead Town Board, upon petition by the owner, amended the Zoning Use District Map of the Town of Riverhead to provide for the Industrial A Zoning Use District upon the subject real property;
- FIFTH:** That the Town Board has adopted a land use policy for the general vicinity designed to attract destination commercial land use;
- SIXTH:** That the owner of the subject property has offered to restrict by covenant the use of the premises to destination commercial use, and

**BE IT FURTHER**

**RESOLVED,** that based upon its findings, the Riverhead Town Board hereby amends the Zoning Use District Map of the Town of Riverhead to provide for the Business B Zoning Use District to the exclusion of the Industrial A Zoning Use District upon the subject real property, and

**BE IT FURTHER**

**RESOLVED,** that this amendment is conditioned upon the filing of a covenant in the Office of the County Clerk which restricts the use and development of the subject property as follows:

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 change of zone;
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 therein;
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 a minimum of 2,500 square feet shall be provided for every tenant or subtenant on the premises or alternatively in the event that a major tenant (25,000 square feet or larger) leases the premises then in that event that major tenant may sublet to no more than five (5) subtenants for each 25,000 square feet of building area;

5. That no building permit/use permit shall issue until Declarant submits and receives site plan approval pursuant to Article XXVI of the Riverhead town Code; 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 heretofore described be and is hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk transmit a certified copy resolution to Allen M. Smith, Esq., Attorney for David J. Willmott, et al, 737 Roanoke Avenue, P. O. Box 1280, Riverhead, New York 11901; the Planning Department, the Building Department and to the firm of Young & Young, Land Surveyors, 400 Ostrander Avenue, Riverhead for the purpose 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	<del>Aye</del>	<del>Nay</del> <i>Abstain</i>
Stark	<u>Aye</u>	Nay

The Resolution was thereupon  
duly adopted

8/19/97

# Adopted

## TOWN OF RIVERHEAD

Resolution # 711

### ADOPTS A LOCAL LAW ESTABLISHING PECONIC RIVER ARTS DISTRICT AT RIVERHEAD

COUNCILMAN WITTMEIER

offered the following resolution, was seconded by

COUNCILMAN KWASNA

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law establishing Peconic River Arts District at Riverhead; and

**WHEREAS**, a public hearing was held on the 5th day of August, 1997 at 1:25 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead be and hereby authorizes the adoption of a local law establishing Peconic River Arts District at Riverhead as specified in the attached notice of adoption; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the **Suffolk County Life** and to post same on the signboard at Town Hall; and be it further

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

### THE VOTE

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

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted a local law establishing the Peconic River Arts District at Riverhead, at its regular meeting held on August 19, 1997 as follows:

**RIVERHEAD ARTS DISTRICT**

1. Legislative intent.
2. Title.
3. Boundaries.
4. Definitions.
5. Permitted arts.
6. Application for permit.
7. Procedure for issuance of a permit.

Legislative Intent.

It is hereby founded and declared that the Central Business District of the Town of Riverhead is in need of revitalization and that the Town Board of the Town of Riverhead has adopted a policy of providing for mechanisms which assist in this revitalization. It is further found and declared that the second and third story space have lost and continue to lose retail and office tenants to more modern structures more conveniently situated and that the unused floor space of such buildings constitute a potential housing stock. It is further found and declared that residential uses within the Central Business District contribute to the viability of such Business District and that the provision of an arena for the creation of art and cultural resources together with living accommodations for artists would create a unique environmental for increased investment contributing to the revitalization of the district. It is further found and declared that the legislation governing the alteration of such buildings to accommodate residential use must be more restrictive that statutes heretofore in effect.

Title.

This chapter shall be known and my be cited as the "Riverhead Arts District Law" of the Town of Riverhead.

Boundaries.

The Riverhead Arts District shall encompass that area bounded as follows:

Beginning at a point at the intersection of Northville Turnpike and Union Avenue, proceed in the direction heading southeast on Union Avenue to the intersection of Union Avenue and East Main Street (S.R. 25). At this point continue in a southeast direction along the property line that separates parcels #0600-129-4-14 and 15 and #0600-129-4-18.3 and 18.5 with an imaginary line to the Riverhead Town line. At this point, proceed in a westerly direction following the Riverhead Town line to Peconic Avenue, continue over Peconic Avenue still following the Riverhead Town line in a westerly direction to the Center Drive bridge. At this point, proceed in a northerly direction to the intersection of Griffing Avenue and Court Street. At this point, proceed in a northwesterly direction on Griffing Avenue to the intersection of Railroad Street and Griffing Avenue. At this point, proceed in a northeasterly direction on Railroad Street to the intersection of Roanoke Avenue and Railroad Street. At this point, proceed in a northerly direction on Roanoke Avenue to Northville Turnpike. At this point, proceed in a northeasterly direction on Northville Turnpike to point of beginning.

#### Definitions.

As used in this Article, the term "artist" means a person who is regularly engaged in the fine arts, such as painting and sculpture or in the performing or creative arts, including choreography and film making, or in the composition of music on a professional basis and is so certified by the Town Board. As used in this Article, the term "gallery" shall mean a building or a portion of a building used as a place to display or sell original works or art.

As used in this Article, the term "studio" shall mean a building or a portion of a building used as a place of work by an artist. As used in this Article, the term "artist dwelling" shall mean a building or a portion of a building used as an accessory residence to a studio or gallery.

#### Permitted Acts.

In the confines of the Riverhead Arts District, the Zoning Ordinance of the Town of Riverhead shall be amended as follows:

#### Permitted Uses:

1. Gallery.
2. Studio.

#### Accessory Uses:

Dwelling, artist.

#### Application for Permit.

A. No building shall be occupied for an artist dwelling prior to the issuance of a permit by the Town Board certifying the resident as an artist. In this determination, the Town of Riverhead shall rely upon the opinion of those experts it desires and upon the definition of an artist contained herein. All applications for a permit shall include the following information and the payment of an application fee of \$10.00:

1. The name and address of the applicant and whether the applicant is the owner or the lessee of the premises, additional family members must be indicated;
2. A description of the type of art to be created within the premises together with a description of the relevant art work history of the applicant together with references.

B. This chapter does not obviate the necessity for the applicant to obtain the assent or a permit required by any other agency before proceeding with operations under an approved Town Board permit.

#### Procedure for Issuance of a Permit.

A. The Town Clerk shall retain the original permit application and distribute one copy to the Town Board and the Planning Department.

B. The Town Board shall review all completed permit applications and either approve or deny such permit by resolution. The Town Board may consult with those experts necessary to make a decision upon the propriety of the application for an artist designation. The Town Board may hold a public hearing on a particular permit application if it desires. In rendering a decision of approval, approval with conditions, or a denial of a permit, the Town Board shall state in writing, its findings of fact and conclusions to be transmitted via resolution to the applicant and the Town Clerk.

#### Compliance with Conditions.

Permits shall remain in force for a period of one year or until commencement of residence within the premises. Subsequent to commencement, the permit shall remain perpetually in force while the applicant resides within the premises. The applicant shall notify the Town Clerk of any changes in occupancy of the premises. In the event that occupancy changes to such an extent that the intent of this legislation is contravened, the permit may be revoked by the Town Board subsequent to a hearing.

Dated: Riverhead, New York  
August 19, 1997

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

# Adopted

8/19/97

## TOWN OF RIVERHEAD

Resolution # 712

### AUTHORIZES THE EXECUTION OF AN AGREEMENT WITH IVY ACRES, INC.

**COUNCILMAN PRUSINOWSKI** offered the following resolution, was seconded by

**COUNCILMAN LULL**

**WHEREAS**, the Town is desirous of maintaining the Main Street area of Riverhead in order to promote the area and help stimulate the economy for the benefit of the Township of Riverhead and its citizens; and

**WHEREAS**, Ivy Acres, Inc., in consideration of other good and valuable consideration paid by the Town, will undertake to provide plant material and maintenance to enhance the image of Riverhead.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute the agreement between the Town of Riverhead and Ivy Acres, Inc; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Ivy Acres, Inc. Edwards Avenue, Baiting Hollow, New York, 11933; the Town Attorney; Kenneth Testa, P.E. and the Accounting Department.

### THE VOTE

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

The Resolution was thereupon  
unanimously adopted.

RESOLUTION # 713 ABSTRACT #36-97 AUGUST 7, 1997 (TBM 8/19/97)

**COUNCILMAN PRUSINOWSKI** and the following Resolution which was seconded by

**COUNCILMAN LULL**

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 145,238.99	\$ 145,238.99
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 1,649.55	\$ 1,649.55
TEEN CENTER	005	\$ -	\$ 246.00	\$ 246.00
RECREATION PROGRAM	006	\$ -	\$ 1,684.95	\$ 1,684.95
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE BUILDING FUND	027	\$ -	\$ 593.13	\$ 593.13
HIGHWAY	111	\$ -	\$ 20,762.31	\$ 20,762.31
WATER	112	\$ -	\$ 9,425.40	\$ 9,425.40
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
SEWER	114	\$ -	\$ 12,974.62	\$ 12,974.62
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 137,300.43	\$ 137,300.43
STREET LIGHTING	116	\$ -	\$ 3,025.14	\$ 3,025.14
PUBLIC PARKING	117	\$ -	\$ 2,696.74	\$ 2,696.74
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 8,883.13	\$ 8,883.13
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ -	\$ 3,802.84	\$ 3,802.84
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ 583.80	\$ 583.80
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ 2,871.00	\$ 2,871.00
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 279.00	\$ 279.00
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	\$ -	\$ 217,889.31	\$ 217,889.31
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMP'S	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ 2,495.00	\$ 2,495.00
YOUTH SERVICES	452	\$ -	\$ 490.18	\$ 490.18
SENIORS HELPING SENIORS	453	\$ -	\$ 35.28	\$ 35.28
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 8,436.78	\$ 8,436.78
MUNICIPAL GARAGE	626	\$ -	\$ 2,423.73	\$ 2,423.73
TRUST & AGENCY	735	\$ -	\$ 98,986.82	\$ 98,986.82
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 6,100.38	\$ 6,100.38
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
<b>TOTALS</b>		\$ -	\$ 688,874.51	\$ 688,874.51

RESOLUTION # 713 ABSTRACT #37-97 AUGUST 14, 1997 (TBM 8/19/97)COUNCILMAN PRUSINOWSKI offered the following Resolution which was seconded by  
COUNCILMAN LULL

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 476,486.59	\$ 476,486.59
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 40.00	\$ 40.00
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ 11,860.92	\$ 11,860.92
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE BUILDING FUND	027	\$ -	\$ 1,239.17	\$ 1,239.17
HIGHWAY	111	\$ -	\$ 49,301.67	\$ 49,301.67
WATER	112	\$ -	\$ 106,012.23	\$ 106,012.23
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
SEWER	114	\$ -	\$ 35,179.71	\$ 35,179.71
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 6,282.92	\$ 6,282.92
STREET LIGHTING	116	\$ -	\$ 26,124.84	\$ 26,124.84
PUBLIC PARKING	117	\$ -	\$ 4,621.11	\$ 4,621.11
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 266.00	\$ 266.00
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	\$ -	\$ 5,665.92	\$ 5,665.92
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 149,134.22	\$ 149,134.22
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ 20,000.00	\$ 20,000.00
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 180,661.51	\$ 180,661.51
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 1,554.55	\$ 1,554.55
SENIORS HELPING SENIORS	453	\$ -	\$ 1,703.43	\$ 1,703.43
EISEP	454	\$ -	\$ 625.30	\$ 625.30
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 5,295.00	\$ 5,295.00
MUNICIPAL GARAGE	626	\$ -	\$ 6,175.60	\$ 6,175.60
TRUST & AGENCY	735	\$ -	\$ 559,710.54	\$ 559,710.54
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 30,568.06	\$ 30,568.06
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
<b>TOTALS</b>		\$ -	\$ 1,678,609.29	\$ 1,678,609.29

8/19/97

# Adopted

## TOWN OF RIVERHEAD

Resolution # 714

### AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING - EDWARD PARTRIDGE (TS HAULERS, INC.)

**COUNCILMAN LULL**

offered the following resolution, was seconded by

**COUNCILMAN PRUSINOWSKI**

**WHEREAS**, by Resolutions Number 620 of 1997, the Town Clerk was authorized to publish and post public notice for a public hearing to be held on August 19, 1997 at 7:10 p.m. at Jamesport Community Center regarding the special permit application of T. S. Haulers, Inc; and

**WHEREAS**, by Resolutions Number 633 of 1997, the location of the public hearing was changed to Riverhead Town Hall; and

**WHEREAS**, the applicant mailed notices advising that the location of said hearing was Jamesport Community Center and not Riverhead Town Hall.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached public notice which now calls for the public hearing to be held at Riverhead 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 Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York 11901, to Edward Partridge and the Planning Department.

### THE VOTE

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

The Resolution was thereupon duly adopted.

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a public hearing will be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 16th day of September 1997 at 2:05 o'clock in the afternoon p.m. to hear all interested parties with regard to the special permit application of Edward Partridge (TS Haulers, Inc.) to allow a mining and materials processing operation upon real property located at NYS Route 25, Calverton New York, such real property more particularly described as Suffolk County Tax Map # 0600-98-1-16.3.

Dated: Riverhead, New York  
August 19, 1997

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

**BARBARA GRATTAN, Town Clerk**

# Adopted

8/19/97

## TOWN OF RIVERHEAD

Resolution # 715

**AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH AND DEBRIS AND  
THE CUTTING OF GRASS AND WEEDS FROM PROPERTY OWNER PURSUANT  
TO SECTION 96-2. B. OF THE RIVERHEAD TOWN CODE**

**COUNCILMAN KWASNA**

\_\_\_\_\_ offered the following resolution, was seconded by

**COUNCILMAN WITTMEIER** :

**WHEREAS**, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

**WHEREAS**, property located at 726 Roanoke Avenue, Riverhead, New York, also known as Suffolk County Tax Map #0600-126-2-26 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

**WHEREAS**, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris and the cutting of the grass at the property above mentioned.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby authorized the Town Clerk to serve notice upon T. Owen Carroll and Carole Carroll, 19 Spruce Drive, East Patchogue, New York, 11772 and John Merenda and Marilyn Merenda, Lake Street, P.O. Box 772, Center Moriches, New York, 11934, by certified mail, return receipt requested and by regular mail in a plain unmarked wrapper. Such notice to consist of a certified copy of this resolution and the attached Notice to property owner; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to T. Owen Carroll and Carole Carroll, 19 Spruce Drive, East Patchogue, New York, 11772 and John Merenda and Marilyn Merenda, Lake Street, P.O. Box 772, Center Moriches, New York, 11934 and Kenneth Testa, P.E.

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located at 726 Roanoke Avenue, Riverhad, New York, further descibed as Suffolk County Tax Map #0600-126-2-26, to be cleaned of all rubbish, refuse and other debris and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: Riverhead, New York  
August 19, 1997

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

**THE VOTE**

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

The Resolution was thereupon  
duily adopted.