

# Adopted

## TOWN OF RIVERHEAD

Resolution # 555

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

**COUNCILMAN PRUSINOWSKI**

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

**COUNCILMAN LULL**

which was seconded by \_\_\_\_\_:

**RESOLVED**, that the Town Clerk be and is hereby directed to publish and post the attached public notice to amend the location of a regular Town Board meeting once in the July 2, 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 in Town Hall.

### 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  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that the place of the next regularly scheduled meeting of the Town Board, to be held on July 15, 1997, at 7:00 p.m. o'clock shall be changed to the Wading River Baptist Church, Wading River-Manor Road, Wading River, New York.

Dated: Riverhead, New York  
July 1, 1997.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

# Adopted

7/1/97

ORDER ESTABLISHING EXTENSION 41B  
TO THE RIVERHEAD WATER DISTRICT  
NORTHSIDE ESTATES

Resolution #556

Adopted \_\_\_\_\_

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

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District, for an extension to the Riverhead Water District to be known as Extension No. 41B consisting of a 27 lot subdivision being proposed off the west side of Twomey Avenue, approximately 1,160 feet south of Youngs Avenue, Calverton, New York, as more particularly described on the attached Exhibit A, and

WHEREAS, the cost for the installation of said mains and appurtenances in the amount of \$175,000 shall be borne solely by the developer, at no cost to the District, and

WHEREAS, said improvements consist of the installation of new water mains, including hydrants, valves and other necessary furnishings, equipment and apparatus and other incidental improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report, and

WHEREAS, pursuant to Chapter 105 of the Riverhead Town Code, the money in the amount of \$67,500 shall be paid by the developer, and

WHEREAS, such overall improvements have been determined to be an "unlisted action" pursuant to the regulations promulgated pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects, and

WHEREAS, a public hearing was held on the 17th day of June, 1997, wherein all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 41B as shown on Exhibit A attached is in the best interest of the district and will benefit the property to be served, which extension consists of the installation of new water mains, including hydrants, valves and

other necessary furnishings, equipment and apparatus and other incidental improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report, and

BE IT FURTHER RESOLVED that the Town Board determines that the installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment, and be it further

RESOLVED, that the developer shall deposit with the Town of Riverhead key money in the amount of \$67,500, and

and it is further

RESOLVED, that upon the completion of said water extension, the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk of Suffolk County and filed with the New York State Comptroller, and it is further

RESOLVED, that the Town Clerk forward a certified copy of the resolution to Pierre Lundberg, Esq., H2M, Superintendent Gary Pendsick, and the applicant.

## 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

7/1/97

ORDER ESTABLISHING EXTENSION 50  
TO THE RIVERHEAD WATER DISTRICT  
WENDELKEN SUBDIVISION

Resolution #557

Adopted \_\_\_\_\_

## COUNCILMAN LULL

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

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District, for an extension to the Riverhead Water District to be known as Extension No. 50 consisting of a three lot minor subdivision on Osborne Avenue, Riverhead, New York, as more particularly described on the attached Exhibit A, and

WHEREAS, the cost for the installation of said mains and appurtenances in the amount of \$18,700 shall be borne solely by the developer, at no cost to the District, and

WHEREAS, key money in the amount of \$7,500 shall be paid by the developer, and

WHEREAS, said improvements consist of the installation of new water mains, including hydrants, valves and other necessary furnishings, equipment and apparatus and other incidental improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report, and

WHEREAS, such overall improvements have been determined to be an "unlisted action" pursuant to the regulations promulgated pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects, and

WHEREAS, a public hearing was held on the 17th day of June, 1997, wherein all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 50 as shown on Exhibit A attached is in the best interest of the district and will benefit the property to be served, which extension consists of the installation of new water mains, including hydrants, valves and other necessary furnishings, equipment and apparatus and other incidental improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report, and

BE IT FURTHER RESOLVED that the Town Board determines that the installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment, and and it is further

RESOLVED, that the developer shall deposit with the Town of Riverhead key money in the amount of \$7,500, and be it further

RESOLVED, that upon the completion of said water extension, the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk of Suffolk County and filed with the New York State Comptroller, and it is further

RESOLVED, that the Town Clerk forward a certified copy of the resolution to Pierre Lundberg, Esq., H2M, Superintendent Gary Pendzick, and the applicant.

## 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

7/1/97

ORDER ESTABLISHING EXTENSION 51  
TO THE RIVERHEAD WATER DISTRICT  
MANORVILLE

Resolution #558

Adopted \_\_\_\_\_

## COUNCILMAN LULL

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

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District, for an extension to the Riverhead Water District to be known as Extension No. 51 consisting of an area in Manorville as more particularly described on the attached Exhibit A, and

WHEREAS, the cost for the installation of said mains and appurtenances shall be borne solely by the Department of Energy through contract with the Suffolk County Water Authority at no cost to the District, and

WHEREAS, this new contiguous extension will be supplied with water by the Suffolk County Water Authority per agreement, and

WHEREAS, said improvements consist of the acquisition and installation of new water mains twelve inches in diameter, including hydrants, valves and other necessary furnishings, equipment and apparatus and other incidental improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report, and

WHEREAS, such overall improvements have been determined to be an "unlisted action" pursuant to the regulations promulgated pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects, and

WHEREAS, a public hearing was held on the 17th day of June, 1997, wherein all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 51 as shown on Exhibit A attached is in the best interest of the district and will benefit the property to be served, which extension consists of the acquisition and installation of new water mains twelve inches in diameter, including hydrants, valves and other necessary

furnishings, equipment and apparatus and other incidental improvements and expenses in connection therewith, as more fully described in the aforesaid map, plan and report, and

BE IT FURTHER RESOLVED that the Town Board determines that the installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment, and and it is further

RESOLVED, that upon the completion of said water extension, the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk of Suffolk County and filed with the New York State Comptroller, and it is further

RESOLVED, that the Town Clerk forward a certified copy of the resolution to Pierre Lundberg, Esq., H2M, Superintendent Gary Bendzick, and the Suffolk County Water Authority.

## 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.

## EXHIBIT A

Extension No. 51 comprises the following parcels designated as Suffolk County Tax Map Nos. District 0600, Section 148, of the following blocks and lots: 1-2; 1-3; 1-4; 1-5; 1-6; 1-7; 2-2.1; 2-2.11; 2-2.12; 2-2.13; 2-2.3; 2-2.2; 2-6; 2-7; 2-8.

# Adopted

7/1/97

## ORDER ESTABLISHING ASHLEY HOMES LATERAL WATER MAIN RIVERHEAD WATER DISTRICT

Resolution #559

Adopted \_\_\_\_\_

### COUNCILMAN LULL

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

WHEREAS, petition has been made by the owners of Ashley Homes for the installation of a lateral water main of the Riverhead Water District to serve their realty subdivision known as Ashley Homes, and

WHEREAS, said subdivision, located on Sound Road, Wading River, New York, comprised of eight (8) single family building lots, and

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

WHEREAS, said plan provides for the installation of approximately 585 linear feet of water main and appurtenances along Anna Court at a total cost of \$31,700, and

WHEREAS, in consideration of the benefit of the installation of the lateral as a requirement of approval by the Suffolk County Health Department and the enhanced marketability of the lots, the petitioner agrees to pay key money as calculated to offset the infrastructure costs to the existing customers of the District in an amount equal to \$17,500, and

WHEREAS, a public hearing was held June 17, 1997, and all those wishing to be heard were heard,

NOW, THEREFORE, BE IT

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

1. The applicant has posted a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District in the amount of \$17,500 which is equal to \$2,500 key money for each dwelling unit within the

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

2. The applicant has posted a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District, in the amount of \$31,700.

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

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

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

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

## 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 # 560

### AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS INSTALLATION OF WATER MAINS - ASHLEY HOMES - WADING RIVER

**COUNCILMAN LULL**

offered the following resolution,

which was seconded by **COUNCILMAN PRUSINOWSKI**:

**RESOLVED**, that the Town Clerk be and is hereby directed to publish and post the attached Notice to Bidders regarding the installation of water mains in the subdivision known as Ashley Homes, Wading River, once in the July 9, 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 in Town Hall.

## 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.

## 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 **Tuesday, July 22, 1997**, at which time and place all bids will be publicly opened and read for *Project No. RDWD 97-52, Installation of Water Mains, Ashley Homes - Wading River.*

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

Holzmacher, 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 July 10, 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: July 10, 1997

# Adopted

July 1, 1997

## TOWN OF RIVERHEAD

Resolution # 561

### AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – CHANGE OF ZONE – RIVERHEAD CENTRE, LLC

COUNCILMAN KWASNA offered the following resolution which

was seconded by COUNCILMAN WITTMEIER

**WHEREAS**, the Riverhead Town Board is in receipt of a petition from the Riverhead Centre, LLC to provide for the Destination Commercial Planned Development District as described by Article XXXVII of the Town of Riverhead Zoning Ordinance to the exclusion of the existing Industrial A, Agriculture A, Business B and Residential 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 Town Board desires to hold a public hearing upon the petition pursuant to the Riverhead Zoning Ordinance and the Town Law, and

**WHEREAS**, by resolution Number 542 of 1997, the Riverhead Town Board did schedule a public hearing regarding this petition on the 15<sup>th</sup> day of July, 1997, and

**WHEREAS**, circumstances have arisen which would require that the public hearing be postponed to a later date, now

#### **THEREFORE, BE IT**

**RESOLVED**, that in the matter of the change of zone petition of the Riverhead Center LLC, the Riverhead Town Board hereby rescinds resolution #542 which scheduled a public hearing, and

#### **BE IT FURTHER**

**RESOLVED**, that the Town Clerk be authorized to publish in the official newspaper of the Town of Riverhead the attached notice of public hearing.

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 5<sup>th</sup> day of August, 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 the change of zone petition of the Riverhead Centre to provide for the Destination Commercial Planned Development District upon real property located at 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.

DATED: July 1, 1997  
Riverhead, New York

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 duly adopted.

# Adopted

7/1/97

## TOWN OF RIVERHEAD

Resolution # 562

### ACCEPTS RESIGNATION OF LINDA DUGAN FROM THE CONSERVATION ADVISORY COUNCIL

The following resolution was offered by COUNCILMAN WITTMEIER

and was seconded by COUNCILMAN KWASNA

WHEREAS, the Town Board of the Town of Riverhead appointed Linda Dugan to its Conservation Advisory Council in July of 1996; and

WHEREAS, Linda Dugan has written a letter of resignation to the Town Board resigning from her position on the Conservation Advisory Council due to her imminent relocation to another state;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead regretfully accepts the resignation of Linda Dugan from the Conservation Advisory Council effective immediately and offers its sincere gratitude to Ms. Dugan for all of her efforts on behalf of the residents of the Town of Riverhead; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Linda Dugan, the Planning Department of the Town of Riverhead, and Betty Brown, Chairman of the Conservation Advisory Council.

### 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 # 563

### AMENDS RESOLUTION #548 OF 1997 (BID FOR ROLL-OFF CONTAINERS)

**COUNCILMAN PRUSINOWSKI**

offered the following resolution, was seconded by

**COUNCILMAN LULL** :

**WHEREAS**, by Resolution #548 of 1997, the Town Board awarded the bid for the sale of (1) 40 Yard and (8) 30 Yard Roll-Off Containers to Crown Sanitation, Inc.; and

**WHEREAS**, Crown Sanitation, Inc. should have been awarded eight (8) 30 yard and two (2) 40 yard roll-off containers, that being the sealed bid submitted by Crown Sanitation, Inc.; and

**WHEREAS**, Jet Sanitation Service, Inc. was the next highest bidder, with regard to the four (4) remaining 40 yard roll-off containers.

**NOW THEREFORE BE IT RESOLVED**, that Resolution #548 of 1997 be and is hereby amended and be it further

**RESOLVED**, that the bid for the sale of eight (8) 30 yard roll-off containers and six (6) 40 yard roll-off containers from the Sanitation Department be awarded as follows:

- a) to Crown Sanitation, Inc., for eight (8) 30 yard roll-off containers for the sum of \$2,050.00 per container and for two (2) 40 yard roll-off containers for the sum of \$2,500.00 per container;
- b) to Jet Sanitation Service Corp. for four (4) 40 yard roll-off containers for the sum of \$1,200.00 per container; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Crown Sanitation, P.O. Box 974, 865 Youngs Avenue, Riverhead, New York, 11901; Jet Sanitation Service Corp., 228 Blydenburgh Road, Central Islip, New York, 11722; Purchasing Department and John Reeve, Sanitation Supervisor.

### 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

July 1, 1997

## TOWN OF RIVERHEAD

Resolution # 564

### APPROVES SITE PLAN OF HALLOCK CONVEYOR - BUILDING ADDITION

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

**WHEREAS**, a site plan and elevations were submitted by Corey D. Hallock for the construction of a 3500 square foot building addition, and attendant site improvements, located at 324 Doctor's Path (the northwest corner of Northville Turnpike (CR 43) and Doctor's Path), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-65-5-5; and

**WHEREAS**, the Planning Department has reviewed the site plan dated last May 28, 1997, as prepared by Gordon K. Ahlers, PE, Box 6, 188 Manor Lane, Jamesport NY 11947, and elevations dated March 3, 1997, as prepared by Gordon K. Ahlers, PE, Box 6, 188 Manor Lane, Jamesport NY 11947, 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 Corey D. Hallock for the construction of a 3500 square foot building addition, and attendant site improvements, located at 324 Doctor's Path (the northwest corner of Northville Turnpike (CR 43) and Doctor's Path), Riverhead, New York, site plan dated last May 28, 1997, as

prepared by Gordon K. Ahlers, PE, Box 6, 188 Manor Lane, Jamesport NY 11947, and elevations dated March 3, 1997, as prepared by Gordon K. Ahlers, PE, Box 6, 188 Manor Lane, Jamesport NY 11947, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Corey D. Hallock hereby authorizes and consents to the Town of Riverhead to enter premises at 324 Doctor's Path, 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 letter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-1331 of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
14. That the landscape plan and schedule shall be amended to include those items indicated on the plan approved herein and initialed by a majority of this Town Board; and be it further

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

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_\_ day of \_\_\_\_\_, 1997, made by Corey D. Hallock, residing at 324 Doctor's Path, Riverhead NY 11901, Declarant:

### WITNESSETH:

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

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

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

### NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements 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. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
6. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
7. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Corey D. Hallock hereby authorizes and consents to the Town of Riverhead to enter premises at the northwest corner of Northville Turnpike (CR 43) and Doctor's Path, Riverhead, New York, to enforce said handicapped parking regulations;
8. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
9. That all new utilities shall be constructed underground;
10. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall pose a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
11. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
12. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

---

Corey D. Hallock

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the \_\_\_\_\_ day of \_\_\_\_\_, 1997, before me personally came Corey D. Hallock, 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 324 Doctor's Path, Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

---

NOTARY PUBLIC

## THE VOTE

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.

July 1, 1997

# Adopted

TOWN OF RIVERHEAD

Resolution # 565**PROMOTES POLICE OFFICER GEORGE FREDRICKS****TO THE RANK OF POLICE SERGEANT****COUNCILMAN PRUSINOWSKI**

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

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

**WHEREAS**, due to the retirement of Sergeant David Cheshire, effective July 1, 1997, a vacancy exists in the Police Department.

**NOW, THEREFORE, BE IT, RESOLVED**, pursuant to Suffolk County Department of Civil Service Police Sergeant List #70-5007-362 Police Officer George Fredricks is hereby promoted to the rank of Police Sergeant, effective July 2, 1997, at the contractual rate of pay as set forth in the current SOA contract; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Sergeant George Fredricks, Police Chief Joseph Grattan 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 # 566

### AMENDS SITE PLAN OF LUPTON & LUCE (HALLUP REALTY CORP.)

COUNCILMAN WITTMEIER offered the following resolution, which was

seconded by COUNCILMAN KWASNA:

**WHEREAS**, by Resolution # 79, dated January 16, 1996, the Riverhead Town Board did approve the site plan of Hallock Luce III, as agent for Hallup Realty Corp., for the construction of a 10,000 square foot building addition and construction of a vestibule, and attendant site improvements, located at 219-225 Howell Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-127-4-37 & 38, and

**WHEREAS**, Hallock Luce III, as agent for Hallup Realty Corp., has requested that a modification of said site plan approval in regard to the alteration of the roofline, as per elevation drawings dated April 18, 1997, as prepared by Michael Tortorice, R.A., 21 East Second Street, Riverhead NY 11901, 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 97-17807 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 Hallock Luce III, as agent for Hallup Realty Corp. to provide for the following:

the alteration of the roofline, as per elevation drawings dated April 18, 1997, as prepared by Michael Tortorice, R.A., 21 East Second Street, Riverhead NY 11901, and

### **BE IT FURTHER**

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Hallock Luce III, as agent for Hallup Realty Corp., the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney

# Adopted

July 1, 1997

## TOWN OF RIVERHEAD

Resolution # 567

**AMENDS SITE PLAN OF 1994 SOUNDVIEW GOLF INC. - GREAT ROCK  
GOLF COURSE AT WADING RIVER**

**COUNCILMAN PRUSINOWSKI**

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

which was seconded by **COUNCILMAN LULL** \_\_\_\_\_:

**WHEREAS**, by Resolutions #86 and #24, dated January 16, 1996, and January 7, 1997, respectively, the Riverhead Town Board did approve the site plan of Allen M. Smith, Esq., as agent for 1994 Soundview Golf, Inc., for the construction of an 18 hole golf course and attendant clubhouse, maintenance area, and site improvements, located at lot number 141 of the subdivision map of Sound Breeze located at the north side of Sound Avenue, Wading River, New York, known and designated as Suffolk County Tax Map Number 0600-57-1-p/o 1.4, and

**WHEREAS**, Allen M. Smith, Esq., as agent for 1994 Soundview Golf, Inc., has requested that a modification of said site plan approval in regard to the relocation of the clubhouse, the increase in buffer area around the wetland, and the retention of an undisturbed area at the northwest portion of the parcel, as per a drawing dated June 20, 1997, as prepared by Willaim Johnson, 2350 Clearview Ave., Southold NY 11971, 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 Allen M. Smith, Esq., as agent for 1994 Soundview Golf, Inc., to provide for the following:

the relocation of the clubhouse, the increase in buffer area around the wetland, and the retention of an undisturbed area at the northwest portion of the parcel, as per a drawing dated June 20, 1997, as prepared by Willaim Johnson, 2350 Clearview Ave., Southold NY 11971, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, Esq., as agent for 1994 Soundview Golf, Inc., the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

**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.

JULY 1, 1997

# Adopted

## AWARDS BID FOR WORK CLOTHES 1997-1998

RESOLUTION # 568

ADOPTED: \_\_\_\_\_

**COUNCILMAN LULL**

OFFERED THE FOLLOWING RESOLUTION,

WHICH WAS SECONDED BY **COUNCILMAN PRUSINOWSKI**.

WHEREAS, the Town Clerk was authorized to publish and post a Notice To Bidders for WORK CLOTHES; and

WHEREAS, bids were received, opened and read aloud on the 5th day of June 1997, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, the date, time and place given in the Notice To Bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for WORK CLOTHES be, and hereby is, awarded to WOODS MENS & BOYS CLOTHING; and, be it further

RESOLVED, that the Town Board hereby directs 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 hereby is, authorized to forward a certified copy of this resolution to WOODS MENS & BOYS CLOTHING and all Town Hall Departments.

## 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

7/1/97

## TOWN OF RIVERHEAD

Resolution # 569

### APPOINTS MARRIAGE OFFICER

COUNCILMAN KWASNA

offered the following resolution,

which was seconded by COUNCILMAN WITTMEIER:

**WHEREAS**, Supervisor James R. Stark has been asked to officiate as a marriage officer in a ceremony within the territory of the Town of Riverhead; and

**WHEREAS**, pursuant to Section 11-C OF THE **Domestic Relations Law**, the Town Board is authorized to appoint one or more marriage officers who shall have authority to solemnize marriages.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Riverhead hereby appoints Supervisor James R. Stark as a marriage officer for the Town of Riverhead effective July 1, 1997 through July 31, 1997; and

**BE IT FURTHER RESOLVED**, that Supervisor James R. Stark shall serve in said position without compensation; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Supervisor James R. Stark.

### THE VOTE

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

The Resolution was thereupon duly adopted.

# Adopted

July 1, 1997

TOWN OF RIVERHEAD

Resolution # 570

**APPROVES SITE PLAN OF THE KNOLLS OF FOX HILL, SECTION 2**  
**(FORMERLY BLUFFS III)**

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

**WHEREAS**, a site plan and elevations were submitted by Alvin Benjamin, as agent for The Knolls at Fox Hill, Inc., for the construction of sixteen (16) condominium units, and attendant site improvements, located at the southeast corner of Oakleigh Avenue and Fox Hill Drive, Baiting Hollow, New York, known and designated as Suffolk County Tax Map Number 0600-11.2-1-0; and

**WHEREAS**, the Planning Department has reviewed the site plan dated last May 28, 1997, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated February 6, 1997, as prepared by Donald A. Denis, AIA, PO Box 565, Aquebogue NY 11931, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) \_\_\_\_\_ 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 97-15714 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 Alvin Benjamin, as agent for The Knolls at Fox Hill, Inc., for the construction of sixteen (16) condominium units, and attendant site improvements, located at the southeast corner of Oakleigh

Avenue and Fox Hill Drive, Baiting Hollow, New York, site plan dated last May 28, 1997, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and elevations dated February 6, 1997, as prepared by Donald A. Denis, AIA, PO Box 565, Aquebogue NY 11931, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan review and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, The Knolls at Fox Hill, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at the southeast corner of Oakleigh Avenue and Fox Hill Drive, Baiting Hollow, 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 letter; 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 post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Alvin Benjamin, as agent for The Knolls at Fox Hill, Inc., the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_\_ day of \_\_\_\_\_, 1997, made by The Knolls at Fox Hill, Inc., residing at 377 Oak Street, Garden City NY 11530, Declarant:

### WITNESSETH:

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

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

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

### NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
6. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
7. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, The Knolls at Fox Hill, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at the southeast corner of Oakleigh Avenue and Fox Hill Drive, Baiting Hollow, New York, to enforce said handicapped parking regulations;
8. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
9. That all utilities shall be constructed underground;
10. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall pose a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
11. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
12. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

THE KNOLLS AT FOX HILL, INC.

By: \_\_\_\_\_

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On the \_\_\_\_\_ day of \_\_\_\_\_, 1997, before me personally came \_\_\_\_\_ who, being sworn by me, did depose and say: that (s)he is the \_\_\_\_\_ of \_\_\_\_\_; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

\_\_\_\_\_  
NOTARY PUBLIC

THE VOTE

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

7/1/97

Town of Riverhead

Resolution # 571

Authorizes Supervisor to Sign a Grant Agreement with the New York State Department of Environmental Conservation

**COUNCILMAN PRUSINOWSKI**

offered the following resolution,

which was seconded by **COUNCILMAN LULL**:

**WHEREAS**, the federal Clean Vessel Act of 1992 establishes a five-year \$40 million matching grant program for the construction, renovation and operation of boat pumpout facilities for marine waste holding tanks and portable toilets; and

**WHEREAS**, the New York State Department of Environmental Conservation solicited proposals for projects to be included in its fifth year grant application (1997); and

**WHEREAS**, it is the policy of the Riverhead Town Board to encourage those practices that minimize hazardous influences on the Peconic Estuary system; and

**WHEREAS**, the construction of a marine pumpout station at the boat ramp located on East Creek, South Jamesport, off Peconic Bay Boulevard will significantly reduce outflow of effluent into the bay and support efforts of the Peconic Estuary Program; and

**WHEREAS**, the Community Development Department has applied for and been awarded funds in the amount of \$16,072, 75% of the total estimated project cost for the construction of a pumpout station to serve transient vessels and reduce boat discharge to the Peconic Estuary.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized to sign a grant agreement with the DEC for said project.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Cornieiss and Town Engineer Ken Testa.

## 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

7/1/97

Town of Riverhead

Resolution # 572

Authorizes Town Clerk to Post and Publish Notice to Bidders for the Design and Construction of the East Creek Nonsource Abatement Project

**COUNCILMAN LULL**

offered the following resolution,

which was seconded by **COUNCILMAN PRUSINOWSKI**

**WHEREAS**, the Town of Riverhead has been awarded a grant in the amount of \$62,500 under the New York State Department of Environmental Conservation (DEC) 1994 Nonpoint Sources Implementation Grants Program for the design and construction of a Nonsource Abatement Project at East Creek in Jamesport; and

**WHEREAS**, it is the policy of the Riverhead Town Board to encourage those practices that minimize hazardous influences on the Peconic Estuary system; and

**WHEREAS**, matching funds in the amount of \$62,500 have previously been allocated from the Town of Riverhead's drainage bond for said improvements at East Creek.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish Notice to Bidders for the East Creek Nonpoint Source Pollution Abatement Project in the July 9, 1997 issue of Suffolk County Life.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss, Town Engineer Ken Testa and Tom Wolpert, Young & Young.

## 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.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that SEALED BIDS for the construction of drainage, pavement, detention pond, and associated wetland plantings, in the Town of Riverhead, will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:15 A.M. prevailing time, on Friday, July 25, 1997 at which time and place they will be publicly opened and read for the following contract:

**EAST CREEK NONPOINT SOURCE  
POLLUTION ABATEMENT PROJECT  
AT JAMESPORT, T/O RIVERHEAD,  
SUFFOLK COUNTY, NEW YORK**

This project is being funded in part with monies provided by the New York State Department of Environmental Conservation through the 1994 Nonpoint Sources Implementation Grants Program.

Plans and specifications may be obtained on or after Monday, July 14, 1997, at Town Hall, 200 Howell Avenue, Riverhead, New York, upon deposit of Fifty Dollars, (\$50.00) for each set furnished. Deposits shall be made by cash, check, or bank money order. No exceptions shall be made.

Deposits for plans and specifications will be refunded to bidders who return these within ten (10) days in good condition; 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 certified check or bid bond in the amount of five percent (5%) of the total bid, made payable to James R. Stark, Supervisor, Town of Riverhead, as set forth in the Information to Bidders.

The Town Board reserves the right to reject any or all bids, to waive any informalities, and to accept such alternate bids which, in the opinion of the Town Board, will be in the best interests of the Town of Riverhead.

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

BARBARA A. GRATTAN, TOWN CLERK  
TOWN OF RIVERHEAD  
RIVERHEAD, NEW YORK 11901

DATED: July 9, 1997

NB-1

# Adopted

July 1, 1997

TOWN OF RIVERHEAD

Resolution # 573

**APPOINTS PART-TIME CLERK TYPIST**  
**IN THE SCAVENGER WASTE DEPARTMENT**

**COUNCILMAN KWASNA**

offered the following resolution ,

which was seconded by

**COUNCILMAN WITTMEIER**

**WHEREAS**, Elaine Gioelli resigned from her part-time clerk typist position in the Scavenger Waste Department, thereby creating a vacancy in the position; 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 handed down to the Town Board.

**NOW, THEREFORE, BE IT, RESOLVED**, effective July 2, 1997, the Town Board hereby appoints Judith DePhillips to the position of Part-Time Clerk Typist in the Scavenger Waste Department 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 Judith DePhillips, Scavenger Waste 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

TOWN OF RIVERHEAD

RESOLUTION # 574

REJECT BID FOR MEETING HOUSE CREEK PARKING AREA &amp; DRAINAGE

ADOPTED: JULY 1, 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 Meeting House Creek Parking Area and Drainage Improvements; and

WHEREAS, bids were received, opened and read aloud on the 6th day of June; and

WHEREAS, five (5) bids were received.

WHEREAS, all bids received exceed the amount budgeted for this project.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby rejects all bids received and hereby directs the Town Clerk to return any and all bids 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 all bid participants, Young & Young and Ken Testa.

## 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

7/1/97

TOWN OF RIVERHEAD

Resolution # 575

**AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT AGREEMENT BETWEEN RIVERHEAD WATER DISTRICT AND SUFFOLK COUNTY WATER AUTHORITY**

**COUNCILMAN PRUSINOWSKI**

offered the following resolution, was seconded by

**COUNCILMAN LULL**

**WHEREAS**, the Town Board of the Town of Riverhead desires to enter into an Agreement between the Riverhead Water District and the Suffolk County Water Authority in order to provide water to residents within Riverhead Water District Extension Number 51.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Supervisor, be and is hereby authorized to enter into and execute an Agreement dated June 27, 1997 between the Riverhead Water District and the Suffolk County Water Authority to allow the interim supply of public water to those premises located within Riverhead Water District Extension Number 51; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Pierre G. Lundberg, Esq., Smith, Finkelstein, Lundberg, Isler & Yakaboski, 456 Griffing Avenue, P.O. Box 389, Riverhead, New York, 11901; Gary Pendzick, Superintendent of Water District and the Office of the Town Attorney.

## 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 # 576

REJECTS BID FOR EDWARDS & RILEY AVENUE DRAINAGE AND ROAD IMPROVEMENT PROJECT

ADOPTED: JULY 1, 1997

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

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Edwards & Riley Avenue Drainage and Road Improvement Project to be opened and read aloud on the 2nd day of May, 1997; and

WHEREAS, Nine (9) bids were received.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby rejects all bids received for the above project and authorizes the Town Clerk to return any and all bids bonds received in connection with the above project; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to all bidders, Young & Young and Ken Testa.

## 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 # 577

### ADOPTS AN AMENDMENT TO CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE

COUNCILMAN KWASNA offered the following resolution, was seconded by

COUNCILMAN WITTMEIER :

**WHEREAS**, the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider an amendment to Chapter 108 entitled, "Zoning" 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

**WHEREAS**, a public hearing was held on the 17th day of September, 1996 at 2:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that an amendment to Chapter 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the **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; the Planning Board and the Building 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 ADOPTION**

1043

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted an amendment to Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

§ 108-45. Uses.

~~§108-45A(17). Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board.~~

§108-45B(4). ~~(Reserved)~~ Restaurant.

Dated: Riverhead, New York  
July 1, 1997

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

**BARBARA GRATTAN, Town Clerk**

\* Underscore represents addition(s)

\*\* Overstrike represents deletion(s)



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that SEALED BIDS for the construction of road and drainage improvements, in the Town of Riverhead, will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:30 A.M. prevailing time, on Friday, July 25, 1997 at which time and place they will be publicly opened and read for the following contract:

**EDWARDS AVENUE AND RILEY AVENUE  
ROAD & DRAINAGE IMPROVEMENT PROJECT  
AT CALVERTON, T/O RIVERHEAD, NEW YORK**

Plans and specifications may be obtained on or after Monday, July 14, 1997, at Town Hall, 200 Howell Avenue, Riverhead, New York, upon deposit of Fifty Dollars, (\$50.00) for each set furnished. Deposits shall be made by cash, check, or bank money order. No exceptions shall be made.

Deposits for plans and specifications will be refunded to bidders who return these within ten (10) days in good condition; 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 certified check or bid bond in the amount of five percent (5%) of the total bid, made payable to James R. Stark, Supervisor, Town of Riverhead, as set forth in the Information to Bidders.

The Town Board reserves the right to reject any or all bids, to waive any informalities, and to accept such alternate bids which, in the opinion of the Town Board, will be in the best interests of the Town of Riverhead.

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

BARBARA A. GRATTAN, TOWN CLERK  
TOWN OF RIVERHEAD  
RIVERHEAD, NEW YORK 11901

DATED: July 9, 1997

NB-1

# Adopted

7/01/97

TOWN OF RIVERHEAD

Resolution # 579

APPOINTS A VOLLEYBALL INSTRUCTOR  
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN PRUSINOWSKI

Offered the following

resolution, which was seconded  
by COUNCILMAN LULL:

RESOLVED, that Gerald Luglio is hereby appointed to serve as a Volleyball Instructor effective July 02, 1997 to and including September 1, 1997 to be paid at the rate of \$10.00 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. All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

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

## THE VOTE

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

7/01/97

TOWN OF RIVERHEAD

Resolution # 580

APPOINTS A FILL-IN LIFEGUARD  
TO THE RIVERHEAD RECREATION DEPARTMENT

**COUNCILMAN PRUSINOWSKI**

Offered the following

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

RESOLVED, that Arnold Vollmoeller Jr. is hereby appointed to serve as a Fill-In Lifeguard effective July 02, 1997 to and including September 1, 1997 to be paid biweekly 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.

## 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

7/01/97

TOWN OF RIVERHEAD

Resolution # 581

APPOINTS A SUMMER RECREATION AIDE  
TO THE RIVERHEAD RECREATION DEPARTMENT

**COUNCILMAN PRUSINOWSKI**

Offered the following

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

RESOLVED, that Jaime Knoedler is hereby appointed to serve as a Summer Recreation Aide effective July 02, 1997 to and including September 1, 1997 to be paid biweekly at the rate of \$6.00 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. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date; and

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

## THE VOTE

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

July 1, 1997

TOWN OF RIVERHEAD

Resolution # 582

**AUTHORIZES ATTENDANCE AT THE NEW YORK STATE  
GOVERNMENT FINANCE OFFICERS ASSOCIATION'S  
SUMMER TRAINING PROGRAM**

COUNCILMAN WITTMEIER offered the following resolution

which was seconded by COUNCILMAN KWASNA

**WHEREAS**, the New York State Government Financial Officers Association (NYS-GFOA) is holding its Annual Summer Training Program in Cooperstown, New York on Tuesday, August 26<sup>th</sup> and Wednesday, August 27<sup>th</sup>; and

**WHEREAS**, the Financial Administrator has requested authorization for himself and Town of Riverhead Senior Auditor to attend this Training Program.

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board hereby authorizes the attendance of the Financial Administrator and Senior Auditor at the Training Seminar in Cooperstown, New York, expenses to be reimbursed upon proper submission of receipts; and

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

July 1, 1997

## TOWN OF RIVERHEAD

Resolution # 583

### APPROVES SPECIAL PERMIT OF P.C. RICHARD & SON

COUNCILMAN PRUSINOWSKI

offered the following resolution which

was seconded by

COUNCILMAN LULL

**WHEREAS**, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Peter Richard, executive president of A.J. Richard & Son, Inc., pursuant to Sections 108-35 and 108-60 of the Code of the Town of Riverhead for construction of a 6,720 square foot addition on premises zoned Business B exceeding the permitted lot coverage of 15% on premises located at Old Country Road, Riverhead, New York; also known as SCTM No. 0600-108-3-24, 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 application to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the denial of the petition due to excessive lot coverage, 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 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 special permit petition of P.C. Richard & Son, the Riverhead Town Board makes the following findings:

FIRST: That the subject premises lies within the Business B Zoning Use District;

SECOND: That the Business B District provides for a maximum building area of 15% of the lot area, with increases to the maximum building area effected by special permit of the Town Board;

THIRD: That the premises is currently improved by a store use with a building area of 21%;

FOURTH: That the proposed development would increase the building area on the site from 21% to 26%;

FIFTH: That the proposed addition would result in construction which does not conform to the parking schedule;

SIXTH: That the proposed expansion is to provide for storage and production floor area which is not expected to overload off-street parking facilities; and

### BE IT FURTHER

**RESOLVED**, that based upon its findings, the Riverhead Town Board hereby approves the special permit petition of P.C. Richard & Son subject to the following conditions:

1. That the building permit application shall demonstrate that the proposed expansion be used for storage area or installation area to support the retail use;
2. That no building permit shall issue prior to the approval of a site plan application made pursuant to Section 108-128 of the Riverhead Zoning Ordinance. The site plan approval shall require a covenant acceptable to the Town Attorney restricting the expanded floor area to storage area of installation area;
3. That no building permit shall issue prior to relief from the parking schedule being granted by the Riverhead Zoning Board of Appeals, and

### BE IT FURTHER

**RESOLVED**, that a certified copy of this resolution be forwarded to P.C. Richard & Son or their agent.

### 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.

July 1, 1997

TOWN OF RIVERHEAD

Resolution # 584

MEETINGHOUSE CREEK

DRAINAGE 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:

		<b>FROM:</b>
085400.494200.40013	PROCEEDS FROM BONDS	\$15,000.
		<b>TO:</b>
406.085400.523008.40013	DRAINAGE CONSTRUCTION	\$15,000.

**THE VOTE**

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

The Resolution was thereupon duly adopted.

# Adopted

1053

July 1, 1997

TOWN OF RIVERHEAD

Resolution # 585

## PECONIC RIVERFRONT DRIVEWAY IMPROVEMENT

### 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:	
\$051100.483100.10010	TRANS FROM PUBLIC PARKING DIST.	\$95,000.	
			TO:
406.051100.541301.10010	ROAD CONSTRUCTION & IMPROV.	\$85,000.	
406.051100.547900.10010	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.

July 1, 1997

# Adopted

TOWN OF RIVERHEAD

Resolution # 586

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:	
031200.524212	POLICE, RADAR SPEED DETECT. SYSTEM	\$	175.
031200.542309	POLICE, BARRICADES		950.
031250.542112	JAB, PROGRAMS		500.
		TO:	
001.031200.542301	POLICE, BREATHALYZER & RADAR MAINT.	\$	175.
001.031200.542307	POLICE, FLARES		950.
001.031250.542104	JAB, SUPPLIES		500.

## THE VOTE

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

The Resolution was thereupon duly adopted.

**COUNCILMAN PRUSINOWSKI**

offered the following Resolution which was seconded by

**COUNCILMAN LULL**

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

**Adopted** 1055

SPECIAL CHECKRUN DUE TO SCHOOL/TOWN TAXES		***CD-NONE***	**CHECKRUN TOTALS*	***GRAND TOTALS***
*****ACCOUNTS*****				
GENERAL TOWN	001	\$0.00	\$58,561.49	\$58,561.49
PARKING METER	002	\$0.00	\$0.00	\$0.00
AMBULANCE FUND	003	\$0.00	\$0.00	\$0.00
POLICE ATHLETIC LEAGUE	004	\$0.00	\$869.50	\$869.50
TEEN CENTER	005	\$0.00	\$0.00	\$0.00
RECREATION PROGRAM	006	\$0.00	\$1,564.00	\$1,564.00
SENIOR NUTRITION SITE COUNCIL	007	\$0.00	\$0.00	\$0.00
D.A.R.E. PROGRAM FUND	008	\$0.00	\$0.00	\$0.00
CHILD CARE BUILDING FUND	009	\$0.00	\$50.97	\$50.97
SENIOR CITIZEN DAYCARE CENTER	027	\$0.00	\$0.00	\$0.00
HIGHWAY	111	\$0.00	\$5,939.84	\$5,939.84
WATER	112	\$0.00	\$239.39	\$239.39
REPAIR & MAINTENANCE	113	\$0.00	\$0.00	\$0.00
SEWER	114	\$0.00	\$11,754.22	\$11,754.22
REFUSE & GARBAGE COLLECTION	115	\$0.00	\$710.98	\$710.98
STREET LIGHTING	116	\$0.00	\$0.00	\$0.00
PUBLIC PARKING	117	\$0.00	\$3,816.88	\$3,816.88
BUSINESS IMPROVEMENT DISTRICT	118	\$0.00	\$4,374.00	\$4,374.00
TOR URBAN DEV CORP TRUST ACCT	119	\$0.00	\$0.00	\$0.00
WORKER'S COMPENSATION FUND	173	\$0.00	\$27,557.99	\$27,557.99
HOSPITALIZATION SELF INSURANCE	174	\$0.00	\$0.00	\$0.00
RISK RETENTION FUND	175	\$0.00	\$0.00	\$0.00
UNEMPLOYMENT INSURANCE FUND	176	\$0.00	\$0.00	\$0.00
MAIN STREET REHAB PROGRAM	177	\$0.00	\$0.00	\$0.00
REVOLVING LOAN PROGRAM	178	\$0.00	\$0.00	\$0.00
RESIDENTIAL REHAB	179	\$0.00	\$4,625.00	\$4,625.00
DISCRETIONARY/SMALL CITIES	180	\$0.00	\$0.00	\$0.00
CDBG CONSORTIUM ACCOUNT	181	\$0.00	\$0.00	\$0.00
URBAN DEVEL CORP WORKING	182	\$0.00	\$0.00	\$0.00
RESTORE	184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT	381	\$0.00	\$0.00	\$0.00
SEWER DISTRICT DEBT	382	\$0.00	\$5,470.45	\$5,470.45
WATER DEBT	383	\$0.00	\$378,049.26	\$378,049.26
GENERAL FUND DEBT SERVICE	384	\$0.00	\$397,637.54	\$397,637.54
SCAVENGER WASTE DISTRICT DEBT	385	\$0.00	\$0.00	\$0.00
COMM DEVEL AGENCY CAP PROJECT	405	\$0.00	\$0.00	\$0.00
TOWN HALL CAPITAL PROJECTS	406	\$0.00	\$44,462.35	\$44,462.35
EIGHT HUNDRED SERIES	408	\$0.00	\$0.00	\$0.00
WATER IMPROVEMENT CAP. PROJECT	409	\$0.00	\$0.00	\$0.00
NUTRITION CAPITAL IMPROVEMENTS	441	\$0.00	\$0.00	\$0.00
CHIPS	451	\$0.00	\$0.00	\$0.00
YOUTH SERVICES	452	\$0.00	\$0.00	\$0.00
SENIORS HELPING SENIORS	453	\$0.00	\$51.03	\$51.03
EISEP	454	\$0.00	\$74.98	\$74.98
SCAVENGER WASTE CAP PROJECT	470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND	625	\$0.00	\$7,322.27	\$7,322.27
MUNICIPAL GARAGE	626	\$0.00	\$9,271.40	\$9,271.40
TRUST & AGENCY	735	\$0.00	\$58.50	\$58.50
SPECIAL TRUST	736	\$0.00	\$0.00	\$0.00
COMMUNITY DEVELOPMENT AGENCY	915	\$0.00	\$0.00	\$0.00
JOINT SCAVENGER WASTE	918	\$0.00	\$10,253.89	\$10,253.89
CENTRAL CLEARING ACCOUNT	999	\$0.00	\$0.00	\$0.00
*****TOTALS*****		\$0.00	\$972,715.93	\$972,715.93

COUNCILMAN PRUSINOWSKI  
COUNCILMAN LULL

offered the following Resolution which was seconded by

**Adopted**

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

ACCOUNTS	CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN 001	\$4,500,000.00	\$1,367,884.78	\$5,867,884.78
PARKING METER 002	\$10,000.00	\$0.00	\$10,000.00
AMBULANCE FUND 003	\$25,000.00	\$0.00	\$25,000.00
POLICE ATHLETIC LEAGUE 004	\$8,500.00	\$0.00	\$8,500.00
TEEN CENTER 005	\$0.00	\$0.00	\$0.00
RECREATION PROGRAM 006	\$0.00	\$1,981.54	\$1,981.54
SENIOR NUTRITION SITE COUNCIL 007	\$0.00	\$0.00	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00	\$251.64	\$251.64
CHILD CARE BUILDING FUND 009	\$0.00	\$0.00	\$0.00
SENIOR CITIZEN DAYCARE CENTER 027	\$0.00	\$1,567.74	\$1,567.74
HIGHWAY 111	\$800,000.00	\$115,986.34	\$915,986.34
WATER 112	\$1,200,000.00	\$442,237.77	\$1,642,237.77
REPAIR & MAINTENANCE 113	\$275,000.00	\$0.00	\$275,000.00
SEWER 114	\$225,000.00	\$31,316.49	\$256,316.49
REFUSE & GARBAGE COLLECTION 115	\$450,000.00	\$7,864.02	\$457,864.02
STREET LIGHTING 116	\$300,000.00	\$24,810.97	\$324,810.97
PUBLIC PARKING 117	\$90,000.00	\$3,500.85	\$93,500.85
BUSINESS IMPROVEMENT DISTRICT 118	\$35,000.00	\$1,604.91	\$36,604.91
TOR URBAN DEV CORP TRUST ACCT 119	\$0.00	\$0.00	\$0.00
WORKER'S COMPENSATION FUND 173	\$25,000.00	\$758.21	\$25,758.21
HOSPITALIZATION SELF INSURANCE 174	\$6,000.00	\$0.00	\$6,000.00
RISK RETENTION FUND 175	\$100,000.00	\$6,200.00	\$106,200.00
UNEMPLOYMENT INSURANCE FUND 176	\$4,000.00	\$0.00	\$4,000.00
MAIN STREET REHAB PROGRAM 177	\$0.00	\$0.00	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00	\$2,702.38	\$2,702.38
RESIDENTIAL REHAB 179	\$0.00	\$720.00	\$720.00
DISCRETIONARY/SMALL CITIES 180	\$0.00	\$0.00	\$0.00
CDBG CONSORTIUM ACCOUNT 181	\$0.00	\$13,132.82	\$13,132.82
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$2,000.00	\$0.00	\$2,000.00
SEWER DISTRICT DEBT 382	\$0.00	\$0.00	\$0.00
WATER DEBT 383	\$0.00	\$0.00	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE DISTRICT DEBT 385	\$35,000.00	\$0.00	\$35,000.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00	\$0.00	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$100,000.00	\$153,457.75	\$253,457.75
EIGHT HUNDRED SERIES 408	\$0.00	\$0.00	\$0.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00	\$0.00	\$0.00
NUTRITION CAPITAL IMPROVEMENTS 441	\$0.00	\$0.00	\$0.00
CHIPS 451	\$0.00	\$0.00	\$0.00
YOUTH SERVICES 452	\$10,000.00	\$2,044.73	\$12,044.73
SENIORS HELPING SENIORS 453	\$0.00	\$1,787.47	\$1,787.47
EISEP 454	\$0.00	\$629.77	\$629.77
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$130,000.00	\$0.00	\$130,000.00
MUNICIPAL GARAGE 626	\$25,000.00	\$7,214.75	\$32,214.75
TRUST & AGENCY 735	\$0.00	\$1,349,650.20	\$1,349,650.20
SPECIAL TRUST 736	\$175,000.00	\$0.00	\$175,000.00
COMMUNITY DEVELOPMENT AGENCY 915	\$75,000.00	\$68,621.60	\$143,621.60
JOINT SCAVENGER WASTE 918	\$0.00	\$27,552.35	\$27,552.35
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
<b>TOTALS</b>	<b>\$8,605,500.00</b>	<b>\$3,633,479.08</b>	<b>\$12,238,979.08</b>

**COUNCILMAN PRUSINOWSKI**  
**COUNCILMAN LULL**

offered the following Resolution which was seconded by

**Adopted**

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

*****ACCOUNTS*****	***CD-NONE***	**CHECKRUN TOTALS*	***GRAND TOTALS***
GENERAL TOWN 001	\$0.00	\$37,454.19	\$37,454.19
PARKING METER 002	\$0.00	\$43.41	\$43.41
AMBULANCE FUND 003	\$0.00	\$0.00	\$0.00
POLICE ATHLETIC LEAGUE 004	\$0.00	\$0.00	\$0.00
TEEN CENTER 005	\$0.00	\$225.00	\$225.00
RECREATION PROGRAM 006	\$0.00	\$2,684.00	\$2,684.00
SENIOR NUTRITION SITE COUNCIL 007	\$0.00	\$0.00	\$0.00
D.A.R.E. PROGRAM FUND 008	\$0.00	\$331.60	\$331.60
CHILD CARE BUILDING FUND 009	\$0.00	\$0.00	\$0.00
SENIOR CITIZEN DAYCARE CENTER 027	\$0.00	\$192.00	\$192.00
HIGHWAY 111	\$0.00	\$8,959.26	\$8,959.26
WATER 112	\$0.00	\$5,245.69	\$5,245.69
REPAIR & MAINTENANCE 113	\$0.00	\$0.00	\$0.00
SEWER 114	\$0.00	\$1,048.18	\$1,048.18
REFUSE & GARBAGE COLLECTION 115	\$0.00	\$160,053.21	\$160,053.21
STREET LIGHTING 116	\$0.00	\$2,024.05	\$2,024.05
PUBLIC PARKING 117	\$0.00	\$0.00	\$0.00
BUSINESS IMPROVEMENT DISTRICT 118	\$0.00	\$230.29	\$230.29
TOR URBAN DEV CORP TRUST ACCT 119	\$0.00	\$0.00	\$0.00
WORKER'S COMPENSATION FUND 173	\$0.00	\$34,076.68	\$34,076.68
HOSPITALIZATION SELF INSURANCE 174	\$0.00	\$0.00	\$0.00
RISK RETENTION FUND 175	\$0.00	\$6,930.60	\$6,930.60
UNEMPLOYMENT INSURANCE FUND 176	\$0.00	\$0.00	\$0.00
MAIN STREET REHAB PROGRAM 177	\$0.00	\$0.00	\$0.00
REVOLVING LOAN PROGRAM 178	\$0.00	\$0.00	\$0.00
RESIDENTIAL REHAB 179	\$0.00	\$0.00	\$0.00
DISCRETIONARY/SMALL CITIES 180	\$0.00	\$0.00	\$0.00
CDBG CONSORTIUM ACCOUNT 181	\$0.00	\$33.23	\$33.23
URBAN DEVEL CORP WORKING 182	\$0.00	\$0.00	\$0.00
RESTORE 184	\$0.00	\$0.00	\$0.00
PUBLIC PARKING DEBT 381	\$0.00	\$0.00	\$0.00
SEWER DISTRICT DEBT 382	\$0.00	\$0.00	\$0.00
WATER DEBT 383	\$0.00	\$0.00	\$0.00
GENERAL FUND DEBT SERVICE 384	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE DISTRICT DEBT 385	\$0.00	\$0.00	\$0.00
COMM DEVEL AGENCY CAP PROJECT 405	\$0.00	\$0.00	\$0.00
TOWN HALL CAPITAL PROJECTS 406	\$0.00	\$16,400.02	\$16,400.02
EIGHT HUNDRED SERIES 408	\$0.00	\$0.00	\$0.00
WATER IMPROVEMENT CAP. PROJECT 409	\$0.00	\$0.00	\$0.00
NUTRITION CAPITAL IMPROVEMENTS 441	\$0.00	\$0.00	\$0.00
CHIPS 451	\$0.00	\$0.00	\$0.00
YOUTH SERVICES 452	\$0.00	\$0.00	\$0.00
SENIORS HELPING SENIORS 453	\$0.00	\$0.00	\$0.00
EISEP 454	\$0.00	\$0.00	\$0.00
SCAVENGER WASTE CAP PROJECT 470	\$0.00	\$0.00	\$0.00
MUNICIPAL FUEL FUND 625	\$0.00	\$0.00	\$0.00
MUNICIPAL GARAGE 626	\$0.00	\$296.75	\$296.75
TRUST & AGENCY 735	\$0.00	\$18,772.89	\$18,772.89
SPECIAL TRUST 736	\$0.00	\$0.00	\$0.00
COMMUNITY DEVELOPMENT AGENCY 915	\$0.00	\$0.00	\$0.00
JOINT SCAVENGER WASTE 918	\$0.00	\$832.27	\$832.27
CENTRAL CLEARING ACCOUNT 999	\$0.00	\$0.00	\$0.00
*****TOTALS*****	\$0.00	\$295,833.32	\$295,833.32